

Committee Substitute for Senate Bill No. 2736

An act relating to the taking of fish and shellfish; amending s. 370.14, F.S.; increasing the fee for the trap number required for commercial crawfish trapping; providing for the use of a portion of the fee; amending s. 370.143, F.S.; clarifying that crawfish traps are included in the trap retrieval program of the Fish and Wildlife Conservation Commission; assessing crawfish trap owners the retrieval fee assessed other trap owners; providing for waiver of the retrieval fee under certain circumstances; providing for the use of revenues from retrieval fees; requiring payment of retrieval fees before a license is renewed; providing an effective date.

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

Section 1. Subsections (2) and (6) of section 370.14, Florida Statutes, are amended to read:

370.14 Crawfish; regulation.—

(2)(a)1. Each person taking or attempting to take crawfish with a trap in commercial quantities or for commercial purposes shall obtain and exhibit a crawfish trap number, as required by the Fish and Wildlife Conservation Commission. The annual fee for a crawfish trap number is \$125. Each trap used for taking or attempting to take crawfish must have a trap number permanently attached to the trap and the buoy. This trap number may be issued by the Fish and Wildlife Conservation commission upon the receipt of application by the person when owner of the traps and accompanied by the payment of the fee a fee of \$100. The design of the applications and of the trap number shall be determined by the commission. Any trap or device used in taking or attempting to take crawfish, other than a trap with the trap number attached as prescribed in this paragraph, shall be seized and destroyed by the commission. The proceeds of the fees imposed by this paragraph shall be deposited and used as provided in paragraph (b). The commission may adopt rules to carry out the intent of this section.

2. Each person taking or attempting to take crawfish in commercial quantities or for commercial purposes by any method, other than with a trap having a crawfish trap number issued by the commission, must pay an annual fee of \$100.

(b) Twenty-five dollars of the \$125 fee for a crawfish trap number required under subparagraph (a)1. must be used only for trap retrieval as provided in s. 370.143. The remainder of the fees collected pursuant to paragraph (a) shall be deposited as follows:

1. Fifty percent of the fees collected shall be deposited in the Marine Resources Conservation Trust Fund for use in enforcing the provisions of paragraph (a) through aerial and other surveillance and trap retrieval.

2. Fifty percent of the fees collected shall be deposited as provided in s. 370.142(5) ~~s. 370.142(6)~~.

~~(6) A person who takes more crawfish per boat or per person than that number set therefor by rule of the Fish and Wildlife Conservation Commission for recreational harvesters within any 24-hour period by any method other than with traps or similar devices must also pay a fee of \$100 and obtain a trap number to be displayed on his or her boat.~~

Section 2. Section 370.143, Florida Statutes, is amended to read:

370.143 Retrieval of lobster, crawfish, and stone crab traps during closed season; commission authority; fees.—

(1) The Fish and Wildlife Conservation Commission is authorized to implement a trap retrieval program for retrieval of lobster, crawfish, and stone crab traps remaining in the water during the closed season for each species. The commission is authorized to contract with outside agents for the program operation.

(2) A retrieval fee of \$10 per trap retrieved shall be assessed trap owners. However, for each person ~~persons~~ holding a crawfish stamp number or a stone crab endorsement issued under rule of the ~~Fish and Wildlife Conservation~~ commission, the retrieval fee shall be waived for the first five traps retrieved. Traps recovered under this program shall become the property of the commission or its contract agent, as determined by the commission, and shall be either destroyed or resold to the original owner. Revenue from retrieval fees shall be deposited in the Marine Resources Conservation Trust Fund and used solely for operation of the trap retrieval program.

(3) Payment of all assessed retrieval fees shall be required prior to renewal of the trap owner's saltwater products license and stone crab and or crawfish endorsements. Retrieval fees assessed under this program shall stand in lieu of other penalties imposed for such trap violations.

(4) In the event of a major natural disaster in an area declared by the Governor to be a disaster emergency area, such as a hurricane or major storm causing massive trap losses, the commission shall waive the trap retrieval fee.

Section 3. This act shall take effect July 1, 2004.

Approved by the Governor May 20, 2004.

Filed in Office Secretary of State May 20, 2004.