



1 A bill to be entitled
 2 An act relating to Brevard County; amending chapter 94-
 3 419, Laws of Florida, as amended by chapter 2000-451, Laws
 4 of Florida; revising provisions relating to license term;
 5 revising provisions relating to fees; revising provisions
 6 relating to the limitation on the issuance of licenses;
 7 revising provisions relating to the use of proceeds from
 8 the collection of licensing fees; providing an expiration
 9 date; providing an effective date.

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 11 Be It Enacted by the Legislature of the State of Florida:

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 13 Section 1. Subsections (1), (3), (4), and (7) of section 2
 14 and sections 5 and 12 of section 1 of chapter 2000-451, Laws of
 15 Florida, are amended to read:

16 Section 2. (1) The Fish and Wildlife Conservation
 17 Commission shall issue a resident or nonresident clam license
 18 during a 61-day period beginning June 1 of each year, except
 19 that in 1994 the 61-day period shall begin on the effective date
 20 of this act. The term of the license begins on July 1 of the
 21 purchase year and ends on June 30 of the following ~~third~~
 22 ~~succeeding~~ year. The fee for a resident license is \$100 ~~\$300~~,
 23 and the fee for a nonresident license is \$400 ~~\$1,200~~. The
 24 license is valid only for the individual licensee to whom it is
 25 issued. The nonresident license must be readily distinguishable
 26 from the resident license.



27 (3) A license may be purchased after the annual 61-day
28 license issuance period upon the payment of an additional \$400
29 ~~\$1,200~~ late fee to the commission.

30 (4) Beginning June 1, 1996, no new clam licenses shall be
31 issued by the Department of Environmental Protection or the Fish
32 and Wildlife Conservation Commission until the total number of
33 active and renewed clam licenses for Brevard County falls below
34 400 ~~500~~ for the previous license year. In any year thereafter,
35 the commission may issue such additional new licenses to bring
36 the total number of licenses issued for Brevard County up to a
37 maximum of 400 ~~500~~.

38 (7) On July 1 of each year, the Fish and Wildlife
39 Conservation Commission will determine if the total number of
40 licenses has fallen below 400 ~~500~~. If so, the commission may
41 issue new licenses under the following stipulations:

42 (a) First priority will be given to current Brevard County
43 Hard Clam License holders who have missed one of the required
44 educational seminars. Applicants will have a 60-day period
45 beginning July 1 to apply for a new license and complete the
46 missed educational seminar.

47 (b) Second priority will be given to past Brevard County
48 Hard Clam License holders under this act. Applicants will have a
49 60-day period beginning September 1 to apply for a new license
50 and complete all missed educational seminars.

51 (c) Final priority will be on a first-come first-served
52 basis. Applicants will have a 60-day period beginning November 1
53 to apply for a new license and complete all educational
54 seminars.



55 (d) New licenses will not be issued between January 1 and
56 June 30 of any year.

57 Section 5. The Fish and Wildlife Conservation Commission
58 shall remit the proceeds from the clam licenses and late fees to
59 the Department of Agriculture and Consumer Services less any
60 reasonable administrative costs associated with the issuance of
61 said license. The proceeds from the collection of license fees
62 or civil penalties under this act, including any late fees, are
63 to be deposited in the General Inspection Trust Fund of the
64 Department of Agriculture and Consumer Services and, less
65 reasonable administrative and educational costs, must be
66 appropriated for the initial testing and reclassification of
67 shellfish-harvesting waters in Brevard County. A portion of the
68 proceeds, not more than 40 percent, must be used to mark those
69 open and closed waters of Brevard County until all such waters
70 are so marked. An additional portion of the proceeds must be
71 used for clam resource restoration and enhancement projects in
72 various areas of benefit to and in coordination with the Brevard
73 County clamming industry.

74 Section 12. This act shall expire July 1, 2008 ~~2003~~.

75 Section 2. This act shall take effect upon becoming a law.