

CHAMBER ACTION

1 The Committee on Finance & Tax recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to vessel licenses; amending s. 372.57,
7 F.S.; creating a Freshwater Vessel License Pilot Program
8 within the Fish and Wildlife Conservation Commission;
9 establishing nonmandatory license fees and categories;
10 prohibiting the transfer of vessel licenses under certain
11 circumstances; requiring that revenues from the sales of
12 freshwater vessel licenses be deposited into the State
13 Game Trust Fund; providing for the expiration of the pilot
14 program; creating a Vessel License Task Force within the
15 commission; providing for membership of the task force;
16 providing responsibilities and duties of the task force;
17 requiring the task force to submit recommendations to the
18 commission and certain committees of the Legislature;
19 providing for expiration of the task force; providing an
20 appropriation; amending s. 372.562, F.S.; providing
21 exemptions from certain fees and requirements for persons
22 fishing from or operating a freshwater vessel with a

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23 | freshwater vessel license; providing for expiration of the
24 | exemption; providing effective dates.

25 |

26 | Be It Enacted by the Legislature of the State of Florida:

27 |

28 | Section 1. Subsection (7) of section 372.57, Florida
29 | Statutes, is amended, and subsections (16) and (17) are added to
30 | said section, to read:

31 | 372.57 Recreational licenses, permits, and authorization
32 | numbers; fees established.--

33 | (7) SALTWATER VESSEL LICENSES.--

34 | (a) No person may operate any vessel wherein a fee is
35 | paid, either directly or indirectly, for the purpose of taking,
36 | attempting to take, or possessing any saltwater fish for
37 | noncommercial purposes unless she or he has obtained a license
38 | for each vessel for that purpose, and has paid the license fee
39 | pursuant to paragraph (b), paragraph (c), or paragraph (d)
40 | ~~paragraphs (b) and (c)~~ for such vessel.

41 | (b) A license for any person who operates any vessel
42 | licensed to carry more than 10 customers, wherein a fee is paid,
43 | either directly or indirectly, for the purpose of taking or
44 | attempting to take saltwater fish, is \$800 per year. The license
45 | must be kept aboard the vessel at all times.

46 | (c)~~1.~~ A license for any person who operates any vessel
47 | licensed to carry no more than 10 customers, or for any person
48 | licensed to operate any vessel carrying 6 or fewer customers,
49 | wherein a fee is paid, either directly or indirectly, for the

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50 purpose of taking or attempting to take saltwater fish, is \$400
51 per year.

52 (d)~~2~~. A license for any person licensed to operate any
53 vessel carrying 6 or fewer customers but who operates a vessel
54 carrying 4 or fewer customers, wherein a fee is paid, either
55 directly or indirectly, for the purpose of taking or attempting
56 to take saltwater fish, is \$200 per year. The license must be
57 kept aboard the vessel at all times.

58 (e)~~3~~. A person who operates a vessel required to be
59 licensed pursuant to paragraph (b), paragraph (c), or ~~this~~
60 paragraph (d) may obtain a license in her or his own name, and
61 such license shall be transferable and apply to any vessel
62 operated by the purchaser, provided that the purchaser has paid
63 the appropriate license fee.

64 (f)~~(d)~~ A license for a recreational vessel not for hire
65 and for which no fee is paid, either directly or indirectly, by
66 guests for the purpose of taking or attempting to take saltwater
67 fish noncommercially is \$2,000 per year. The license may be
68 purchased at the option of the vessel owner and must be kept
69 aboard the vessel at all times. A log of species taken and the
70 date the species were taken shall be maintained and a copy of
71 the log filed with the commission at the time of renewal of the
72 license.

73 (g)~~(e)~~ The owner, operator, or custodian of a vessel the
74 operator of which has been licensed pursuant to paragraph (a)
75 must maintain and report such statistical data as required by,
76 and in a manner set forth in, the rules of the commission.

77 (16) FRESHWATER VESSEL LICENSE PILOT PROGRAM.--

78 (a) The Fish and Wildlife Conservation Commission shall
 79 establish a 1-year nonmandatory freshwater vessel license
 80 program which shall be implemented on July 1, 2004. Freshwater
 81 vessel licenses issued under this subsection shall expire on
 82 June 30, 2005, and are nonrenewable. Any license issued under
 83 this pilot program must be identified as a freshwater vessel
 84 license and, except as provided in paragraph (e), may not be
 85 transferred for use to other fishing vessels during the time for
 86 which the license is valid. The owner, operator, or custodian of
 87 a vessel licensed pursuant to this subsection must maintain and
 88 report such statistical data as required by the commission.

89 (b) A license for any vessel for hire as certified by the
 90 United States Coast Guard to carry 11 or more passengers,
 91 wherein a fee is paid either directly or indirectly for the
 92 purpose of taking or attempting to take freshwater fish, is \$800
 93 per year. The license must be kept aboard the vessel at all
 94 times.

95 (c) A license for any vessel for hire as certified by the
 96 United States Coast Guard to carry 10 or fewer passengers is
 97 \$400 per year, or for any vessel for hire carrying 6 or fewer
 98 passengers, wherein a fee is paid either directly or indirectly
 99 for the purpose of taking or attempting to take freshwater fish,
 100 is \$400 per year. The license must be kept aboard the vessel at
 101 all times.

102 (d) A license for any vessel for hire carrying 4 or fewer
 103 passengers, wherein a fee is paid either directly or indirectly
 104 for the purpose of taking or attempting to take freshwater fish,

105 is \$200 per year. The license must be kept aboard the vessel at
 106 all times.

107 (e) A person who must be licensed by the United States
 108 Coast Guard to operate a vessel licensed under paragraph (b),
 109 paragraph (c), or paragraph (d) may obtain a license in her or
 110 his own name, and such license shall be transferable and apply
 111 to any vessel operated by the purchaser, provided that the
 112 purchaser has paid the appropriate fee.

113 (f) Funds resulting from the sale of freshwater vessel
 114 licenses authorized in this subsection shall be deposited into
 115 the State Game Trust Fund within the Fish and Wildlife
 116 Conservation Commission.

117 (g) This subsection expires July 1, 2005.

118 (17) VESSEL LICENSE TASK FORCE.--

119 (a) The Vessel License Task Force is created within the
 120 Fish and Wildlife Conservation Commission for the purpose of
 121 reviewing the commission's vessel license programs to determine:

122 1. If vessel licenses for saltwater and freshwater vessels
 123 should be mandatory or permissive licenses;

124 2. If the vessel license programs should be repealed;

125 3. If the fees generated from the sale of vessel licenses
 126 are sufficient to offset the loss of revenue to the commission
 127 which is generated by persons who are not required to purchase
 128 an individual license because they are paying to fish from a
 129 licensed vessel;

130 4. A fair and equitable fee for saltwater and freshwater
 131 vessel licenses if the task force recommends that the vessel
 132 license programs should not be repealed and further finds that

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133 revenues from the sale of vessel licenses are not adequate to
134 cover the loss of revenue to the commission which is generated
135 by the reduction in the sale of individual fishing licenses; and

136 5. A method of tracking the number of persons who pay to
137 fish from licensed vessels so that the commission can better
138 determine the user impact on saltwater and freshwater resources.

139 (b) The Vessel License Task Force shall be composed of
140 seven members and must include one member of the Florida Guides
141 Association, two freshwater fishing guides licensed by the
142 United States Coast Guard, one member working as a part-time
143 freshwater fishing guide, one saltwater fishing guide licensed
144 by the United States Coast Guard, one member working as a part-
145 time saltwater fishing guide, and one representative from the
146 Fish and Wildlife Conservation Commission with knowledge of the
147 commission's vessel license programs, who is selected by the
148 executive director but who must not be a commissioner and who
149 shall serve as chair of the task force. Members of the task
150 force shall be selected by the chair and must serve without
151 compensation.

152 (c) The task force shall meet at the call of the chair, or
153 at the request of a majority of its members. Staff of the
154 commission shall serve as staff of the task force.

155 (d) By February 1, 2006, the task force shall submit
156 written recommendations to the Fish and Wildlife Conservation
157 Commission. Copies of the written recommendations must also be
158 submitted to the staff of the natural resources committees and
159 appropriations committees of the Senate and the House of
160 Representatives.

161 (e) The sum of \$120,000 is appropriated to the Fish and
 162 Wildlife Conservation Commission from the State Game Trust Fund
 163 for the fiscal year 2004-2005 to conduct research necessary to
 164 implement this subsection.

165 (f) This subsection expires July 1, 2006.

166 Section 2. Paragraphs (i) and (j) of subsection (2) of
 167 section 372.562, Florida Statutes, are amended to read:

168 372.562 Recreational licenses and permits; exemptions from
 169 fees and requirements.--

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

172 (i) Any person fishing from a vessel licensed pursuant to
 173 s. 372.57(7) or (16).

174 (j) Any person fishing from a vessel the operator of which
 175 is licensed pursuant to s. 372.57(7) or (16).

176 Section 3. Effective July 1, 2005, paragraphs (i) and (j)
 177 of subsection (2) of section 372.562, Florida Statutes, as
 178 amended by this act, are amended to read:

179 372.562 Recreational licenses and permits; exemptions from
 180 fees and requirements.--

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

183 (i) Any person fishing from a vessel licensed pursuant to
 184 s. 372.57(7) ~~or (16)~~.

185 (j) Any person fishing from a vessel the operator of which
 186 is licensed pursuant to s. 372.57(7) ~~or (16)~~.

187 Section 4. Except as otherwise provided herein, this act
 188 shall take effect upon becoming a law.