

NOTICE OF PROPOSED RULEMAKING

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE CHAPTER TITLE: Red Drum (Redfish)

RULE TITLES:

RULE NOS.:

Definitions.

68B-22.002

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify the definition of total length with respect to red drum, in conjunction with related rule amendments in other rule chapters regulating the harvest of marine species. The effect of this rule amendment would be to standardize the method for measuring total length of red drum and thereby simplify compliance by recreational harvesters.

SUMMARY: The definition for total length in subsection (10) of Rule 68B-22.002, F.A.C., will be modified to standardize the measurement method of red drum with other marine finfish.

A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THESE PROPOSED RULES.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT A PUBLIC RULEMAKING HEARING ON THE PROPOSED RULES DURING THE REGULAR MEETING OF THE COMMISSION TO BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m. to 5:00 p.m., each day, November 30, 2005 – December 1, 2005.

PLACE: Sheraton Beach Resort, 97000 S. Overseas Highway, Mile Marker 97, Key Largo, Florida.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850) 487-1764.

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:

68B-22.002 Definitions.

(1) - (9) No Change.

(10) "Total length" means the straight line distance from the most forward point of the head with the mouth closed, to the farthest tip of the tail with the tail compressed or squeezed, while the fish is lying on its side ~~length of a fish as measured from the most forward point of the head to the hindmost point of the tail.~~

(11) No Change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 9-12-85, Amended 2-12-87, 1-1-89, 1-1-96, 1-1-98, Formerly 46-22.002, Amended 3-17-04,_____.

NAME OF PERSON(S) ORIGINATING PROPOSED RULE: Mr. Mark Robson.

NAME OF SUPERVISOR WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2005.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN F.A.W.: October 21, 2005.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.