

## **Committee on Environmental Preservation and Conservation**

### **CS/HB 7025 — Fish and Wildlife Conservation Commission**

by State Affairs Committee; Agriculture and Natural Resources Subcommittee; and Rep. Crisafulli and others (CS/CS/CS/SB 804 by Environmental Preservation and Conservation)

The bill makes changes to several fish and wildlife statutes including those involving the Florida Panther license plate, the Florida Wildlife magazine, usage of the Documentary Stamp Tax and vessel registration fees for marine mammal care, license requirements for scuba divers who are taking saltwater products from a licensed charter dive boat, the mentor option of the hunter safety course for hunting in Florida, the fee schedule for blue crab soft shell endorsements, and, lastly, the bill adds two third degree felony offenses to the list of Level 5 offenses on the offense severity ranking chart of the Criminal Punishment Code of Florida.

#### Florida Panther License Plate

Currently, the Florida Communities Trust Fund receives 15%, but not less than \$300,000, from fees from the Florida panther license plate. The bill removes the Florida Communities Trust Fund as a recipient of money from the Florida Panther license plate.

#### Marine Resources Conservation Trust Fund

The bill removes outdated references to documentary stamp tax appropriations for marine mammal care and provides for permissive use of vessel registration fees. As of the 2009-2010 fiscal year, marine mammal care is funded by vessel registration fees and documentary stamp taxes no longer fund marine mammal care appropriations. The bill also strikes language providing for carrying forward funds in the Marine Resources Conservation Trust Fund that come from vessel registration fees.

#### Florida Wildlife Magazine

The bill repeals the Florida Wildlife magazine. Funding for the magazine was reduced permanently in the 2011-2012 General Appropriations Act. The bill makes the required associated statutory changes to end publication of the magazine and repeal the authorization of the Council.

#### Hunter Safety Course Requirement

Currently, in order to get a hunting license in the State of Florida, which is required for a person 16 years old or older to hunt, a person born after June 1, 1975, has to take a hunter safety course. The course may be deferred for one year and the hunter may receive a hunting license if the person is hunting under the supervision of a licensed hunter. After deferring one year, a hunter who was born after June 1, 1975, has to take a hunter safety course to get another hunting license. The bill removes the one year deferral limit and allows someone who has not taken the

hunter safety course to hunt under the supervision of a licensed hunter who is over the age of 21 for as many seasons as they choose.

#### Commercial Blue Crab Soft Shell Endorsement Fee

Currently, the soft shell crab endorsement for commercial fishermen harvesting in Florida waters is \$250. The bill reduces the cost of the endorsement to \$125.

#### Modification of License Requirements for SCUBA Divers who are Fishing

Currently, if a boat takes out a group of SCUBA divers and any of those divers wish to take saltwater products (fish, lobsters, etc.), each individual diver has to have a license to retrieve the particular type of salt water animal the diver wishes to take. The bill allows divers on a properly licensed boat to take saltwater products without getting a fishing license for the particular animal they wish to fish for. If the boat is not properly licensed, then the divers must be properly licensed individually for what they want to take.

#### Modification of the Lobster Trap Theft Penalty

Currently, there are two statutory provisions that deal with lobster trap theft and molestation which make such thefts and molestations 3<sup>rd</sup> degree felonies. Because they are not specifically listed on the offense severity ranking chart in the Criminal Punishment Code of Florida, they default to level 1 offenses which make it difficult for judges to impose significant punishments for violations of the laws. Level 1 penalties are limited to \$1000 fines and/or up to 1 year in jail. Level 5 penalties are limited to \$5,000 fines and/or up to 5 years in prison. The bill lists the two offenses as Level 5 offenses on the offense severity ranking chart of the Criminal Punishment Code meaning that a judge may impose a sentence within the full range of sentencing available for a 3<sup>rd</sup> degree felony.

If approved by the Governor, these provisions take effect July 1, 2012.

*Vote: Senate 38-0; House 112-0*