

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Steube offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (25) of section 327.02, Florida Statutes, is amended to read:

327.02 ~~Definitions of terms used in this chapter and in chapter 328.~~ As used in this chapter and in chapter 328, unless the context clearly requires a different meaning, the term:

(25) "Navigation rules" means:

(a) For vessels on waters outside of established navigational lines of demarcation as specified in 33 C.F.R. part 80, the International Navigational Rules Act of 1977, 33 U.S.C. appendix following s. 1602, as amended, including the appendix and annexes thereto, through October 1, 2012.

(b) For vessels on all waters not outside of such established navigational lines of demarcation, as specified in 33 C.F.R. part 80 or the Inland Navigational Rules Act of 1980,

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20 33 C.F.R. parts 83-90, as amended, through October 1, 2012 ~~33~~
21 ~~U.S.C. ss. 2001 et seq., as amended, including the annexes~~
22 ~~thereto, for vessels on all waters not outside of such lines of~~
23 ~~demarcation.~~

24 Section 2. Subsection (1) of section 328.72, Florida
25 Statutes, is amended to read:

26 328.72 Classification; registration; fees and charges;
27 surcharge; disposition of fees; fines; marine turtle stickers.-

28 (1) VESSEL REGISTRATION FEE.-

29 ~~(a)~~ Vessels that are required to be registered shall be
30 classified for registration purposes according to the following
31 schedule, and the registration certificate fee shall be in the
32 following amounts:

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

36 Class A-2-12 feet or more and less than 16 feet in length:
37 \$16.25 for each 12-month period registered.

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

39 Class 1-16 feet or more and less than 26 feet in length:
40 \$28.75 for each 12-month period registered.

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

42 Class 2-26 feet or more and less than 40 feet in length:
43 \$78.25 for each 12-month period registered.

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

45 Class 3-40 feet or more and less than 65 feet in length:
46 \$127.75 for each 12-month period registered.

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

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48 Class 4-65 feet or more and less than 110 feet in length:
49 \$152.75 for each 12-month period registered.

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

51 Class 5-110 feet or more in length: \$189.75 for each 12-
52 month period registered.

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

54 Dealer registration certificate: \$25.50 for each 12-month
55 period registered.

56 The county portion of the vessel registration fee is derived
57 from recreational vessels only.

58 ~~(b) In 2013 and every 5 years thereafter, vessel~~
59 ~~registration fees shall be adjusted by the percentage change in~~
60 ~~the Consumer Price Index for All Urban Consumers since the fees~~
61 ~~were last adjusted, unless otherwise provided by general law. By~~
62 ~~February 1 of each year in which an adjustment is scheduled to~~
63 ~~occur, the Fish and Wildlife Conservation Commission shall~~
64 ~~submit a report to the President of the Senate and the Speaker~~
65 ~~of the House of Representatives detailing how the increase in~~
66 ~~vessel registration fees will be used within the agency. The~~
67 ~~vessel registration fee increases shall take effect July 1 of~~
68 ~~each adjustment year.~~

69 Section 3. Subsections (30) and (31) of section 379.101,
70 Florida Statutes, are amended to read:

71 379.101 Definitions.—In construing these statutes, where
72 the context does not clearly indicate otherwise, the word,
73 phrase, or term:

74 (30) "Resident" or "resident of Florida" means:

75 (a) For purposes of part VII ~~of this chapter, with the~~

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76 ~~exception of ss. 379.363, 379.3635, 379.364, 379.3711, 379.3712,~~
77 ~~379.372, 379.373, 379.374, 379.3751, 379.3752, 379.3761,~~
78 ~~379.3762, and 379.377, and for purposes of s. 379.355, a citizen~~
79 ~~citizens of the United States who has have~~ continuously resided
80 in this state for 1 year before applying for a, ~~next preceding~~
81 ~~the making of their application for~~ hunting, fishing, or other
82 license, ~~for the following period of time, to wit: For 1 year in~~
83 ~~the state and 6 months in the county when applied to all fish~~
84 ~~and game laws not related to freshwater fish and game. However,~~
85 for purposes of ss. 379.363, 379.3635, 379.364, 379.3711,
86 379.3712, 379.372, 379.373, 379.374, 379.3751, 379.3752,
87 379.3761, and 379.3762, the term "resident" or "resident of
88 Florida" means a citizen of the United States who has
89 continuously resided in this state for 6 months before applying
90 for a hunting, fishing, or other license.

91 (b) For purposes of part VI ~~of this chapter, except with~~
92 ~~the exception of s. 379.355;~~ and for purposes of ss. ~~379.363,~~
93 ~~379.3635, 379.364, 379.3711, 379.3712, 379.372, 379.373,~~
94 ~~379.374, 379.3751, 379.3752, 379.3761, 379.3762, and 379.377,~~
95 ~~any person who has continually resided in the state for 6 months~~
96 ~~or~~

97 1. Any member of the United States Armed Forces who is
98 stationed in the state and his or her family members residing
99 with such member; or

100 2. Any person who has declared Florida as his or her only
101 state of residence as evidenced by a valid Florida driver
102 license or identification card with both a Florida address and a
103 Florida residency verified by the Department of Highway Safety

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104 and Motor Vehicles, or, in the absence thereof, one of the
105 following:

106 a. A current Florida voter information card;

107 b. A sworn statement manifesting and evidencing domicile
108 in Florida in accordance with s. 222.17;

109 c. Proof of a current Florida homestead exemption; or

110 d. For a child younger than 18 years of age, a student
111 identification card from a Florida school or, when accompanied
112 by his or her parent at the time of purchase, the parent's proof
113 of residency.

114 (31) "Resident alien" means a person ~~shall mean those~~
115 ~~persons~~ who has ~~have~~ continuously resided in this state for at
116 least 1 year ~~and 6 months in the county~~ and can provide
117 documentation from the Bureau of Citizenship and Immigration
118 Services evidencing permanent residency status in the United
119 States. For the purposes of this chapter, a "resident alien" is
120 ~~shall be~~ considered a "resident."

121 Section 4. Paragraph (q) is added to subsection (2) of
122 section 379.353, Florida Statutes, to read:

123 379.353 Recreational licenses and permits; exemptions from
124 fees and requirements.—

125 (2) A hunting, freshwater fishing, or saltwater fishing
126 license or permit is not required for:

127 (q) Any person exempted pursuant to this paragraph by
128 commission permit for an outdoor recreational event the primary
129 purpose of which is the rehabilitation or enjoyment of disabled
130 veterans certified by the United States Department of Veterans
131 Affairs or its predecessor or by any branch of the United States

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132 Armed Forces to have a service-connected disability percentage
133 rating of zero or higher or active duty or reserve duty
134 servicemembers of any branch of the United States Armed Forces,
135 the United States Coast Guard, military reserves, the Florida
136 National Guard, or the United States Coast Guard Reserve. A
137 permit issued for an event pursuant to this paragraph shall
138 exempt disabled veterans and active duty or reserve duty
139 servicemembers, the immediate family of such disabled veterans
140 and servicemembers, and one additional person designated to
141 assist a disabled veteran, from possessing a hunting, freshwater
142 fishing, or saltwater fishing license or permit for the duration
143 of the event. For purposes of this exemption, "immediate family"
144 means a parent, spouse, or child. The factors to be considered
145 by the commission in determining whether to issue a permit for
146 an event pursuant to this paragraph shall include, but are not
147 limited to, hunting and fishing seasons, timeframe or duration
148 of the event, species concerns, and the number of such permits
149 granted to the organizer of the event during the calendar year
150 for which the permit is requested. The commission shall adopt
151 rules to implement this paragraph.

152 Section 5. Subsections (1) and (15) of section 379.354,
153 Florida Statutes, are amended to read:

154 379.354 Recreational licenses, permits, and authorization
155 numbers; fees established.—

156 (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER REQUIRED.—

157 ~~(a)~~ Except as provided in s. 379.353, no person shall take
158 game, freshwater or saltwater fish, or fur-bearing animals
159 within this state without having first obtained a license,

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160 permit, or authorization number and paid the fees set forth in
161 this chapter. Such license, permit, or authorization number
162 shall authorize the person to whom it is issued to take game,
163 freshwater or saltwater fish, or fur-bearing animals, and
164 participate in outdoor recreational activities in accordance
165 with the laws of the state and rules of the commission.

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

177 (15) FREE FISHING DAYS.—The commission may designate by
178 rule no more than 4 ~~2~~ consecutive or nonconsecutive days in each
179 year as free freshwater fishing days and no more than 4 ~~2~~
180 consecutive or nonconsecutive days in each year as free
181 saltwater fishing days. Notwithstanding any other provision of
182 this chapter, any person may take freshwater fish for
183 noncommercial purposes on a free freshwater fishing day and may
184 take saltwater fish for noncommercial purposes on a free
185 saltwater fishing day, without obtaining or possessing a license
186 or permit or paying a license or permit fee as prescribed in
187 this section. A person who takes freshwater or saltwater fish on

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188 a free fishing day must comply with all laws, rules, and
189 regulations governing the holders of a fishing license or permit
190 and all other conditions and limitations regulating the taking
191 of freshwater or saltwater fish as are imposed by law or rule.

192 Section 6. Paragraph (b) of subsection (2) of section
193 379.361, Florida Statutes, is amended to read:

194 379.361 Licenses.—

195 (2) SALTWATER PRODUCTS LICENSE.—

196 (b)1. A restricted species endorsement on the saltwater
197 products license is required to sell to a licensed wholesale
198 dealer those species which the state, by law or rule, has
199 designated as "restricted species." This endorsement may be
200 issued only to a person who is at least 16 years of age, or to a
201 firm certifying that over 25 percent of its income or \$5,000 of
202 its income, whichever is less, is attributable to the sale of
203 saltwater products pursuant to a saltwater products license
204 issued under this paragraph or a similar license from another
205 state. This endorsement may also be issued to a for-profit
206 corporation if it certifies that at least \$5,000 of its income
207 is attributable to the sale of saltwater products pursuant to a
208 saltwater products license issued under this paragraph or a
209 similar license from another state. However, if at least 50
210 percent of the annual income of a person, firm, or for-profit
211 corporation is derived from charter fishing, the person, firm,
212 or for-profit corporation must certify that at least \$2,500 of
213 the income of the person, firm, or corporation is attributable
214 to the sale of saltwater products pursuant to a saltwater
215 products license issued under this paragraph or a similar

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216 license from another state, in order to be issued the
217 endorsement. Such income attribution must apply to at least 1 of
218 the last 3 years. For the purpose of this section, "income"
219 means that income that is attributable to work, employment,
220 entrepreneurship, pensions, retirement benefits, and social
221 security benefits.

222 2. To renew an existing restricted species endorsement, a
223 marine aquaculture producer possessing a valid saltwater
224 products license with a restricted species endorsement may apply
225 income from the sale of marine aquaculture products to licensed
226 wholesale dealers.

227 3. The commission may ~~is authorized to~~ require
228 verification of such income for all restricted species
229 endorsements issued pursuant to this paragraph. Acceptable proof
230 of income earned from the sale of saltwater products shall be:

231 a. Copies of trip ticket records generated pursuant to
232 this subsection (marine fisheries information system),
233 documenting qualifying sale of saltwater products;

234 b. Copies of sales records from locales other than Florida
235 documenting qualifying sale of saltwater products;

236 c. A copy of the applicable federal income tax return,
237 including Form 1099 attachments, verifying income earned from
238 the sale of saltwater products;

239 d. Crew share statements verifying income earned from the
240 sale of saltwater products; or

241 e. A certified public accountant's notarized statement
242 attesting to qualifying source and amount of income.

243 4. Notwithstanding any other provision of law, any person

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244 who owns a retail seafood market or restaurant at a fixed
245 location for at least 3 years, who has had an occupational
246 license for 3 years before ~~prior to~~ January 1, 1990, who
247 harvests saltwater products to supply his or her retail store,
248 and who has had a saltwater products license for 1 of the past 3
249 license years before ~~prior to~~ January 1, 1990, may provide proof
250 of his or her verification of income and sales value at the
251 person's retail seafood market or restaurant and in his or her
252 saltwater products enterprise by affidavit and shall thereupon
253 be issued a restricted species endorsement.

254 5.4. Exceptions from income requirements shall be as
255 follows:

256 a. A permanent restricted species endorsement shall be
257 available to those persons age 62 and older who have qualified
258 for such endorsement for at least 3 of the last 5 years.

259 b. Active military duty time shall be excluded from
260 consideration of time necessary to qualify and shall not be
261 counted against the applicant for purposes of qualifying.

262 c. Upon the sale of a used commercial fishing vessel owned
263 by a person, firm, or corporation possessing or eligible for a
264 restricted species endorsement, the purchaser of such vessel
265 shall be exempted from the qualifying income requirement for the
266 purpose of obtaining a restricted species endorsement for a
267 complete license ~~period of 1~~ year after purchase of the vessel.

268 d. Upon the death or permanent disablement of a person
269 possessing a restricted species endorsement, an immediate family
270 member wishing to carry on the fishing operation shall be
271 exempted from the qualifying income requirement for the purpose

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272 of obtaining a restricted species endorsement for a complete
273 license ~~period of 1~~ year after the death or disablement.

274 e. A restricted species endorsement may be issued on an
275 individual saltwater products license to a person age 62 or
276 older who documents that at least \$2,500 of such person's income
277 is attributable to the sale of saltwater products.

278 f. A permanent restricted species endorsement may also be
279 issued on an individual saltwater products license to a person
280 age 70 or older who has held a saltwater products license for at
281 least 3 of the last 5 license years.

282 g. Any resident who is certified to be totally and
283 permanently disabled by the Railroad Retirement Board, by the
284 United States Department of Veterans Affairs or its predecessor,
285 or by any branch of the United States Armed Forces, or who holds
286 a valid identification card issued by the Department of
287 Veterans' Affairs pursuant to s. 295.17, upon proof of the same,
288 or any resident certified to be disabled by the United States
289 Social Security Administration or a licensed physician, upon
290 proof of the same, shall be exempted from the income
291 requirements if he or she also has held a saltwater products
292 license for at least 3 of the last 5 license years before ~~prior~~
293 ~~to~~ the date of the disability. A restricted species endorsement
294 issued under this paragraph may be issued only on an individual
295 saltwater products license.

296 h. An honorably discharged, resident military veteran
297 certified by the United States Department of Veterans Affairs or
298 its predecessor or by any branch of the United States Armed
299 Forces to have a service-connected permanent disability rating

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300 of 10 percent or higher, upon providing proof of such disability
301 rating, is not required to provide documentation for the income
302 requirement with his or her initial application for a restricted
303 species endorsement. Documentation for the income requirement is
304 required beginning with the renewal of the restricted species
305 endorsement after such veteran has possessed a valid restricted
306 species endorsement for a complete license year. This exemption
307 applies only to issuance of the endorsement on an individual
308 saltwater products license and is a one-time exemption. In order
309 to renew the restricted species endorsement on an individual
310 saltwater products license, the veteran must document that at
311 least \$2,500 of his or her income is attributable to the sale of
312 saltwater products.

313 i. Beginning July 1, 2014, a resident military veteran who
314 applies to the commission within 48 months after receiving an
315 honorable discharge from any branch of the United States Armed
316 Forces, the United States Coast Guard, the military reserves,
317 the Florida National Guard, or the United States Coast Guard
318 Reserve is not required to provide documentation for the income
319 requirement with his or her initial application for a restricted
320 species endorsement. Documentation for the income requirement is
321 required beginning with the renewal of the restricted species
322 endorsement after such veteran has possessed a valid restricted
323 species endorsement for a complete license year. This exemption
324 applies only to issuance of the endorsement on an individual
325 saltwater products license and may only be applied one time per
326 military enlistment.

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327 j. Until June 30, 2014, a resident military veteran who
328 applies to the commission and who received an honorable
329 discharge from any branch of the United States Armed Forces, the
330 United States Coast Guard, the military reserves, the Florida
331 National Guard, or the United States Coast Guard Reserve between
332 September 11, 2001, and June 30, 2014, is not required to
333 provide documentation for the income requirement with his or her
334 initial application for a restricted species endorsement.
335 Documentation for the income requirement is required beginning
336 with the renewal of the restricted species endorsement after
337 such veteran has possessed a valid restricted species
338 endorsement for a complete license year. This exemption applies
339 only to issuance of the endorsement on an individual saltwater
340 products license.

341 Section 7. This act shall take effect July 1, 2013.

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343

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T I T L E A M E N D M E N T

345

Remove everything before the enacting clause and insert:

346

A bill to be entitled

347

An act relating to the Fish and Wildlife Conservation

348

Commission; amending s. 327.02, F.S.; revising the

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definition of the term "navigation rules" for purposes

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of provisions relating to vessels; amending s. 328.72,

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F.S.; deleting provisions for periodic adjustments of

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certain fees based on changes in the Consumer Price

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Index; amending s. 379.101, F.S.; revising the

354

definition of the term "resident" or "resident of

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355 Florida" for purposes of provisions relating to
356 recreational and nonrecreational activity licenses;
357 providing for certain evidence of residence; revising
358 the definition of the term "resident alien" to remove
359 a county residency requirement; amending s. 379.353,
360 F.S.; exempting specified persons participating in
361 certain outdoor recreational events from requirements
362 for hunting and fishing licenses and permits; amending
363 s. 379.354, F.S.; deleting provisions for periodic
364 adjustments of certain fees based on changes in the
365 Consumer Price Index; revising the number of days the
366 commission may designate as free fishing days each
367 year; amending s. 379.361, F.S.; revising requirements
368 for a restricted species endorsement on a saltwater
369 products license; providing an effective date.