



COMMITTEE ON CONSERVATION & STATE LANDS

**WEDNESDAY, MARCH 19, 2008
3:00 PM – 6:00 PM
216 THE CAPITOL**

ACTION PACKET

**Marco Rubio
Speaker**

**Rep. Will Kendrick
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Speaker Marco Rubio

Committee on Conservation & State Lands

Start Date and Time: Wednesday, March 19, 2008 03:00 pm

End Date and Time: Wednesday, March 19, 2008 06:00 pm

Location: 216 Capitol

Duration: 3.00 hrs

Consideration of the following bill(s):

HB 703 Vessel Safety by Kiar

HB 919 Commercial Parasailing by Domino

HB 1215 Fort Zachary Taylor Historic State Park by Saunders

Workshop on the following:

Policy issues with respect to recommendations for Proposed Council Bill ENRC 08-09 Florida Forever Successor.

Presentation by the Division of Bond Finance.

NOTICE FINALIZED on 03/17/2008 16:16 by SIMS-DAVIS.LINDA

COMMITTEE MEETING REPORT
Committee on Conservation & State Lands

3/19/2008 3:00:00PM

Location: 216 Capitol

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Will Kendrick (Chair)	X		
Mary Brandenburg	X		
Charles Chestnut IV	X		
Faye Culp	X		
Rene Garcia			X
Doug Holder	X		
Richard Machek	X		
Anthony Sasso III	X		
Robert Schenck			X
Will Weatherford	X		
Totals:	8	0	2

Committee meeting was reported out: Wednesday, March 19, 2008 6:10:36PM

COMMITTEE MEETING REPORT
Committee on Conservation & State Lands

3/19/2008 3:00:00PM

Location: 216 Capitol
HB 703 : Vessel Safety

Favorable With Amendments

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Mary Brandenburg	X				
Charles Chestnut IV	X				
Faye Culp	X				
Rene Garcia			X		
Doug Holder	X				
Richard Machek			X		
Anthony Sasso III	X				
Robert Schenck			X		
Will Weatherford	X				
Will Kendrick (Chair)	X				
Total Yeas: 7 Total Nays: 0					

HB 703 Amendments

Amendment 1

Adopted Without Objection

Amendment 2

Adopted Without Objection

Appearances:

Vessel Safety

Peggy Mathews (Lobbyist) - Proponent
 American Watercraft Association
 1520 Big Sky Way
 Tallahassee Florida 32317
 Phone: 850-877-3848

Vessel Safety

Matt Schwattz (General Public) - Proponent
 13521 Southwest 70th Avenue
 Miami Florida 33156
 Phone: 305-484-7184

Vessel Safety

Bonnie Basham (Lobbyist) - Proponent
 Florida Air-Boaters Associations
 133 Oak Street Unit 15
 Tallahassee Florida 32301
 Phone: 850-561-6116

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COMMITTEE MEETING REPORT
Committee on Conservation & State Lands

3/19/2008 3:00:00PM

Location: 216 Capitol

Vessel Safety

Diane Carr (Lobbyist) - Proponent

Personal Watercraft Industry Association

2000 College Avenue

Tallahassee Florida 32302

Phone: 850-222-7500

Committee meeting was reported out: Wednesday, March 19, 2008 6:10:36PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 703

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee hearing bill: Committee on Conservation & State Lands
2 Representative Kiar offered the following:

3
4 **Amendment**

5 Remove line 20 and insert:
6 this section or by a person 21 years of age or younger who does
7 not hold a boating safety
8
9

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. 703

COUNCIL/COMMITTEE ACTION

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

1 Committee hearing bill: Committee on Conservation & State Lands
2 Representative Kiar offered the following:

3
4 **Amendment**

5 Remove line(s) 82-87 and insert:
6 to rules of ~~in compliance with rules established by the~~
7 commission established pursuant to chapter 120.

8 (c) Any person receiving instruction in the safe handling
9 of personal watercraft pursuant to rules of the commission
10 established pursuant to chapter 120 or any other a program
11 established by rule
12
13

COMMITTEE MEETING REPORT
Committee on Conservation & State Lands

3/19/2008 3:00:00PM

Location: 216 Capitol

HB 919 : Commercial Parasailing

Favorable With Amendments

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Mary Brandenburg	X				
Charles Chestnut IV	X				
Faye Culp	X				
Rene Garcia			X		
Doug Holder	X				
Richard Machek	X				
Anthony Sasso III	X				
Robert Schenck			X		
Will Weatherford	X				
Will Kendrick (Chair)	X				
Total Yeas: 8		Total Nays: 0			

HB 919 Amendments

Amendment Strike-All

Adopted Without Objection

Committee meeting was reported out: Wednesday, March 19, 2008 6:10:36PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 919

COUNCIL/COMMITTEE 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 hearing bill: Committee on Conservation & State Lands
2 Representative Domino offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (41) is added to section 327.02,
7 Florida Statutes, to read:

8 327.02 Definitions of terms used in this chapter and in
9 chapter 328.--As used in this chapter and in chapter 328, unless
10 the context clearly requires a different meaning, the term:

11 (41) "Commercial parasailing" means providing or offering
12 to provide, for consideration, any activity involving the towing
13 of a person by a motorboat when:

14 (a) One or more persons are tethered to the towing vessel;

15 (b) The person or persons ascend above the water; and

16 (c) The person or persons remain suspended above the water
17 while the vessel is underway.

18 Section 2. Section 327.375, Florida Statutes, is created to
19 read:

20 **327.375 Commercial parasailing.--**

21 (1) This section may be cited as the "Amber May White Act."

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22 (2) The owner of a vessel engaged in commercial parasailing
23 may not offer or provide for consideration any parasailing
24 activity unless the owner first obtains and carries in full
25 force and effect a policy, from an insurance carrier licensed in
26 this state, insuring against any accident, loss, injury,
27 property damage, or other casualty caused by or resulting from
28 any commercial parasailing activity. The insurance policy shall
29 provide coverage of at least \$500,000 per person and \$1 million
30 per event. The owner must have proof of such insurance available
31 for inspection at the location wherever commercial parasailing
32 is offered or provided for consideration and shall provide to
33 each customer the insurance carrier's name and address and the
34 insurance policy number.

35 (3) A person engaged in commercial parasailing must meet
36 the following requirements:

37 (a) Commercial parasail operators shall launch riders only
38 from and recover riders only to the vessel.

39 (b) A person may not operate a vessel engaged in commercial
40 parasailing on the waters of this state unless the person in
41 charge of or in command of the vessel has a current and valid
42 license issued by the United States Coast Guard authorizing that
43 person to engage in carrying passengers for hire. The license
44 must be appropriate for the number of passengers carried and the
45 displacement of the vessel. The license must be carried on the
46 vessel and be available for inspection while commercial
47 parasailing activities are conducted.

48 (c) A person may not operate a vessel for commercial
49 parasailing unless an observer 18 years of age or older is
50 present in the vessel at all times to monitor the progress of
51 any tethered parasail rider and parasail equipment. The observer
52 shall be attentive to the parasail rider or riders and equipment

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

53 and may not have any other duties while the rider or riders are
54 in the water or suspended above the water.

55 (d) A person may not operate any vessel engaged in
56 commercial parasailing unless:

57 1. All riders wear an appropriate floatation device
58 approved by the United States Coast Guard, other than an
59 inflatable device, that is in serviceable condition and of the
60 proper size;

61 2. The vessel is in full compliance with all requirements
62 of the United States Coast Guard governing crewing and equipment
63 carriage for passenger-carrying vessels as specified in the Code
64 of Federal Regulations or as otherwise specified by the United
65 States Coast Guard in the vessel's certificate of inspection;
66 and

67 3. The vessel is equipped with a functional VHF marine
68 transceiver.

69 (e) No more than two persons may be tethered to the towing
70 vessel and ascend above the water at any time.

71 (4) Commercial parasailing is prohibited from one-half hour
72 after sunset to one-half hour before sunrise.

73 (5) Any person convicted of violating this section commits
74 a misdemeanor of the second degree, punishable as provided in s.
75 775.082 or s. 775.083.

76 Section 3. Section 327.50, Florida Statutes is amended to
77 read:

78 **327.50 Vessel safety regulations; equipment and lighting**
79 **requirements.--**

80 ~~(1)(a)~~ The owner and operator of every vessel on the
81 waters of this state shall carry, store, maintain, and use
82 safety equipment in accordance with current United States Coast
83 Guard safety equipment requirements as specified in the Code of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

84 Federal Regulations, unless expressly exempted by the
85 department.

86 ~~(b) No person shall operate a vessel less than 26 feet in~~
87 ~~length on the waters of this state unless every person under 6~~
88 ~~years of age on board the vessel is wearing a type I, type II,~~
89 ~~or type III Coast Guard approved personal flotation device while~~
90 ~~such vessel is underway. For the purpose of this section,~~
91 ~~"underway" shall mean at all times except when a vessel is~~
92 ~~anchored, moored, made fast to the shore, or aground.~~

93 (2) No person shall operate a vessel on the waters of this
94 state unless said vessel is equipped with properly serviceable
95 lights and shapes required by the navigation rules.

96 (3) The use of sirens or flashing, occulting, or revolving
97 lights on any vessel is prohibited, except as expressly provided
98 in the navigation rules or annexes thereto.

99 Section 4. This act shall take effect October 1, 2008.

100

101

102

103

104

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

105

Remove the entire title and insert:

106

An act relating to commercial parasailing; amending s.

107

327.02, F.S.; providing definition; creating 327.375;

108

providing a short title; requiring the owner of a vessel

109

engaged in commercial parasailing to obtain and carry an

110

insurance policy; providing minimum coverage from the

111

insurance policy; providing requirements for proof of

112

insurance; providing insurance information to be provided

113

to each rider; providing for launch and recovery of riders

114

from towing vessel; requiring a person engaged in operating

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

115 a vessel for commercial parasailing to have certain
116 licenses; requiring a minimum age for a person to monitor
117 the progress of a parasail rider; providing requirements
118 for operation of commercial parasailing vessels; requiring
119 certain equipment; providing penalties; amending s. 327.50,
120 F.S.; providing an effective date.

121

122

COMMITTEE MEETING REPORT
Committee on Conservation & State Lands

3/19/2008 3:00:00PM

Location: 216 Capitol

HB 1215 : Fort Zachary Taylor Historic State Park

Temporarily Deferred

Committee meeting was reported out: Wednesday, March 19, 2008 6:10:36PM

COMMITTEE MEETING REPORT
Committee on Conservation & State Lands

3/19/2008 3:00:00PM

Location: 216 Capitol

Workshop

Policy issues with respect to recommendations for Proposed Council Bill ENRC 08-09 Florida Forever Successor.

Appearances:

Bonnie Basham (Lobbyist) - Information Only

Florida Forever Successor - PCB ENRC 08-09

Florida Air-Boaters Associations

133 Oak Street Unit 15

Tallahassee Florida 32301

Phone:850-561-6116

Chuck Aller (Lobbyist) (State Employee) - Information Only

Florida Forever Successor - PCB ENRC 08-09

DACS - Agricultural Natural Resources Assessment

PL-10, the Capitol

Tallahassee Florida 32399-0810

Denise Layne (Lobbyist) - Proponent

Florida Forever Successor - PCB ENRC 08-09

Coalition 4 Responsible Growth

2504 Ayers Hill Court

Tallahassee Florida 33559

Janet Bowman (Lobbyist) - Proponent

Florida Forever Successor - PCB ENRC 08-09

Nature Conservancy

625 N Adams Street

Tallahassee Florida 32301

Phone:850-222-0199

Preston Robertson (Lobbyist) - Information Only

Florida Forever Successor - PCB ENRC 08-09

Florida Wildlife Federation

Post Office Box 6870

Tallahassee Florida 32314

Phone:850-656-7113

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COMMITTEE MEETING REPORT
Committee on Conservation & State Lands

3/19/2008 3:00:00PM

Location: 216 Capitol

Other Business Appearance:

Ben Watkins (At Request Of Chair) - Information Only
SBA - Division of Bond Finance
1801 Hermitage Center
Tallahassee Florida 32308
Phone: 850-488-4782

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COMMITTEE MEETING REPORT
Committee on Conservation & State Lands

3/19/2008 3:00:00PM

Location: 216 Capitol

Summary:

Committee on Conservation & State Lands

Wednesday March 19, 2008 03:00 pm

HB 703 Favorable With Amendments Yeas: 7 Nays: 0

Amendment 1 Adopted Without Objection

Amendment 2 Adopted Without Objection

HB 919 Favorable With Amendments Yeas: 8 Nays: 0

Amendment Strike-All Adopted Without Objection

HB 1215 Temporarily Deferred

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