

By the Committees on General Government Appropriations;
Environmental Preservation and Conservation; and Senator
Saunders

601-06485-08

20081286c2

1 A bill to be entitled
2 An act relating to a review of the Fish and Wildlife
3 Conservation Commission under the Florida Government
4 Accountability Act; reenacting s. 20.331, F.S., relating
5 to the establishment of the commission; amending ss.
6 328.48 and 328.56, F.S., relating to vessel registration
7 and vessel registration numbers; clarifying the term "non-
8 motor-powered vessel" for purposes of an exception from
9 registration requirements; amending s. 328.72, F.S.,
10 relating to vessel registration fees; increasing such fees
11 for all vessels requiring registration; providing for
12 future adjustment of the vessel registration fees based on
13 the percentage change in the Consumer Pricing Index;
14 requiring the Fish and Wildlife Conservation Commission to
15 report to the Legislature on how the increase in fees will
16 be used; exempting certain non-motor-powered vessels from
17 requirements concerning vessel registration fees; amending
18 s. 372.57, F.S., relating to recreational hunting and
19 fishing licenses; providing for future adjustment of the
20 recreational hunting and fishing licenses based on the
21 percentage change in the Consumer Pricing Index; requiring
22 the Fish and Wildlife Conservation Commission to report to
23 the Legislature on how the increase in license and permit
24 fees will be used; requiring the Office of Program Policy
25 Analysis and Government Accountability to review and
26 report on the Fish and Wildlife Conservation Commission's
27 public relations, outreach, and education activities and
28 staffing levels by a date certain; requiring the Fish and
29 Wildlife Conservation Commission to review and report on

601-06485-08

20081286c2

30 specific activities within the agency by a date certain;
31 repealing sections 372.107, 372.5714, 372.673, and
32 372.993, F.S., relating to the Federal Law Enforcement
33 Trust Fund, the Waterfowl Advisory Council, the Florida
34 Panther Technical Advisory Council, and the regulation of
35 certain land-based commercial and recreational fishing
36 activities; providing an effective date.
37

38 WHEREAS, ss. 11.901-11.920, Florida Statutes, the Florida
39 Government Accountability Act, subjects the Fish and Wildlife
40 Conversation Commission and its respective advisory committees
41 to a sunset review process in order to determine whether the
42 agency should be retained, modified, or abolished, and

43 WHEREAS, the Fish and Wildlife Conversation Commission
44 produced a report providing specific information, as enumerated
45 in s. 11.906, Florida Statutes, and

46 WHEREAS, upon receipt of the report, the Joint Legislative
47 Sunset Committee and committees of the Senate and the House of
48 Representatives assigned to act as sunset review committees
49 reviewed the report and requested studies by the Office of
50 Program Policy Analysis and Government Accountability, and

51 WHEREAS, based on the commission's report, studies of the
52 Office of Program Policy Analysis and Government
53 Accountability, and public input, the Joint Legislative Sunset
54 Committee and legislative sunset review committees made
55 recommendations on the abolition, continuation, or
56 reorganization of the Fish and Wildlife Conversation Commission
57 and its advisory committees; on the need for the functions
58 performed by the agency and its advisory committees; and on the

601-06485-08

20081286c2

59 | consolidation, transfer, or reorganization of programs within
60 | the Fish and Wildlife Conversation Commission, NOW, THEREFORE,
61 |

62 | Be It Enacted by the Legislature of the State of Florida:
63 |

64 | Section 1. Section 20.331, Florida Statutes, is reenacted.

65 | Section 2. Subsection (2) of section 328.48, Florida
66 | Statutes, is amended to read:

67 | 328.48 Vessel registration, application, certificate,
68 | number, decal, duplicate certificate.--

69 | (2) All vessels used on the waters of the state must be
70 | registered, either commercial or recreational as defined in this
71 | chapter, except as follows:

72 | (a) A vessel used exclusively on private lakes and ponds.

73 | (b) A vessel owned by the United States Government.

74 | (c) A vessel used exclusively as a ship's lifeboat.

75 | (d) A non-motor-powered vessel less than 16 feet in length,
76 | and any non-motor-powered canoe, kayak, racing shell, or rowing
77 | scull, regardless of length.

78 | Section 3. Subsection (4) of section 328.56, Florida
79 | Statutes, is amended to read:

80 | 328.56 Vessel registration number.--Each vessel that is
81 | used on the waters of the state must display a commercial or
82 | recreational Florida registration number, unless it is:

83 | (4) A non-motor-powered vessel less than 16 feet in length,
84 | and any non-motor-powered canoe, kayak, racing shell, or rowing
85 | scull, regardless of length.

86 | Section 4. Subsections (1)and (14) of section 328.72,
87 | Florida Statutes, are amended to read:

601-06485-08

20081286c2

88 328.72 Classification; registration; fees and charges;
89 surcharge; disposition of fees; fines; marine turtle stickers.--

90 (1) VESSEL REGISTRATION FEE.--

91 (a) Vessels that are required to be registered shall be
92 classified for registration purposes according to the following
93 schedule, and the registration certificate fee shall be in the
94 following amounts:

95 Class A-1--Less than 12 feet in length, and all canoes to
96 which propulsion motors have been attached, regardless of length:
97 \$5.50 ~~\$3.50~~ for each 12-month period registered.

98 Class A-2--12 feet or more and less than 16 feet in length:
99 \$16.25 ~~10.50~~ for each 12-month period registered.

100 (To county): 2.85 for each 12-month period registered.

101 Class 1--16 feet or more and less than 26 feet in length:
102 \$28.75 ~~18.50~~ for each 12-month period registered.

103 (To county): 8.85 for each 12-month period registered.

104 Class 2--26 feet or more and less than 40 feet in length:
105 \$78.25 ~~50.50~~ for each 12-month period registered.

106 (To county): 32.85 for each 12-month period registered.

107 Class 3--40 feet or more and less than 65 feet in length:
108 \$127.75 ~~82.50~~ for each 12-month period registered.

109 (To county): 56.85 for each 12-month period registered.

110 Class 4--65 feet or more and less than 110 feet in length:
111 \$152.75 ~~98.50~~ for each 12-month period registered.

112 (To county): 68.85 for each 12-month period registered.

113 Class 5--110 feet or more in length: \$189.75 ~~122.50~~ for each
114 12-month period registered.

115 (To county): 86.85 for each 12-month period registered.

116 Dealer registration certificate: \$25.50 ~~16.50~~ for each 12-

601-06485-08

20081286c2

117 month period registered.

118

119 The county portion of the vessel registration fee is derived from
120 recreational vessels only.

121 (b) In 2013 and every 5 years thereafter, vessel
122 registration fees shall be adjusted by the percentage change in
123 the Consumer Price Index for All Urban Consumers since the fees
124 were last adjusted, unless otherwise provided by general law. By
125 February 1 of each year in which an adjustment is scheduled to
126 occur, the Fish and Wildlife Conservation Commission shall submit
127 a report to the President of the Senate and the Speaker of the
128 House of Representatives detailing how the increase in vessel
129 registration fees will be used within the agency. The vessel
130 registration fee increases shall take effect July 1 of each
131 adjustment year.

132 (14) EXEMPTIONS.--The following vessels are exempt from
133 provisions of subsection (1):

134 (a) A vessel that is ~~Vessels~~ owned and operated by Sea
135 Explorer or Sea Scout units of the Boy Scouts of America, the
136 Girl Scouts of America, the Florida Association of Christian
137 Child Caring Agencies, Inc., Safe Harbor Haven, Inc., or the
138 Associated Marine Institutes, Inc., and its affiliates., ~~or which~~
139 are

140 (b) An antique vessel ~~vessels~~ as defined in paragraph
141 ~~(2) (a) are exempt from the provisions of subsection (1).~~

142 (c) A non-motor-powered sailing vessel that is owned by a
143 nonprofit entity and used exclusively for teaching boating
144 safety, boat handling, or seamanship skills, including the racing
145 of such sailing vessels.

601-06485-08

20081286c2

146

147 Such vessels shall be issued certificates of registration and
148 numbers upon application and payment of the service fee provided
149 in subsection (7).

150 Section 5. Subsection (1) of section 372.57, Florida
151 Statutes, is amended to read:

152 372.57 Recreational licenses, permits, and authorization
153 numbers; fees established.--

154 (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER REQUIRED.--

155 (a) Except as provided in s. 372.562, no person shall take
156 game, freshwater or saltwater fish, or fur-bearing animals within
157 this state without having first obtained a license, permit, or
158 authorization number and paid the fees set forth in this chapter.
159 Such license, permit, or authorization number shall authorize the
160 person to whom it is issued to take game, freshwater or saltwater
161 fish, or fur-bearing animals, and participate in outdoor
162 recreational activities in accordance with the laws of the state
163 and rules of the commission.

164 (b) In 2013 and every 5 years thereafter, license and
165 permit fees established in subsections (4) and (5) shall be
166 adjusted by the percentage change in the Consumer Price Index for
167 All Urban Consumers since the fees were last adjusted, unless
168 otherwise provided by general law. By February 1 of each year in
169 which an adjustment is scheduled to occur, the Fish and Wildlife
170 Conservation Commission shall submit a report to the President of
171 the Senate and the Speaker of the House of Representatives
172 detailing how the increase in license and permit fees will be
173 used within the agency. The license and permit fee increases
174 shall take effect July 1 of each adjustment year.

601-06485-08

20081286c2

175 Section 6. The Office of Program Policy Analysis and
176 Government Accountability is directed to review and compare the
177 Fish and Wildlife Conservation Commission's public relations and
178 outreach staffing levels in its Executive Direction and
179 Administrative Services division to an agency of similar makeup
180 and size in order to determine whether any efficiencies can be
181 achieved through restructuring or downsizing. The office shall
182 provide its findings and recommendations in the form of a report
183 to the President of the Senate and the Speaker of the House of
184 Representatives by January 1, 2009.

185 Section 7. The Office of Program Policy Analysis and
186 Government Accountability is directed to review the outreach and
187 education activities of the Fish and Wildlife Conservation
188 Commission's Freshwater Fisheries and Marine Fisheries Management
189 divisions in order to determine if there is any duplication of
190 efforts with other state agencies or if efficiencies can be
191 achieved through restructuring or combining programs. The office
192 shall provide its findings and recommendations in the form of a
193 report to the President of the Senate and the Speaker of the
194 House of Representatives by January 1, 2009.

195 Section 8. The Fish and Wildlife Conservation Commission is
196 directed to complete a 5-year "Air Station" conceptual plan,
197 designed to improve agency aircraft operations and maintenance
198 efficiency, and provide its finding and recommendations in a
199 report to the President of the Senate and the Speaker of the
200 House of Representatives by January 1, 2009.

201 Section 9. The Fish and Wildlife Conservation Commission is
202 directed to review its current land management activities and
203 provide recommendations for combining duplicative activities with

601-06485-08

20081286c2

204 other state agencies or for outsourcing activities in order to
205 gain efficiencies or create cost-saving benefits. The commission
206 shall provide its findings and recommendations in a report to the
207 President of the Senate and the Speaker of the House of
208 Representatives by January 1, 2009.

209 Section 10. The Fish and Wildlife Conservation Commission
210 is directed to conduct a cost-benefit analysis of the activities
211 of the Fish and Wildlife Research Institute (FWRI), such as, but
212 not limited to, its geographic information system (GIS) technical
213 support, and provide recommendations on any efficiencies or cost-
214 savings benefits that may be gained from outsourcing those
215 activities. The commission shall provide its findings and
216 recommendations in a report to the President of the Senate and
217 the Speaker of the House of Representatives by January 1, 2009.

218 Section 11. Sections 372.107, 372.5714, 372.673, and
219 372.992, Florida Statutes, are repealed.

220 Section 12. This act shall take effect July 1, 2008.