

2003

FYBA News

A Monthly Publication for the Members of the Florida Yacht Brokers Association

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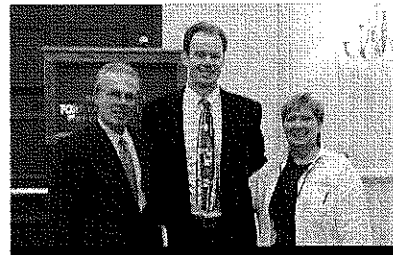
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FYBA Holds Emergency DOR Meeting



L to R: Michael Moore, Holland & Knight; Warren Hayes, Alley, Maass Rogers & Lindsay; Barbara Tierney, FYBA President

The emergency meeting, held at the Renaissance in April, was aimed at addressing changes affecting the yachting industry made by the Department of Revenue. With over 150 concerned members in attendance, there was standing room only.

Pursuant to the meeting, FYBA has retained Randy Miller of the law firm Katz, Kutter, Alderman and Bryant. Randy is a veteran lobbyist in Tallahassee and a specialist on tax issues. He was the Director of the Department of Revenue from 1979 to 1988 and is well familiar with the Yacht Brokerage industry. Randy will be working with Jack

Skelding to resolve the dramatic issues that currently face the Yacht Brokerage industry. The long term plan is to encourage all yacht owners to bring their boats to Florida.

Thanks to Warren Hayes of Alley, Maass Rogers & Lindsay for facilitating the emergency meeting in April. Also thanks to Steele Reeder, Mike Moore and Jay Reynolds for assisting on such short notice. FYBA is lucky to have these professionals as members that are willing to help.

more on page 9...

UPDATE ON CARE, CUSTODY AND CONTROL

SUBMITTED BY WARREN HAYES SR., ESQ.
ALLEY, MAASS, ROGERS & LINDSAY

Although there is still much work to be done, in the past month, the Florida Yacht Brokers Association (the "FYBA") made tremendous strides toward preservation of the dealer/broker care, custody, and control exemption. The Florida Department of Revenue (the "FDOR") is working with the FYBA toward passage of a new law to codify the exemption. Further, I was told by several FDOR agents, in non-binding telephone conversations, they were not enforcing a change in care, custody, and control policy; however, others in the FDOR "could assess taxation on this issue as they deem appropriate." Still, the FYBA must continue its efforts by making sure the new law passes and meets the needs of the industry.

In its letter of March 20, 2003, the FDOR stated there are no provisions in Florida law exempting a boat from use tax "even if it is listed for sale with a Florida registered dealer/broker." This statement was read as declaring an end to the long standing policy of dealer/broker care, custody, and control. However, thanks to the swift response of the FYBA and its members, the care, custody, and control policy may soon be law.

continued on page 4...

BE ALERT!

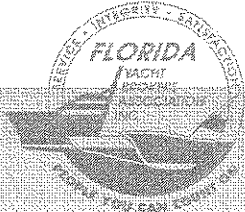
The need to support our effort to continue the ability of a yacht broker or dealer to offer the protection of a "care custody & control agreement" is on going. Great effort and the accompanying expense will require your financial support. We must have new legislation to insure our future.

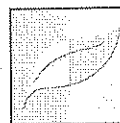
-Steele Reeder

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Letter from the PRESIDENT

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Walter Sea

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Brokerage Yacht Show:

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Charter Broker Liaison: Bruce Schattenburg

Forms: Art Holler & David Gennett

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CYBA, MYBA, NYBA, YBAA & IYC:

Barbara Tierney

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Rae Whitt

ADMINISTRATIVE ASSISTANT

Jessica Chavez

The senior staff of the Department of Revenue in Tallahassee is now working with FYBA to clarify the issue of care, custody and control. FYBA's lobbyist, Randy Miller, is working with the staff at DOR and FYBA's advisors and committee in drafting legislation that will ensure Yacht Brokers' participation under care, custody and control.

Together, they were able to put together a well written amendment to Senate Bill 1176 of this past session. However, at the end of the day they flat ran out of time to get the amendment in before a 48 hour deadline imposed by the House. Senator Skip Campbell and Senator Wise were both very helpful and will both be there for us when the next session begins. In the meantime, Randy is working with Richard Hunt, Warren Hayes and the Dept. of Revenue staff to issue a written TAA that will give us the binding language that we need in the meantime.

We have received an audio CD of the Senate hearing when the amendment was discussed and a copy of the amendment as it was drafted. If you would like copies please call the FYBA office.

The Yacht Council is now in its' third year of existence and still growing. There are currently seven share holding associations world wide and more associations that have contacted the group for information and possible membership. The Council has proven to be an excellent conduit for communications between all associations. There are regular conference calls on everything from the By Laws Committee, the Education Committee & MLS Technical Committee.

How's the Buc lawsuit going? Federal court is an amazing process and quite an education. We have been very fortunate to have a Judge and a Magistrate who were quick to see the bigger picture. The lawsuit is going quite well for those of us who call ourselves "Defendants". All of the Defendants' lawyers are very pleased and quite confident. The trial is scheduled for mid August. We believe it is open to the public, so if you need exact dates, time and room assignments please call the FYBA office.

Sincerely,

Barbara Tierney

2 More FYBA Members Receive CPYB Designation



Congratulations to David Gennett of Allied Richard Bertram and Staley Weidman of The Catamaran Company who have successfully completed the requirements to become Certified Professional Yacht Brokers. They join the following three members who have already received their CPYB designation: Bob Zarchen of Merrill Stevens, Whit Kirtland of Merrill Stevens and Chuck MacMahon of The Marine Group. Congratulations to all of them.

The National Yacht Broker Certification (CPYB) program, in development since 1999, is a joint effort of the FYBA, The Yacht Brokers Association of America (YBAA), Annapolis and The Northwest Yacht Brokers Association (NYBA), Seattle, WA. The objective of the CPYB is to set a performance baseline for professional yacht brokers nationwide.

CPYB Exams are schedule for the second Tuesday of every month in Ft. Lauderdale. People interested in forming a CPYB study group to prepare for the exams, or to schedule testing in other areas should contact the FYBA. For more information on the National Yacht Brokers Certification program visit their web site at: www.cpyb.net or call the FYBA office 954-522-9270 for a brochure.



*A eulogy expresses sorrow
for loss, yet celebrates
the person's life.*

One of the most recognized faces on the waterfront, Bernie Little, owner of the Miss Budweiser Unlimited Hydroplane Racing Team, and numerous yachts named "BIG EAGLE", passed away on Apr. 25 at age 77 as a result of complications related to pneumonia.

He will be greatly missed by all who knew him. Memorial contributions can be made to the Lakeland Regional Medical Foundation and Watson Clinic Foundation in Lakeland, FL.

Kimberly Jaworski Maaser, the wife of Captain Glenn Maaser. Kimberly succumbed to cancer on May 5th, after waging a courageous three year battle.

Kimberly will always be remembered and will be missed by all of who were fortunate to have known her. Thoughts and prayers go to her family and her loving and caring husband, Captain Glenn. Donations can be made to the American Cancer Society and mailed to Glenn Maaser at 505 S.W. 11th Court, Ft. Lauderdale, FL 33315.

Captain Mike Anderson, passed away on Thurs., April 24th. Capt. Anderson was a master of the 115' MY, Sophie B, cruising through the Mediterranean and Caribbean. Capt. Anderson was a figure head among boating professionals and influenced crew members from the world over. He will be greatly missed by so many. He is survived by: his ex wife Shirley Anderson, four children, and three grandchildren.

Bradford regretfully announced that Thelma Estes passed away on Thursday, April 24th, after a long battle with cancer. After over 33 years at Bradford's Thelma had become part of the Bradford family. She will be missed by everyone.

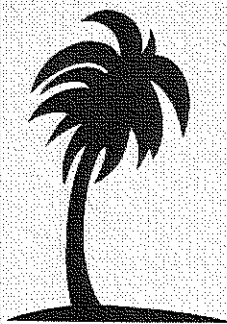
FYBA THURSDAY BROKER SHOW

Thursday, May 22, 2003

Pier 66 Marina - Ft. Lauderdale, FL

4:30 - 7:30pm

Log on to www.fyba.org to download a form



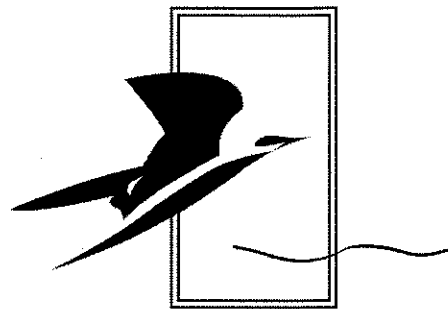
3rd Thursday Brokers Show

Ft. Lauderdale's
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Jun. 19th, 4:30 - 7:30pm

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UPDATE ON CARE, CUSTODY AND CONTROL

SUBMITTED BY WARREN HAYES SR., ESQ. • ALLEY, MAASS, ROGERS & LINDSAY

continued from page 1...

Working together, the FYBA and the FDOR drafted the following proposed statutory language for insertion into Florida Statutes section 212.08(7)(t):

3. Notwithstanding the provisions of chapter 328, pertaining to the registration of vessels, if a boat is brought into this state for sale, listed and delivered to a broker or dealer, registered with the department, the 20-day period set forth in subparagraph 1. shall be tolled during the time the boat is in the care, custody, and control of said broker or dealer (including the time spent on

demonstrations, surveys, and/or sea trials). During the listing period, the boat may undergo repairs, alterations, refitting, or modifications without incurring a use tax under this chapter. Owner will not make any personal use of the boat while it is in the care, custody and control of the said broker or dealer. The department is authorized to adopt rules necessary to administer and enforce this subparagraph and to publish any necessary forms and instructions.

This provision will exempt a vessel from application of Florida's 6% use tax during the listing period provided the vessel is placed

in the care, custody, and control of a Florida registered dealer or broker. All reasonable efforts were made to have the amendment passed this legislative session, but due to procedural rules of the House of Representatives, this issue could not be included in the Dept. of Revenue tax administration bill because it was deemed a "new issue" by the House (having not previously been heard in a committee). The FYBA, though, is continuing its efforts to have the amendment passed as soon as possible, including, if the opportunity arises, during any of the special legislative sessions.

Until the amendment is passed into law, application of dealer/broker care, custody, and control is uncertain. Some agents within the FDOR orally stated there will not be a change in enforcement of the "old" dealer/broker care, custody, and control; but, they also stated others within the FDOR "could assess taxation on this issue as they deem appropriate." Although, I am told the FDOR agreed to issue a binding letter to the FYBA acknowledging an "interim extension" of dealer/broker care, custody, and control, I have not yet seen this document. For the moment, then, vessel owners wanting to enter a dealer/broker care, custody, and control are left in the uncomfortable position of having to rely on statements contrary to the written law.

Lastly, passage of the statutory change, if and when effective is not the final step. The substance of the exemption will be found in the FDOR regulations. The FYBA must continue to work with the FDOR to make sure the regulations, as a practical matter, meet the needs of the industry. Such ongoing efforts are necessary to achieve the full benefit of dealer/broker care, custody, and control.

As always, it is best to refer purchasers with questions on removal requirements (or any other area of Florida sales/use tax law) either to the FDOR or a sales/use tax advisor.

For more information, please contact the Florida Department of Revenue, Boat Enforcement Program @ 850-488-3821 or Warren D. Hayes, Sr., a partner at the law firm of Alley, Maass, Rogers & Lindsay, P.A., with a legal practice concentrating on vessel transactions @ 561-659-1770.

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STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

May 7, 2003

Florida's future...
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TO: Florida yacht brokers/salespersons
FROM: Robert H. Badger, Senior Management Analyst I
RE: Changes to Section 61B-60, Florida Administrative Code

Jeb Bush
Governor

Diane Carr
Secretary

Division of Florida Land
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Mobile Homes

Yacht and Ship Brokers

1940 North Monroe Street

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Effective May 15, 2003, several changes will take place in the administrative rules that implement Chapter 326, Florida Statutes, the "Yacht and Ship Brokers' Act." The purpose of the changes is to provide clarification of existing provisions and further define statutory terms: A brief summary follows:

61B-60.001(c) "Length" as it refers to a yacht or ship in accordance with Section 326.002(4), F.S., shall mean the measurement from end to end over the deck parallel to the centerline excluding sheer. The division shall consider the following in determining the length of a yacht or ship: (1) a U.S. Coast Guard certificate of documentation; (2) a state vessel certificate of title; or (3) a manufacturer's statement of origin.

61B-60.001 (d) "Gross Tons" as it refers to a yacht or ship in accordance with Section 326.002(4), F.S., shall mean the standards of volume measurement calculated by the Tonnage Division of the U.S. Coast Guard in accordance with 46 C.F.R. § 69.209 (2002) "Calculation of tonnages," which rule is incorporated by reference.

61B-60.001 (e) "Negotiate" means any communication made to a buyer, seller, or agent of a buyer or seller in furtherance of the listing, offer, sale, or exchange of a yacht. This includes communications made orally, verbally, non-verbally, or in writing through any medium at any point in a listing, offer or sale, such as during sea trials, showings of vessels, listings of vessels, preparation of transaction documents, and closings.

61B-60.001 (f) "Offer to sell," "offer to buy," or "offer" means the solicitation, advertisement, or inducement, or any other method or attempt, to encourage any person to acquire, sell, or exchange any interest in a yacht. This includes: contacting owners to obtain listings, showing vessels to prospective buyers, presenting offers, accepting deposits, and presenting closing statements to buyers and sellers.

The full text may be found by logging onto <http://fac.dos.state.fl.us/>.

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Cell: (954) 224-7176
e-mail: argodidgie@cs.com

New Applicants

Please review the list of new applicants carefully and submit any comments pro or con in writing to FYBA, P.O. Box 460044, Ft. Lauderdale, FL 33346. All comments will be treated on a confidential basis.

Professional Active

John D. Dial - SouthFork Marine
7601 S.W. Lost River Rd., Stuart, FL 34997
772-463-7400 Fax: 772-463-1075
Jonathan Burkard & George Jousma

Joe Johnson Jr. - Ships International
1489 S.E. 17th St., #2-I, Ft. Lauderdale, FL 33316
954-764-3702 Fax: 954-764-3704
Jeff Erdmann & Jay Jones

Kurt M. Krogen - Krogen Yacht Sales
290 N. Dixie Hwy., Stuart, FL 34994
772-286-0171 Fax: 772-286-8487
Jonathan Burkard & Greg Burdick

Professional Associate

Charles E. Biggie - Atlantic Yacht & Ship
850 N.E. 3rd St., Dania, FL 33004
954-921-1500 Fax: 954-921-1518
Mack Carroll & George Coggeshall

Steven L. Bozas-Wessinger - MarineMax Yachts & Brokerage
2301 S.E. 17th St., Ft. Lauderdale, FL 33316
954-463-5606 Fax: 954-525-8625
Peter Woods & Roger Hansen

Bill Clifford - Bradford Yacht Sales
3151 State Road 84, Ft. Lauderdale, FL 33312
954-791-2600 Fax: 954-791-2655
Wayne Helms & John Winch

Richard E. Dillman - Rex Yacht Sales
2152 S.E. 17th St., #202, Ft. Lauderdale, FL 33316
954-463-8810 Fax: 954-462-3640
Don Canavan & Richard Merritt

Pilar J. Finkel - International Yacht Collection
1515 S.E. 17th St., #125, Ft. Lauderdale, FL 33316
954-522-2323 Fax: 954-522-2333
Jim Eden & Kent Chamberlain

James M. Flavell - Allied Richard Bertram Marine Group
1445 S.E. 16th St., Ft. Lauderdale, FL 33316
954-462-5527 Fax: 954-525-4888
George Jousma & Bob Zarchen

David N. Martin - Safe Harbor Yacht Sales
965 Riverside Dr., Palmetto, FL 34221
941-722-1500 Fax: 941-722-1402
Tony Green & Andy Harwell

Anthony A. Pasca Jr. - MarineMax Yachts & Brokerage
825 N.E. 3rd St., Dania, FL 33004
954-922-6627 Fax: 954-922-6104
Walter Sea & Peter Woods

Craig Tafoya - Fraser Yachts Worldwide
1800 S.E. 10th Ave., #400, Ft. Lauderdale, FL 33316
954-463-0600 Fax: 954-763-1053
Carlo Agliardi & Jim Eden

New Applicants

Please review the list of new applicants carefully and submit any comments pro or con in writing to FYBA, P.O. Box 460044, Ft. Lauderdale, FL 33346. All comments will be treated on a confidential basis.

Professional Associate

Brian C. Tansey - International Yacht Collection
1515 S.E. 17th St., #125, Ft. Lauderdale, FL 33316
954-522-2323 Fax: 954-522-2333
James Eden & Jeff Stanley

Jim B. Withers - Gilman Yacht Sales
1212-A US Hwy. 1, N. Palm Beach, FL 33408
561-626-1790 Fax: 561-626-5870
Dave Gilman & Roger Hansen

Affiliate Active

Richard B. Arnold - River Bend Marina
1515 S.W. 20th St., Ft. Lauderdale, FL 33315
954-523-1832 Fax: 954-523-1876
Robert Dean & Bruce Schattenburg

Marty L. Laven - The Dockominium Group
2400 South Ocean Dr., #V-1115, Ft. Pierce, FL 34949
772-465-0025 Fax: 772-466-2626
Barbara Tierney & Lisa Verbit

Fred Mayer - Larry Smith Electronics, Inc.
3200 S. Andrews Ave., #200, Ft. Lauderdale, FL 33316
954-568-5748 Fax: 561-844-1608
James Eden & Pamela Barlow

Mark Cavendish - Benetti
104 Via Michele Coppino, Viareggio, Lucca, Italy 55049
[39] 0584-3821 Fax: [39] 0584-396232
George Jousma & Walter Sea

Affiliate Associates

Kathleen M. Allen - International Yacht Collection
1515 S.E. 17th St., #125, Ft. Lauderdale, FL 33316
954-522-2323 Fax: 954-522-2333
James Eden & James McConville

Patty C. Wilson - The Sacks Group
1600 S.E. 17th St., #418, Ft. Lauderdale, FL 33316
954-764-8219 Fax: 954-763-6385
Bruce Schattenburg & LeAnn Pliske

New Members

Professional Active

Mitchell R. Milesi - SunDance Marine
3321 N.E. Indian River Dr., Jensen Beach, FL 34957
772-334-1416 Fax: 772-334-9497
Brian Victor & Henry Schoone

Ira Paul Ingle, Jr. - MacGregor Yachts
2352 PGA Blvd., Palm Beach Gardens, FL 33410
561-799-6511 Fax: 561-799-6211

New Members

Professional Active

Mitchell R. Milesi - SunDance Marine
3321 N.E. Indian River Dr., Jensen Beach, FL 34957
772-334-1416 Fax: 772-334-9497
Brian Victor & Henry Schoone

Professional Associate

Blair A. Foerster - SunDance Marine
Jerry R. Geller - SunDance Marine
3321 N.E. Indian River Dr., Jensen Beach, FL 34957
772-220-0901 Fax: 772-220-8204

Scott H. Grosky - SunDance Marine
Adam C. Ricardel - SunDance Marine
491 S. Federal Highway, Pompano Beach, FL 33062
954-784-7373 Fax: 954-784-3202

Roy Lemieux - SunDance Marine
Paul MacCormack - SunDance Marine
1050 N.E. Dixie Highway, Jensen Beach, FL 34957
772-334-0944 Fax: 772-334-9497

Dave Martin - Safe Harbor Yacht Sales
965 Riverside Dr., Palmetto, FL 34221
941-722-1500 Fax: 941-722-1402

Bruce J. Peterson - Mystic Marine
333 Royal Plaza, Ft. Lauderdale, FL 33301
954-463-0264 Fax: 954-767-9866

Pep Shappee - Galati Yacht Sales
12030 Gandy Blvd. N., St. Petersburg, FL 33702
727-576-8336 Fax: 727-576-0314

Affiliate Active

Sergio M. Criado - Complete Boating Services
2170 S.E. 17th St., #307, Ft. Lauderdale, FL 33316
954-768-9202 Fax: 954-767-9667

Jeffrey J. Mendham - Jeff's Marine Electric
3420 S.W. 20th St., Ft. Lauderdale, FL 33312
954-327-1750 Fax: 954-587-6704

Support

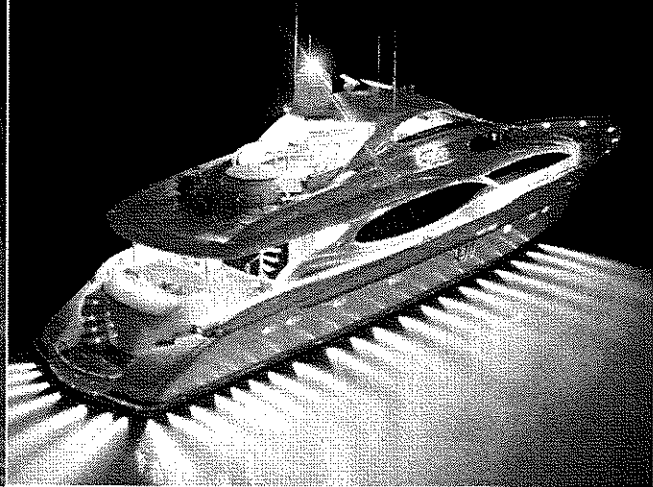
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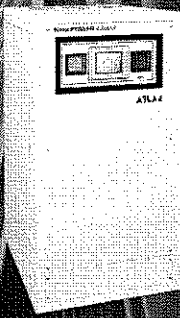
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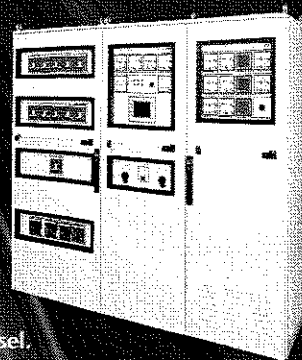
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WHO IS A PASSENGER?

NEW U.S. CUSTOMS REGULATION INTERPRETATION OF "PASSENGER"

In a recent ruling, US Customs modifies the term "passenger". All recreational and commercial boats used for business entertainment may require Coastal Trade Endorsement. The modification of the definition of "passenger" was targeted at corporate owners of pleasure craft who use their vessels for business entertainment purposes.

Under the revised interpretation of the passenger provisions, now in force, persons transported on a vessel will be considered passengers under the Coastwise Laws unless they are directly and substantially connected with the operation, navigation, ownership, or business of that vessel. Customs also interprets the passenger provisions to provide that persons transported free of charge as an inducement for future patronage or good will are considered passengers. Persons transported on a vessel for reasons connected to business interests not directly related to the business of the vessel itself would also be considered passengers.

To transport a business guest (passenger), a boat must be registered in the United States Documentation System with a "coastal trade endorsement". Such an endorsement allows for the carriage of passengers for hire with a Coast Guard licensed captain in command. Only U. S. built boats owned by a U.S. citizens qualify for this "trade endorsement", and must be of at least five net tons in its measurement, which is usually around 26' in length. Any boat built outside of the U.S., whether considered recreational or commercial, could not be used for business entertainment purposes, as it would not qualify for a trade endorsement. If this interpretation and subsequent enforcement of these regulations stand, it also calls into question the status of the business expense tax

deductions for boats legitimately used for business entertainment. At this time, the United States Coast Guard Documentation Office may not even be able to process the volume of boats that will require conversion into the U.S. Documentation system under the new interpretation. And, it is also questionable as to whether the licensing branch of the Coast Guard could process the number of applications needed for captain's licenses.

Marinelien.com is currently working with a maritime attorney in the United States who is investigating the ruling and is awaiting explanation from the U. S. Coast Guard, U. S. Customs Service, and the Internal Revenue Service.

In a recent ruling, US Customs modifies the term "passenger". This is important to the the yachting industry because only vessels with a "coastwise endorsement" can carry "passengers".

SMALL VESSEL WAIVER PROGRAM

Submitted by Michael Moore of Holland & Knight

The U.S. Congress has authorized the Secretary of Transportation to reinstate the so-called Small Vessel Waiver Program. This means that the "domestic build" requirements for small passenger vessels (those authorized to carry no more than 12 Passengers) can be waived. See www.marad.dot.gov for more details.

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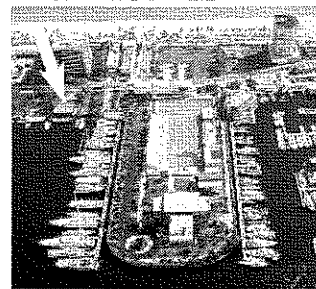
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Comments from Members Attending the Emergency DOR Meeting

"If I may be of any assistance, please contact me. I deeply believe that our industry is in trouble and am willing to help in any manner. Thank you for all your hard work."

Yolanda Phinney - *Oviatt Marine*

"First let me say how proud I am to be a member of FYBA, and to commend you and the board on your actions. I appreciate any opportunity to be of assistance in helping FYBA continue to meet the goals of its members."

Melanie Jolles - *Beacon Marine Credit*

"Hard to believe this is back on us since Merrill-Stevens fought to get reprieve on this issue some years ago. It became known in Tally as the "Merrill-Stevens Relief Act". Let me know if we can do anything in particular."

Jimmy Merrill
- *Merrill Stevens*

"I am very impressed with the way our association is dealing with this issue."

Andrew Cilla
- *Luke Brown and Assoc.*

"Thanks for the emergency seminar. As a full-time charter broker, what affects yacht sales will eventually affect yacht charter, so I appreciate all the work that FYBA does and the timely information that you provide to members."

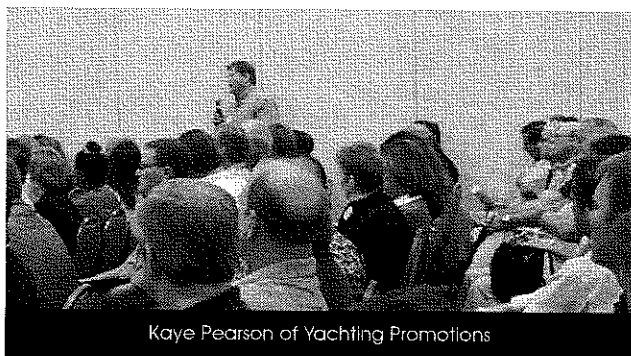
Ann Landry - *Camper Nicholson's, USA*

"Great work, thanks from everyone here at The Moorings Ft. Lauderdale."

Bob Ross - *The Moorings Yacht Brokerage*

"Please keep me posted and let me know if I can assist."

Pete Woods - *MarineMax*



Kaye Pearson of Yachting Promotions

"Thanks for your efforts on our behalves. I, for one appreciate the extra effort you have expended for us."

Mike Todd - *J. Woods Marine Group*

"Thanks. Please let us know what we can be doing."

Bruce Schattenburg - *The Sacks Group*



"Standing room only"

"I feel much better knowing that we (FYBA) have our own representation in this. If there is anything I can do to help, please don't hesitate to call on me; there are several brokers in my office who are also ready to "stuff the envelopes" so to speak. Thanks again! (No pressure, but we are all depending on you!)"

Gail Harrison - *Oviatt Marine, Inc.*

"Thanks so much for the update, the emergency meeting you did such a great job orchestrating and of course your continued efforts toward our common cause."

Randy Kires - *Port Everglades Yacht Sales, Inc.*

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BE ALERT!

A personal message from Steele Reeder to my yacht industry colleagues...

The Florida Department of Revenue has issued a policy change that could have done irreparable damage to the yacht brokerage industry in Florida. This change eliminated the ability of a Florida yacht dealer or yacht broker to place a yacht under "Care, Custody and Control" to protect them from the "use tax". This means simply that a yacht owner, who was considering bringing a boat to Florida for a broker to offer for sale, would have had to pay a 6% use tax. How many yacht owners do you know that would consider paying for the privilege of giving us their yacht to sell? Keep in mind that paying the use tax does not have any effect on a future payment of sales tax.

I have been asked by Barb Tieney to chair a committee whose purpose is to raise the funds needed to support our efforts to create new legislation which would eliminate the negative effects of the current policy. It is with great enthusiasm that I accept this task. I firmly believe that if the state's current position is not changed, we will lose most of our business to Freeport, Bahamas or another state whose policies are more favorable and supportive to the yacht owner.

It is imperative that we take action on this issue immediately as time is of the essence.

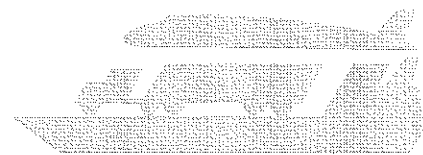
The Florida Yacht Brokers Association has already retained the services of Randy Miller and Richard Hunt, two attorneys who are incredibly well qualified to serve our needs in this matter. The financial burden of pursuing positive action on this issue is costly. I have pledged my financial support and am asking for yours. I am confident that you can see both the wisdom and benefit of supporting this effort. You also have my personal appreciation for your positive support on this issue which is so critical to our livelihood and that of all related professional services in our industry.

Please make your supportive check payable to:
Florida Yacht Brokers Association - re: "Use Tax Committee"

Please send your check to:
Florida Yacht Brokers Association
P.O. Box 460044, Ft. Lauderdale, Fl. 33346

Sincerely,

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Howard S Reeder Inc.
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Mailbag



Dear FYBA Members,

A lot of you worked tirelessly in the Legislature garnering support for SB 2586 which creates an Office of Boating and Waterways within the Florida Fish and Wildlife Commission. Your efforts paid off with the passage of the bill in the House 116-3 and Senate 27-12. The bill is now on it's way to the Governor for his signature and

this is where we once again need you help. We have been told the Governor may veto the bill on the advice of his staff!

I urge everyone to write the Governor and let him know that you would like for him to sign this bill into law. Be sure and include your full name and address. His address is Governor Jeb Bush, PL 05 The Capitol, 400 South Monroe Street, Tallahassee, FL 32399-0001 or email at jeb@myflorida.com. A letter is best but use email if that is all of the time you have!

AN EXPLANATION OF THE BILL

This bill transfers a "small portion" of the 38 million dollars in fuel tax collected from boats fueling at marinas only. It does not transfer any of the fuel tax collected at your corner gas station - which is where the vast majority of boat fuel up. It transfers 2.5 million dollars in the first year and gradually increases to 13.4 million in year 5, and then remains study. This concession was made to minimize impacts to the Department of Transportation's 5 year work plan. These funds are currently used by DOT for the construction of roads. Please keep in mind that the Florida Transportation code defines roads to include waterways! Our waterways are Florida's first highways. It is important that we continue to invest in them.

Over time these funds, which will be administered by the Florida Fish and Wildlife Conservation Commission do several important things:

1.) Fund an additional 29 law enforcement positions which will be deployed to high risk manatee counties. This should allow us to reach for adequate enforcement levels benefiting both boater safety and the manatee. In those areas where the USFWS have determined that there is "inadequate protection" it should help lift this designation and restore single family and commercial dock permits that are currently on hold.

2.) The bill also funds manatee signage. It is the goal of the commission to develop smart signs that are easily recognized by boaters so that compliance in the 290,000 acres of water under manatee protection is improved resulting in better manatee protection. Once again helping with the dock permitting issue.

3.) It also provides for grants back to cities and counties to fund additional water access projects. There is a severe shortage of water access in many areas of the state and these grants will go a long way towards alleviating this pressure.

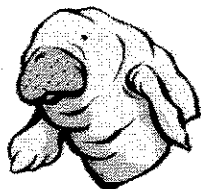
Additionally an Office of Boating and Waterways will be created within the Florida Fish and Wildlife Conservation Commission. This bill does not create any new positions (FTE's), but will consolidate and streamline existing boating and waterway related functions within the commission.

SUMMARY

This bill was supported by both the marine and boating community as well as the vast majority of the environmental community. It is good for the manatee, the boater, and the 14.2 billion dollar per year marine industry. A win win utilizing fees paid by the users of the resource.

Feel free to contact me if you have any questions.

Ken Stead, CMM
Executive Director
Southwest Florida Marine Industries Association
Phone: 239-332-0604 Fax: 239-332-0690
Email: ken@swfmia.com
Website: www.swfmia.com



on the move

Michael Strassel, previously with Allied Richard Bertram is now with HMY Yacht Sales. Michael's boating career began in his early teens. He was a top Tiara salesman for 19 yrs. and the recipient of 5 Hatteras Distinguished Sales Awards. He also authored "Michael Strassel's Basic Boat Maintenance & Guidelines" to help new boat owners get a head start with their purchase. HMY Yacht Sales, Inc., 817 N.E. 3rd St., Dania, FL 33004. Ph: 954-926-0400.

Lisa Verbit of Bank of America has relocated her office to 401 East Las Olas Blvd. 21st FL, Ft. Laud., FL 33301.

Jay Clark formerly of Ship & Yacht Gallery has moved to East West Yachts in Ft. Pierce, FL. Phone 772-466-1240 Fax: 772-466-1242.

Alans Yacht Sales, Inc. is now known as Florida Keys Yacht Brokers. They will be establishing an ASA certified sailing facility with the availability of bareboats in the 22'- 28' range. Special LOW off-season rates will be available for FYBA members! New address is PO Box 501024, Marathon, FL 501024, Ph/Fax is: 305-298-0804.

Marine Documentation, Inc. has relocated their Miami offices to 2929 SW 3rd. Avenue, # 510, Miami, FL 33129. Phone: 305-371-1113 Fax: 305-377-1111.

Advantage Services.Net has relocated to new corporate offices at 1014 S.E. 17th St., Ft. Lauderdale, FL 33316. phone: 954-527-0457 fax: 954-779-2435 email: info@advantageservices.net website: www.advantageservices.net.

FYBA DIRECTORY & BY LAWS

DEADLINE FOR ADS in Membership Roster
Has been extended till June 10.

ADVERTISING RATES 2003/2004

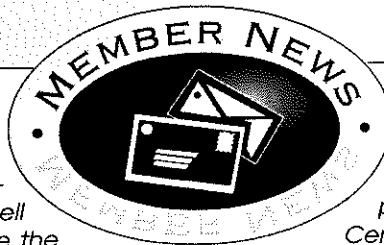
Premium Positions (Color Only)	
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1/2 Page Color	\$ 350
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MarineMax Yachts and Brokerage division is experiencing a positive sales trend. The brokerage division have signed contracts to sell several large yachts in recent weeks, despite the uncertain economy. Recent contracts include a 150' Christensen Tri-Deck, brokered by Tom George of Clearwater for a long-time MarineMax customer. It is the third yacht purchase through MarineMax for the customer who previously owned a 56' Sea Ray and 92' custom Hatteras. Tom also sold a 100' Hatteras contracted for delivery in Aug '04. Walter Sea of Stuart, Fla., contracted the sale of a 147' Benetti and delivered an 86' Hatteras to two brothers whose father is a current Hatteras yacht owner. Paul Baker of Ft. Laud. Fla., recently delivered a 100' Hatteras while Chris Cunningham of Stuart, contracted another. An exclusive agreement with the Brunswick Corp. of New Bern, N.C., made MarineMax the sole distributor of the 82' to 100' Hatteras Custom Yacht Series, while a new partnership with Westship World Yachts of Tampa, Fla., allows MarineMax to offer clients custom American-made yachts ranging from 103- to 150-feet.

International Yacht Collection is pleased to announce the sale of Double Eagle 202- 84' Sunseeker, listing broker Bob McKeage. Jim McConville sold DAYBREAK - 153' Feadship and MIMI - 124' Delta. New Centrals for Jim include: Miss Michelle - 102' Crescent RPH M/Y 1991, Knot Tide - 105' Broward M/Y 1991, and Kando - 54' Navigator PH M/Y 1997. Recent price reductions for Mark Elliot's listings include: Atlantica - 135' Christensen, Starship - 143' Van Mill PRICE REDUCTION, Big Eagle - 172' MIE Shipyard. Jim Eden's new build with Sensation Yachts, in Auckland, New Zealand, started at 136' but quickly grew to 150' in order to accommodate the owner's wish to put the Master Suite and body guard accommodations on the third level. For more info, call: 954-522-2323.

National Marine Group is pleased to announce the opening of its Ocean Reef sales office in Key Largo. A third Florida office will be opening in May at Soveral Harbor, Palm Beach Gardens. The Palm Beach office enjoyed a very successful Palm Beach Boat Show with the sales exceeding expectations. Contact Richard Miesen at 561-833-7775 or visit www.nationalmarinegroup.com

Emerald Yacht-Ship announces that Taipan IV is being prepared for shipment to Phuket, Thailand where she will be available for cruising. Taipan IV is a 64', 4,000 mile range 2-year old vessel. The 67' Taipan I remains available for chartering in Florida & the Bahamas and the 172' Taipan III is based in Cannes, France for the summer chartering season in the Med. For more info.: 941-639-6987.

Oviatt Marine Inc. and Yolanda V. Phinney are pleased to announce the delivery of a new Alaskan Raised Pilot House 62' to delighted clients from Fort Pierce, Fl. The yacht Main Course will cruise north to Michigan for the summers and will winter in Florida. Any brokers with clients wishing to preview this lovely custom yacht either in Michigan or along the way, may contact Yolanda V. Phinney at (954) 925-0065. Main Course will be available to be viewed at the Newport and Annapolis shows next Fall.

Boston Yacht Sales announces the 11th annual Northeast Hatteras Rendezvous to take place July 17-20, 2003 at the Newport Yachting Center in Newport, RI. Organized by Michael & Rhonda Myers, the theme of this year's extravaganza is "Jazz". The weekend long celebration includes mansion party, meals, open bars, entertainment, seminars and more. Interested sponsors & guest are invited to call for more details at 800-624-8857. michael@bostonyacht.com

Remier Yacht & Ship has collaborated in the design and construction of a new product line. The primary initial focus is on two models of a pilothouse yacht built on a Howard Apollonio hull. The 54' and 62' have deep prop pockets and have very shallow drafts with keel protected props. Both models will reach speeds in excess of 30 knots (something not common in a pilothouse boat). You can see this revolutionary line of boats at www.premierys.com/pama.htm. Premier Yacht is looking for a salesperson experienced with this type of product who can tell the difference. Contact Dave Adams at 561-627-4646 or daveadams@premierys.com

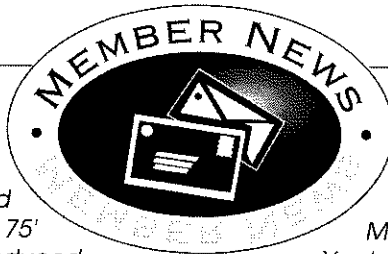
Gilman Yacht Sales of Palm Beach announces that it had 25 boats at the Palm Beach boat show and sold several with offers on several others. The new Horizon 82' CPMY was well received and the 58' & 62' Horizon were very busy. A couple new construction orders were taken as well. Brokerage inquiries remain strong. For more info, call 561-626-1790.

The Moorings Yacht Sales reports the retirement of Richard Widmann. He served as a broker with Moorings for over 10 years. He and his wife will be departing for a world cruise on their 42' catamaran "Sylvester". Peter Wersma formerly with Northwind Yachts will be joining the Moorings. He brings new boat construction and brokerage experience. His mastery of 5 languages will also help the global sales efforts. For more info, call: 954 462-3075.

AIA Offshore Yacht Brokers is pleased to announce the opening of a sales office to better serve their customers. The office is located at 57 Comares Avenue - St Augustine Florida. For further information, please call Tom Phillips 904 829 5804 or offshore@aug.com

David Walters Yachts announces that George Lane, the selling broker for OZ, the 87' Don Brooke ketch has now listed "CHARDONNAY" another vintage Don Brooke classic that was recently refitted in Fort Lauderdale. First quarter sales for David included the Alden 46' "Merlin" and Hylas 54' "Cabaret". Other central listings that have sold were Apogee 50' "Lela" and the custom Ian Franklin 53' "Distant Echoes". David Walters Yachts, Inc., 2150 S.E. 17th St., Ft. Laud., FL 33316. Ph: 954-527-0664.

Palmer Johnson Yachts' Roy sea has sold his 71st burger motoryacht, the 86' ENCORE V, which he sold to I. W. Burnham, (a wall street guru for most of the last century) in 1986. Mr. Burnham was the only owner and used it right up until he passed away last summer at 93. Palmer Johnson Yachts Yachts, 1515 S.E. 17th St., #109, Ft. Lauderdale, FL 33316. Ph: 954-765-5555.



Northrop and Johnson's Fort Lauderdale

office announce a price reduction on Michael Nethersole's recently upgraded and refitted central listing, *MAGICDAZE*, the 75' Raised Pilothouse CCYD sloop. Also recently reduced is Ann Avery's listing on the 65' Dutch Steel Trawler, *TIGRESS*. Also for sale is Gregg Child's central listing on the 62' Trumpy/Mathis, *THE WASHINGTONIAN*. It has recently undergone a \$1 million refit and is now being offered at the reduced price. Kevin has sold *INDEPENDENT*, the 68' Nordlund motor yacht. Ann Avery has sold *WENDY LYNNE*, the Concept 80 sailing yacht and has been named co-central agent, shared with affiliate Nick Dean of YPI, for *SAPPHIRE*, the 86' (26.m) Ron Holland Ketch. Another central listing of Ann Avery's, the brand new *MAXI 88* (26.8m) is expected to launch this month. Built by CIM Shipyard and features a Sparkman & Stephens hull, hydraulic furling system and easy water access.

Northrop and Johnson's Boston office is pleased to announce that Steve Doyle sold a new 2003 80' *LAZZARA*. The Lazzara Corporation has taken his client's 58' Ocean, *SUMMER WIND*, in trade, which is offered for sale by Lazzara's Sales Manager, Peter Lenton. Bob Leslie's central *MOON STAR*, the 103' Bugari, is now for sale by her American owner. Northrop and Johnson, 15 Rantoul St., Beverly, MA 01915. Ph: 978-921-6600.

MarineMax, Inc. announced revenue and earnings for the 3 and 6-month periods ended Mar. 31, 2003. The Company reported second quarter revenue of \$159.1 million compared to \$133.8 million for the comparable quarter last year. Net income for the 3-month period ended Mar., 2003, increased 22% to \$4.1 million. For the 6-month period ended Mar., 2003, revenue increased 10% to \$257.0 million compared to \$234.4 million for the 6-month period ended Mar. 2002. William H. McGill, Jr., chairman, CEO, stated, "Despite a decline in boat show and retail traffic, we were encourage to see a resurgence in the sale of larger boats and yachts." Headquartered in Clearwater, FL, MarineMax is the nation's largest recreational boat retailer. Focused on premium brands, such as Sea Ray, Boston Whaler, Meridian and Hatteras.

The Sacks Group Yachting Professionals announce that the 156' megayacht *INSPIRATION* returns to the Charter Market with impressive luxury upgrades. *INSPIRATION* will be in New England for the Summer season. Contact the charter specialists at The Sacks Group at 954-164-7742.

International Yacht Collection will be opening their Newport office for the Summer season on June 1st. The office is at Casey's Marina on Spring Wharf, offering services in Yacht Sales, Charter, Management, Internet Access and Crew Placement. Contact Mark Elliot at 401-849-0834 or Mark@yachtcollection.com

International Yachtmaster Training is pleased to announce the licensing of five additional Int'l Yachtmaster Training Schools. They are: Maritime School of the West Indies St Maarten Netherlands Antilles who will shortly be starting with IYT/MCA Yachtmaster Coastal. Clubsail Ltd. in Sydney, and Swan Maritime in Perth Australia will teach IYT/MCA Yachtmaster Coastal, Offshore and Ocean. J World in San Diego, CA will teach IYT/MCA Yachtmaster Coastal. Maritime Institute Inc. of San Diego will teach IYT/MCA Yachtmaster Offshore and Ocean. For more info. visit www.yachtmaster.com.

Priscilla Yacht Management, Inc. will be opening their Newport, RI office as of May 5th at The Exchange Building, 2nd Floor, 38 Washington Square, Newport, RI 02840. Phone is 401-845-8999 and Fax is 401-845-0922. Priscilla will be in the Newport Office all summer and Denise Baker will head the home office located at 1635 Miami Rd., #6, Ft. Laud., FL 33315 Ph: 954-523-8200. They will hold their 21st Annual Spring Boat Show at the Newport Harbor Hotel & Marina on Thursday, June 19th from 9-4 p.m. They will have 8 yachts ready for inspection ranging in size from 61' up to 122'.

MedLink announces that it has received U.S. Coast Guard approval for a new STCW Medical Training Site at the Colonna Yachts' Norfolk, Virginia location. In order to receive STCW certification, MedLink had to obtain U.S. Coast Guard approval on the courses' curriculum, instructors and locations. In addition to the Norfolk, Virginia location, MedLink also offers STCW-compliant medical training courses in Savannah, Georgia; San Diego, California; and Portsmouth, Rhode Island. Courses not governed by STCW standards, such as MedLink's comprehensive Management of Onboard Illness and Injury training and security training classes, are also available at each location. Medlink, 1511 East Commercial Boulevard, PMB 148, Fort Lauderdale, FL 33334. Ph: 954-784-3567 Fax: 954-784-3568.

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St. Vincent and the Grenadines Registry

St. Vincent and the Grenadines is pleased to announce that it is now offering a commercial charter registry for pleasure yachts desiring to charter in the Mediterranean and Europe, in time for the summer cruising season.

The Administration for St. Vincent has created a registration and safety package containing safety requirements for vessels under 500 net tons, to be eligible to obtain a "Charter Registry." It is a well thought out safety plan tailored to the needs of yachts in charter, as opposed to the requirements placed on commercial passenger vessels. Most importantly, it allows yacht owners to use the commercial MYBA and AYCA form charter agreements, which have established standard business terms for worldwide yacht charters.

The procedure for obtaining a charter endorsement includes submitting the appropriate application, and a safety inspection performed by a classification society or qualified marine surveyor approved by The Administration.

For more information, please contact Linda Parzygnat, Yacht Registry Services, Inc., U.S. Agent to St. Vincent and the Grenadines for Yachts. (954)527-1555.

Did You Know?

If you go to www.google.com and type in your telephone number it will actually pull up directions to your house. Many people may be unaware of this information disclosure. Log on to www.google.com then type in your phone number (separated by hyphens, including area code) and click on Google Search. If your phone number is listed it will show your name and address (with telephone ICON to the left) and provide two map options to your home through Yahoo and MapQuest.

Google has made available an option that will allow you to REMOVE your telephone number from the database that is linked to the mapping feature. Just click on the phone ICON and follow the instructions.

Office Space

1. Premier location Available, S.E. 17th Office space sub-lease - master lease expires 3/31/04 with options to renew. 5,200 Sq.Ft. High visibility signage opportunity. Easy access to Airport, Port Everglades, Interstates etc. For more information contact agent Travis Herring at (954) 745 5862 or e mail therring@cbre.com

2. Office to rent at Harbour Towne Marina - 3 waterfront offices with conference room & reception area. Call 954-926-0444.

3. Offices for rent in upscale building off of 17th Street in Ft. Lauderdale. NO LEASE OR DEPOSIT REQUIRED. Parking, alarm system, kitchen, option to share DSL internet service, reception area, newly FURNISHED. Call (954) 462-0116.

Bulletin Board

1. Busy and fast-paced Ft. Lauderdale Marine Finance, looking for **high-energy individual** to join our team. Great phone skills, typing, work, and excel required. Great Benefits & work environment. Call Melanie for more info., 954-522-7104 or fax to 954-522-7106.

2. National Marine Group is looking for motivated **power broker/salespersons** to fill immediate positions in Soverel Harbor and Palm Harbor locations. We offer the best commission plan in the marine industry! Please contact Richard Miesen @ 561-833-7775 or sales@nationalmarinegroup.com

3. **Immediate Receptionist** position available with established yacht brokerage in Ft. Lauderdale. Applicant must have excellent phone skills, motivated, organized, and dependable. Please send resumes to debbie@yachtcollection.com or fax to 954/ 453-2550.

4. Ready to move to Palm Beach County and expand your client base? The Marine Group now offers its **brokers** the flexibility of working out of two S.Florida offices in high profile marinas (Soverel Harbor on PGA in Palm Beach Gardens and Harbor Towne in Dania). Yacht brokerage since 1987, dealers for Ocean Alexander MY's 42' - 100' If you want to join a team of professionals and a firm that has superb national advertisement, excellent support, and a solid reputation for good business, call or email in confidence mroberts@marinegroup.com.

5. Denison Yacht Sales is looking for an **experienced megayacht broker/salesperson**. Great opportunity in new office on the water with docks. Please call Kit Denison at 954-873-2828.

6. Trident Funding, a national leader in yacht financing, is looking for qualified applicants to complement its Ft. Lauderdale office as an outside **sales representative**. Territories available include east coast and west coast of Florida Applicants should have outside sales experience, preferably in the marine financing industry. Please forward resumes to Trident Funding, 1535 S.E. 17th Street, Suite B-207, Ft. Lauderdale, FL 33316, or contact Steve Donnell at (954) 525-3665. All inquiries will be kept strictly confidential.

7. Looking for one **well established, reputable yacht broker** with a good client base to sell large new construction yachts and megayacht brokerage yachts. Better than average commission splits, great office, support staff and location. Contact Frank Grzeszczak, Palmer Johnson Yacht Sales at 954-494-7096 cell or 954-765-5555 office.

8. Wanted - **Outside Sales Representative** for yacht financing. Applicants must have experience in the solicitation of customers wanting to obtain yacht financing on their new or used boat purchase. Attention to details, client follow up and willingness to work hard and long hours with team attitude a must. Interested candidates please call Phill Hawkins at Sterling Associates. All calls confidential. 954-568-5047

9. SevenStar Yacht Transport transports about 500 yachts per year all over the world. Sol Yacht Transport is SevenStar's exclusive agent in Ft Lauderdale for the USA/Caribbean and is looking for a **sales manager**. Responsibilities include acquiring & booking transports, attending int'l boat shows, logistics and run day-to-day operations. SevenStar is also looking for an **experienced loadmaster** to supervise loading and discharging of yachts in various ports. Please call Sander Moojen at 954-713-0413 or visit www.sevenstar.nl.

Calendar OF EVENTS

MAY

22 4th Thursday Broker's Show
Pier 66 Marina - Ft. Lauderdale

31-6/1 MIAF Plywood Regatta
DC Alexander Park - Ft. Laud.

JUN

19 3rd Thursday Broker's Show
Best Western Marina - Ft. Lauderdale

26-31 HMY Yacht Abacos for the Billfish Blast
Abaco Beach Resort & Marina

The 15th Annual

Reef Sweep & Beach Cleanup

Making a Clean Sweep

Saturday, June 14, 2003

<http://www.oceanwatch.org/reefsweep.htm>

24th Annual Big Brothers Big Sisters Fishing Tournament

"If you have a boat and want to fish
and have fun...we need you!"

It's the time of year again for the 24th Annual Big Brothers Big Sisters Fishing Tournament. **John Weller** is in search of some "Good Guys" who have boats who may be willing to take children and their BBBS sponsors fishing on Saturday, 7th June. Last year 22 volunteer captains and their boats hosted approximately 65 Big Brothers Big Sisters children and their chaperons for a fun day of fishing. John Weller wants to express his thanks to each of you that made a contribution to the benefit dinner/dance and or the fishing tournament and making a difference in a child's life and encourages you to be part of this year's events.

For more information:

954-467-8405 (office) or jweller@alliedrichardbertram.com.

EVENT *Benefit Dinner Dance*

DATE *6 June 2003*

PLACE *ARBMG Grand Showroom*

EVENT *Fishing Tournament*

DATE *7 June 2003*

PLACE *Bahia Mar Marina*



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Florida Yacht Brokers Association
P.O. Box 460044
Ft. Lauderdale, FL 33346
Ph: (954) 522-9270 Fax: (954) 764-0697

e-mail: fyba@fyba.org • website: www.fyba.org

FYBA MEMBERSHIP FACTS

FYBA with YPI Owns the Yacht & Brokerage Show (held mid February in Miami)

OBJECTIVES

To unite those engaged in the yacht brokerage business for the purpose of promoting cooperation and professionalism among its members.

To promote and maintain a high standard of conduct in the transacting of the yacht brokerage business in accordance with the FYBA Code of Ethics.

MEMBERSHIP REQUIREMENTS

Professional Members must be Licensed and bonded by the State of Florida under the Yacht and Ship Brokers Act.

Affiliate Membership Class is for individuals and companies directly related to the yacht brokerage industry.

CURRENT MEMBERSHIP

800 Members

While the majority of its membership is comprised of Florida based brokers, there is also representation from prominent firms located throughout the world.

MEMBER SERVICES & BENEFITS

- ¥ Arbitration service for members
- ¥ Legislative action committee
- ¥ Educational seminars
- ¥ Social events and charitable functions
- ¥ Monthly newsletter
- ¥ Standardized business contract & forms
- ¥ Published membership roster
- ¥ National advertising
- ¥ Trade only Boat Shows
 - Bahia Mar (7 per year)
 - Palm Beach (5 per year)
- ¥ Member of the Int'l Yacht Council Ltd.
- ¥ FYBA Website