Florida Senate - 2004

 $\ensuremath{\textbf{By}}$ the Committee on Comprehensive Planning; and Senator Atwater

316-2622-04

An act relating to recreational and fishing working waterfronts; providing legislative findings; providing a definition; requiring the Fish and Wildlife Conservation Commission to conduct a study of the future demand and economic impact of recreational and fishing working waterfronts; requiring a report to the Governor, the Cabinet, and the Legislature; providing for funding the study; providing an effective date. section 1. Recreational and fishing waterfronts; definition (1) The Legislature of the State of Florida: waterfronts; definition (1) The Legislature recognizes that there is an important state interest in boating access to the state's navigable waters. This access is vital to recreational users and the marine industry in the state, to maintaining or enhancing the \$14 billion economic impact of boating in this state, and to ensuring continued access to all residents and visitors to the navigable waters of the state. The Legislature reconizes that there is an important state interest in maintaining viable water-dependent support facilities, such as boat hauling and repairing and commercial fishing facilities, and in maintaining the availability of public access to th	1	A bill to be entitled
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	29	recognizes that the waterways of this state are important for
31 people upon such waterways, and that such commerce and	30	engaging in commerce and the transportation of goods and
	31	people upon such waterways, and that such commerce and

1	transportation is not feasible unless there is access to and
2	from the navigable waters of the state through recreational
3	and fishing working waterfronts.
4	(2) For purposes of this act, the term "recreational
5	and fishing working waterfronts" means a parcel or parcels of
6	real property which provide access for water-dependent
7	commercial activities or provide access for the public to the
8	navigable waters of the state. Recreational and fishing
9	working waterfronts require direct access to or a location on,
10	over, or adjacent to a navigable water body. The term
11	"recreational and fishing working waterfronts" includes
12	water-dependent facilities that are open to the public and
13	offer public access by vessels to the waters of the state or
14	that are support facilities for vessels, whether pleasure,
15	commercial, research, or governmental. These include docks,
16	wharfs, lifts, wet and dry marinas, public boat ramps, boat
17	hauling and repair facilities, commercial fishing facilities,
18	boat construction facilities, and other support structures
19	over the water. Seaports are excluded from this definition.
20	The term "vessel," for the purposes of this act, has the same
21	meaning as in section 327.02, Florida Statutes.
22	(3) The Fish and Wildlife Conservation Commission
23	shall undertake a comprehensive study pertaining to the future
24	demand and economic impact of recreational and fishing working
25	waterfronts on all navigable waters of the state. The study
26	shall develop use profiles of current recreational and fishing
27	working waterfronts, project future trends, and determine the
28	types of facilities to be used. The study shall also estimate
29	capital costs necessary to meet future recreational and
30	fishing working waterfront demands through public boat ramps,
31	government-owned marinas, and mooring fields and shall

1	determine funding sources. Working with stakeholders, a
2	prioritization scheme shall be developed for the placement of
3	recreational and fishing working waterfronts or the rebuilding
4	of existing infrastructure. The study shall evaluate the need
5	for public access, as well as the economic impact and economic
б	value considerations as part of the rebuilding of existing
7	waterfronts. The study shall also evaluate potential
8	incentives for continued use or additional development of
9	recreational and fishing working waterfronts by the private
10	sector to help avoid further loss of public access through
11	changes to other uses. This portion of the study must include,
12	but need not be limited to, the voluntary use of tax relief
13	and the purchase of development rights. The study, at a
14	minimum, must provide the details of all the components of the
15	study on a county-by-county basis and must provide a process
16	for a request for qualifications and request for proposals to
17	carry out the study. All state agencies shall provide the Fish
18	and Wildlife Conservation Commission with staff assistance and
19	information, as appropriate, for the development of the study.
20	The findings of the study shall be furnished to the Governor,
21	the Cabinet, the President of the Senate, and the Speaker of
22	the House of Representatives no later than November 30, 2007.
23	The Fish and Wildlife Conservation Commission shall use funds
24	appropriated to the Office of Boating and Waterways from the
25	Marine Resources Conservation Trust Fund for the study.
26	Section 2. This act shall take effect upon becoming a
27	law.
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CS for SB 2294

1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
2 3	<u>Senate Bill 2294</u>
4	The committee substitute (CS) provides legislative findings
т 5	with regard to "recreational and fishing working waterfronts." It requires the Fish and Wildlife Conservation Commission
5	(FWC) to undertake a comprehensive study of the future demand for and economic impacts of recreational fishing working
7	waterfronts on all navigable waters of the state with the findings to be provided to the Governor, the Cabinet, and the
, 8	Legislature by November 30, 2007. It specifies the issues to be addressed in the study. The CS provides that FWC shall use
9	funds appropriated to the Office of Boating and Waterways from the Marine Resources Conservation Trust Fund for the study.
10	In addition, this CS deletes a provision requiring each county
11	to achieve a specified boat trailer parking capacity by July 1, 2014. It deletes a provision directing the Department of
12	Community Affairs to commission a study on working waterfronts.
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