

## Senate Bill 353 (Identical to House Bill 1401)

### Summary

This proposed amendment to paragraph (d) of subsection (16) of section 120.52, F.S., 1988 Supplement, would provide an exception to the definition of “rule” under the APA for alteration of “established annual harvest limits for saltwater fishing if the procedure for altering such harvest limits is set out by rule of the Marine Fisheries Commission”, provided such alteration is properly noticed in the areas affected.

### Analysis

By taking the setting or adjustment of annual harvest limits out of rulemaking, the Marine Fisheries Commission will save public time and money; these harvest limits, which typically apply only to certain commercial species, will now be set by separate action of the Marine Fisheries Commission, following appropriate hearings. This seems like an economic method to accomplish this; there are no apparent problems as long as the due process requirements of Chapter 120 are met in adoption of the harvest limit orders.

ACT:sd