1 A bill to be entitled 2 An act relating to game and freshwater fishing; amending s. 212.04, F.S.; exempting entry fees 3 4 for participation in freshwater fishing 5 tournaments from the admissions tax; amending 6 s. 372.0222, F.S.; directing the commission to 7 provide services and information to inform Floridians and visitors about the state's 8 9 unique and diverse fish, game, and wildlife; 10 authorizing the commission to make expenditures to accomplish such goals; authorizing the 11 commission to make certain rules; amending s. 12 13 372.16, F.S.; increasing a fee for private game 14 preserve or farm licenses; amending s. 372.561, 15 F.S.; increasing a fee with respect to each license or management area permit sold; 16 17 increasing the amount retained by the tax 18 collector; amending s. 372.57, F.S.; including 19 reference to reptiles and amphibians in a list for which a license is required for the taking 20 21 thereof; increasing the fee for a resident 22 fishing or hunting license; providing a license 23 for the taking of reptiles or amphibians; providing a fee for certain management area 24 25 permits; providing for an automatic adjustment 26 to licenses, permits, or stamps; providing a 27 definition; amending s. 372.574, F.S.; 28 providing for the sale of licenses 29 electronically by credit card; increasing a 30 fee; creating s. 372.579, F.S.; providing for a processing fee for certain no-cost licenses and

1 permits; amending s. 372.661, F.S.; increasing 2 the license fee for operating a private hunting preserve; amending s. 372.87, F.S.; increasing 3 the fee for keeping, possessing, or exhibiting 4 poisonous or venomous reptiles; amending s. 5 6 372.921, F.S.; increasing fees; providing for 7 the payment of certain expenses by the owner or possessor of wildlife where certain wildlife is 8 9 seized or taken into custody by the commission; 10 providing a penalty; amending s. 372.922, F.S.; providing a fee; providing for the payment of 11 12 certain expenses by the owner or possessor of 13 wildlife which is seized or taken into custody by the commission; amending s. 375.315, F.S.; 14 15 increasing the annual registration fee for off-road vehicles; providing an effective date. 16

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Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraph (a) of subsection (2) of section 212.04, Florida Statutes, 1996 Supplement, is amended to read: 212.04 Admissions tax; rate, procedure, enforcement.-- (2)(a)1. No tax shall be levied on admissions to athletic or other events sponsored by elementary schools,

athletic or other events sponsored by elementary schools, junior high schools, middle schools, high schools, community colleges, public or private colleges and universities, deaf and blind schools, facilities of the youth services programs of the Department of Health and Rehabilitative Services, and state correctional institutions when only student, faculty, or inmate talent is used. However, this exemption shall not apply to admission to athletic events sponsored by an institution

within the State University System, and the proceeds of the tax collected on such admissions shall be retained and used by each institution to support women's athletics as provided in s. 240.533(3)(c).

- 2.a. No tax shall be levied on dues, membership fees, and admission charges imposed by not-for-profit sponsoring organizations. To receive this exemption, the sponsoring organization must qualify as a not-for-profit entity under the provisions of s. 501(c)(3) of the United States Internal Revenue Code of 1954, as amended.
- b. No tax imposed by this section and not actually collected before August 1, 1992, shall be due from any museum or historic building owned by any political subdivision of the state.
- 3. No tax shall be levied on an admission paid by a student, or on the student's behalf, to any required place of sport or recreation if the student's participation in the sport or recreational activity is required as a part of a program or activity sponsored by, and under the jurisdiction of, the student's educational institution, provided his or her attendance is as a participant and not as a spectator.
- 4. No tax shall be levied on admissions to the National Football League championship game.
- 5. A participation fee or sponsorship fee imposed by a governmental entity as described in s. 212.08(6) for an athletic or recreational program is exempt when the governmental entity by itself, or in conjunction with an organization exempt under s. 501(c)(3) of the United States Internal Revenue Code of 1954, as amended, sponsors, administers, plans, supervises, directs, and controls the athletic or recreational program.

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Also exempt from the tax imposed by this section to the extent provided in this subparagraph are admissions to live theater, live opera, or live ballet productions in this state which are sponsored by an organization that has received a determination from the Internal Revenue Service that the organization is exempt from federal income tax under s. 501(c)(3) of the United States Internal Revenue Code of 1954, as amended, if the organization actively participates in planning and conducting the event, is responsible for the safety and success of the event, is organized for the purpose of sponsoring live theater, live opera, or live ballet productions in this state, has more than 10,000 subscribing members and has among the stated purposes in its charter the promotion of arts education in the communities which it serves, and will receive at least 20 percent of the net profits, if any, of the events which the organization sponsors and will bear the risk of at least 20 percent of the losses, if any, from the events which it sponsors if the organization employs other persons as agents to provide services in connection with a sponsored event. Prior to March 1 of each year, such organization may apply to the department for a certificate of exemption for admissions to such events sponsored in this state by the organization during the immediately following state fiscal year. The application shall state the total dollar amount of admissions receipts collected by the organization or its agents from such events in this state sponsored by the organization or its agents in the year immediately preceding the year in which the organization applies for the exemption. Such organization shall receive the exemption only to the extent of \$1.5 million multiplied by the ratio that such receipts bear to the total of such receipts of

all organizations applying for the exemption in such year; however, in no event shall such exemption granted to any organization exceed 6 percent of such admissions receipts collected by the organization or its agents in the year immediately preceding the year in which the organization applies for the exemption. Each organization receiving the exemption shall report each month to the department the total admissions receipts collected from such events sponsored by the organization during the preceding month and shall remit to the department an amount equal to 6 percent of such receipts reduced by any amount remaining under the exemption. Tickets for such events sold by such organizations shall not reflect the tax otherwise imposed under this section.

7. Also exempt from the tax imposed by this section are entry fees for participation in freshwater fishing tournaments.

Section 2. Subsections (5) and (6) are added to section 372.0222, Florida Statutes, 1996 Supplement, to read:

372.0222 Private publication agreements; advertising; costs of production.--

- information designed to inform Floridians and visitors about Florida's unique and diverse fish, game, and wildlife, and make available such information by means of commonly used media. For the accomplishment of such purpose, the commission shall have the power and authority to make expenditures to:
- (a) Encourage and cooperate with public and private organizations or groups to publicize to residents and visitors the diversity of fish, game and wildlife, and related recreation opportunities of the state, including the establishment of and expenditure for a program of cooperative

advertising or sponsorships, or partnerships with such public and private organizations and groups in accordance with rules promulgated by the commission pursuant to chapter 120.

- (b) Charge and collect a reasonable fee for researching or compiling information or other services which, in its judgment, should not be furnished for free to those requesting the information, research, handling, material, publication, or other services. Any amounts of money received by the commission from such sources shall be restored to the appropriations of the commission and any unexpended funds shall be deposited into the State Game Trust Fund and made available to the commission for use in performing its duties, powers, and purposes.
- (c) Charge and collect registration fees at conferences, seminars, and other meetings conducted in furtherance of the duties, powers, and purposes of the commission. Any funds collected pursuant to this paragraph which remain unexpended after the expenses of the conference, seminar, or meeting have been paid shall be deposited into the State Game Trust Fund and made available to the commission for use in performing its duties, powers, and purposes.
- (6) Notwithstanding the provisions of part I of chapter 287, the commission may promulgate rules for the purpose of entering into contracts which are primarily for promotional and advertising services and promotional events which may include the authority to negotiate costs with offerors of such services and commodities who have been determined to be qualified on the basis of technical merit, creative ability, and professional competency.
- Section 3. Subsection (4) of section 372.16, Florida Statutes, is amended to read:

for which shall be\$25\$5 per year.

(4) Any person violating the provisions of this section shall for the first offense be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and for a second or subsequent offense shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Any person convicted of violating the provisions of this section shall forfeit, to the Game and Fresh Water Fish Commission, any license or permit issued under the provisions hereof; and no further license or permit shall be issued to such person for a period of 1 year following such conviction. Before any private game preserve or farm is established, the owner or operator shall secure a license from the Game and Fresh Water Fish Commission, the fee

Section 4. Subsection (4) of section 372.561, Florida Statutes, 1996 Supplement, is amended to read:

372.561 Issuance of licenses to take wild animal life or freshwater aquatic life; costs; reporting.--

- (4)(a) In addition to any license or permit fee, the sum of \$2\$\frac{1.50}{2}\$ shall be charged for each license or management area permit sold. Such charge is for the purpose of, and the source from which is subtracted, all administrative costs of issuing a license or permit, including, but not limited to, printing, distribution, and credit card fees.
- (b) Tax collectors may retain \$1.50\$ for each license or management area permit sold.

Section 5. Section 372.57, Florida Statutes, 1996 Supplement, as amended by chapter 96-300, Laws of Florida, is amended to read:

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372.57 Licenses and permits; exemptions; fees.--No person, except as provided herein, shall take game, freshwater fish, or fur-bearing animals, reptiles, or amphibians within this state without having first obtained a license, permit, or authorization and paid the fees hereinafter set forth, unless such license is issued without fee as provided in s. 372.561. Such license, permit, or authorization shall authorize the person to whom it is issued to take game, freshwater fish, or fur-bearing animals in accordance with law and commission rules. Such license, permit, or authorization is not transferable. Each license or permit must bear on its face in indelible ink the name of the person to whom it is issued and other information requested by the commission. Such license, permit, or authorization issued by the commission or any agent must be in the personal possession of the person to whom issued while taking game, freshwater fish, or fur-bearing animals. The failure of such person to exhibit such license, permit, or authorization to the commission or its wildlife officers, when such person is found taking game, freshwater fish, or fur-bearing animals, is a violation of law. A positive form of identification is required when using an authorization, a lifetime license, or a 5-year license. lifetime licenses and 5-year licenses provided herein shall be embossed with the name, date of birth, the date of issuance, and other pertinent information as deemed necessary by the commission. A certified copy of the applicant's birth certificate shall accompany all applications for a lifetime license for residents 12 years of age and younger.

- (1) A license or permit is not required for:
- (a) Any child under 16 years of age except as otherwise provided in this chapter.

- (b) Any person hunting or fishing in the person's county of residence on the person's homestead or the homestead of the person's spouse or minor child, or any minor child hunting or fishing on the homestead of her or his parent.
- (c) Any resident who is a member of the Armed Forces of the United States, who is not stationed in this state, when home on leave for 30 days or less, upon submission of orders.
- (d) Any resident when fishing with live or natural bait, using poles or lines which are not equipped with a fishing line retrieval mechanism, and fishing for noncommercial purposes in the county of her or his residence, except on legally established fish management areas. This paragraph, as amended by chapter 76-156, Laws of Florida, may be cited as the "Dempsey J. Barron, W. D. Childers, and Joe Kershaw Cane Pole Tax Repeal Act of 1976."
- (e) Any person fishing in a fish pond of 20 acres or less which is located entirely within the private property of the fish pond owner.
- (f) Any person fishing in a fish pond which is licensed in accordance with s. 372.5705.
- (g) Any person fishing who has been accepted as a client for developmental services by the Department of Health and Rehabilitative Services, which department shall furnish such person proof thereof.
- (h) Any resident 65 years of age or older who has in her or his possession proof of age and residency. A free license may be obtained from any tax collector's office upon proof of age and residency.
- (2) For residents and nonresidents, the license and fees for noncommercial fishing and for hunting and trapping in

this state, and the activity authorized thereby, are as follows:

- (a) A fishing license for a resident to take freshwater fish in this state is \$13\$.
- (b)1. A fishing license for a nonresident to take freshwater fish in this state for 7 consecutive days is \$15.
- 2. A fishing license for a nonresident to take freshwater fish for 3 consecutive days is \$5.
- (c) A fishing license for a nonresident to take freshwater fish in this state is \$30.
- (d) A combination fishing and hunting license for a resident to take freshwater fish and game in this state is \$22.
- (e) A hunting license for a resident to take game in this state is \$12\$.
- (f) A hunting license for a nonresident to take game in this state is \$150.
- (g) A hunting license for a nonresident to take game in this state for 10 consecutive days is \$25.
- (h) A license for a resident and nonresident to take fur-bearing animals in this state is \$25.
- (i) A sportsman's license for a resident is \$66. The sportsman's license authorizes the holder to take freshwater fish and game, subject to state and federal regulations and rules of the commission in effect at the time of taking, and authorizes the same activities authorized by a management area permit, a muzzle-loading gun permit, a turkey permit, a Florida waterfowl permit, and an archery permit. A nonresident may not purchase a sportsman's license.
- (j) A license for a resident to take more than two reptiles or amphibians in this state is \$11. An annual license

for a nonresident to take more than two reptiles and amphibians is \$150 and for 10 consecutive days is \$25. Any resident who is licensed pursuant to s. 372.921 shall be exempt from the licensing provisions of this paragraph as to the taking of reptiles. Any resident licensed pursuant to s. 372.65 shall be exempt from the licensing provisions of this paragraph as to the taking of frogs. Any person licensed pursuant to s. 372.6673 shall be exempt from the licensing provisions of this paragraph as to the taking of alligators.

- (3) A resident or nonresident taking fur-bearing animals by the use of guns or dogs only and not by the use of traps or other devices, and not for commercial purposes, who has purchased the license provided for hunting in this section, received a no-cost license, or is exempt from the license requirements of this chapter is not required to purchase the license provided in paragraph (2)(h). A resident who is age 65 or older is not required to purchase the license provided in paragraph (2)(h).
- (4) In addition to any license required by this chapter, the following permits and fees for certain hunting, fishing, and recreational uses, and the activities authorized thereby, are:
- (a) A Florida waterfowl permit to take wild ducks or geese within this state or its coastal waters is \$3.
- (b) A management area permit to hunt, fish, or otherwise use for outdoor recreational purposes, land owned, leased, or managed by the commission or the State of Florida for the use and benefit of the commission, up to \$25. Other than for hunting or fishing, this paragraph does not apply on any lands not owned by the commission, unless the commission

shall have obtained the written consent of the owner or primary custodian of such lands.

- (c) A muzzle-loading gun permit to hunt within this state with a muzzle-loading gun during those game seasons in which hunting with a modern firearm is not allowed is \$5.
- (d) An archery permit to hunt within this state with a bow and arrow during those game seasons in which hunting with a firearm is not allowed is \$5.
- (e) A Florida turkey permit to take wild turkeys within this state is \$5.
- otherwise use, for outdoor recreational purposes, land leased by the commission from private nongovernmental owners. The fee for this permit shall be based upon economic compensation desired by the landowner, game population levels, desired hunter density, and administrative costs. The spouse and dependent children of the permittee are exempt from the permit fee when engaged in outdoor recreational activities other than hunting in the company of the permittee. There are no other exemptions to the fee required by this paragraph. The permit fee shall be set by the commission by rule on a per-area basis. The landowner lease fee, less an administrative fee not to exceed \$25, shall be remitted to the landowner as provided in the lease agreement for each area.
- (5) The commission is authorized to reduce the fees for licenses and permits under this section for residents of those states with which the commission has entered into reciprocal agreements with respect to such fees.
- 29 (6) The commission may designate by rule no more than 30 2 consecutive or nonconsecutive days in each year as free 31 fishing days. Notwithstanding any other provision of this

chapter, any person may take freshwater fish for noncommercial purposes on a free fishing day without obtaining or possessing a license or paying a license fee as prescribed in this section. A person who takes freshwater fish on a free fishing day without obtaining a license or paying a fee must comply with all laws and regulations governing holders of a fishing license and all other conditions and limitations regulating the taking of freshwater fish as are imposed by law or rule.

- (7) A resident lifetime sportsman's license authorizes the holder to engage in the following noncommercial activities:
- (a) To take or attempt to take or possess freshwater fish, marine fish, and game, consistent with state and federal regulations and rules of the commission and the Department of Environmental Protection in effect at the time of taking.
- (b) All activities authorized by a management area permit, a muzzle-loading gun permit, a turkey permit, an archery permit, a Florida waterfowl permit, a snook permit, and a crawfish permit.
- (c) All activities for which an additional license, permit, or fee may be required to take or attempt to take or possess freshwater fish, marine fish, and game, imposed subsequent to the date of purchase of the resident lifetime sportsman's license.
- (8) The fee for a resident lifetime sportsman's
 license is:
 - (a) 4 years of age or younger.....\$400
 - (b) 5-12 years of age.....\$700
 - (c) 13-63 years of age or older.....\$1,000
 - (d) 64 years of age or older.....\$12

- (9) A resident lifetime hunting license authorizes the holder to engage in the following noncommercial activities:
- (a) To take or attempt to take or possess game consistent with state and federal regulations and rules of the commission in effect at the time of taking.
- (b) All activities authorized by a management area permit, excluding fishing, a muzzle-loading gun permit, a turkey permit, an archery permit, and a Florida waterfowl permit.
- (c) All activities for which an additional license, permit, or fee may be required to take or attempt to take or possess game, imposed subsequent to the date of purchase of the resident lifetime hunting license.
- (10) The fee for a resident lifetime hunting license shall be:
 - (a) 4 years of age or younger.....\$200
 - (b) 5-12 years of age.....\$350
 - (c) 13 years of age or older.....\$500
- (11) A resident lifetime freshwater fishing license authorizes the holder to engage in the following noncommercial activities:
- (a) To take or attempt to take or possess freshwater fish consistent with state and federal regulations and rules of the commission in effect at the time of taking.
- (b) All activities authorized by a management area permit, excluding hunting.
- (c) All activities for which an additional license, permit, or fee may be required to take or attempt to take or possess freshwater fish, imposed subsequent to the date of purchase of the resident lifetime freshwater fishing license.

1 (12) The fee for a resident lifetime freshwater 2 fishing license shall be: 3 (a) 4 years of age or younger.....\$125 4 5-12 years of age.....\$225 5 (c) 13 years of age or older.....\$300 6 (13) Fees collected pursuant to s. 370.0605(2) for 7 5-year saltwater fishing licenses, fees collected pursuant to s. 370.0605(5)(e) for replacement 5-year and lifetime 8 9 licenses, fees collected pursuant to s. 370.0615 for lifetime saltwater fishing licenses and 30 percent of the fee for the 10 lifetime sportsman's license shall be transferred within 30 11 days following the last day of the month in which the license 12 13 fees were received by the commission to the Marine Resources 14 Conservation Trust Fund. 15 (14) The following 5-year licenses are authorized: (a) A 5-year freshwater fishing license for a resident 16 17 to take or attempt to take or possess freshwater fish in this 18 state for 5 consecutive years is \$60 and authorizes the holder 19 to engage in the following noncommercial activities: 20 To take or attempt to take or possess freshwater 21 fish consistent with state and federal regulations and rules 22 of the commission in effect at the time of taking. 23 2. All activities authorized by a management area 24 permit, excluding hunting. 3. All activities for which an additional license, 25 26 permit, or fee is required to take or attempt to take or 27 possess freshwater fish, imposed subsequent to the date of 28 purchase of the 5-year resident freshwater fishing license

(b) A 5-year hunting license for a resident to take or

attempt to take or possess game in this state for 5

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until the date of expiration.

consecutive years is \$270 and authorizes the holder to engage in the following noncommercial activities:

- 1. To take or attempt to take or possess game consistent with state and federal regulations and rules of the commission in effect at the time of taking.
- 2. All activities authorized by a management area permit, excluding fishing, a muzzle-loading gun permit, a turkey permit, an archery permit, and a Florida waterfowl permit.
- 3. All activities for which an additional license, permit, or fee may be required to take or attempt to take or possess game, imposed subsequent to the date of purchase of the 5-year resident hunting license until the date of expiration.
- (15) Proceeds from the sale of 5-year licenses as provided in this chapter shall be deposited into the Dedicated License Trust Fund. One-fifth of the total proceeds derived from the sale of 5-year licenses, replacement 5-year licenses, and all interest derived therefrom shall be available for appropriation annually.
- (16)(a) Effective July 1, 1999, the fees for licenses, permits, or stamps provided by this section shall be adjusted by the amount derived by multiplying said fees by the percentage change in the average cost-of-living index over the previous 24 months, not to exceed 5 percent, rounded to the nearest 50 cents. This adjustment shall be repeated each alternate July 1, thereafter.
- (b) The "average cost-of-living" index as of July 1 means the average of the monthly Consumer Price Index for the 24-month period ending March 1 immediately prior to the adjustment date relative to the United States as a whole,

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issued by the Bureau of Labor Statistics of the United States
Department of Labor.

Section 6. Section 372.57, Florida Statutes, as amended by chapter 96-265, Laws of Florida, is amended to read:

372.57 Licenses and stamps; exemptions; fees.--No person, except as provided herein, shall take game, freshwater fish, or fur-bearing animals, reptiles, or amphibians within this state without having first obtained a license or stamp and paid the license fee hereinafter set forth, unless such license is issued without fee as provided in s. 372.561. Such license or stamp shall authorize the person to whom it is issued to take game, freshwater fish, or fur-bearing animals in accordance with law and commission rules. Such license or stamp is not transferable, shall bear on its face in indelible ink the name of the person to whom it is issued, and shall be affixed to a license identification card issued by the commission, upon which the tax collector may affix her or his seal. Such license or stamp is not valid unless it bears the name of the person to whom it is issued and is so affixed. Such stamp or license shall be in the personal possession of the person to whom issued while taking game, freshwater fish, or fur-bearing animals. The failure of such person to exhibit such license or stamp to the commission or its wildlife officers, when such person is found taking game, freshwater fish, or fur-bearing animals, is a violation of law. A positive form of identification is required when using a lifetime license or a 5-year license. The requirement that a license or stamp bear the name of the person to whom it is issued does not apply to the Florida waterfowl stamp or the turkey stamp provided for in paragraphs (5)(a) and (e),

respectively. The requirement that a license shall be affixed to a license identification card does not apply to the lifetime licenses or the 5-year licenses provided for in this section. The lifetime licenses and 5-year licenses provided herein shall be embossed with the name, date of birth, the date of issuance, and other pertinent information as deemed necessary by the commission. A certified copy of the applicant's birth certificate shall accompany all applications for a lifetime license for residents 12 years of age and younger.

- (1) No license or stamp shall be required for the following:
- (a) Any child under 16 years of age except as otherwise provided in this chapter.
- (b) Any person hunting or fishing in the person's county of residence on the person's homestead or the homestead of the person's spouse or minor child, or any minor child hunting or fishing on the homestead of her or his parent.
- (c) Any resident who is a member of the Armed Forces of the United States, who is not stationed in this state, when fishing or hunting while home on leave for 30 days or less, upon submission of orders.
- (d) Any resident when fishing with live or natural bait, using poles or lines which are not equipped with a fishing line retrieval mechanism, and fishing for noncommercial purposes in the county of her or his residence, except on legally established fish management areas. This paragraph, as amended by chapter 76-156, Laws of Florida, may be cited as the "Dempsey J. Barron, W. D. Childers, and Joe Kershaw Cane Pole Tax Repeal Act of 1976."

- (e) Any person fishing in a fish pond of 20 acres or less which is located entirely within the private property of the fish pond owner.
- (f) Any person fishing in a fish pond which is licensed in accordance with s. 372.5705.
- (g) Any person fishing who has been accepted as a client for developmental services by the Department of Health and Rehabilitative Services, which department shall furnish such person proof thereof.
- (2) For residents and nonresidents, the license and fees for noncommercial fishing and for hunting and trapping in this state, and the activity authorized thereby, shall be as follows:
- (a) A fishing license for a resident to take freshwater fish in this state shall be\$13\$.
- (b) A fishing license for a nonresident to take freshwater fish in this state for 7 consecutive days shall be \$15.
- (c) A fishing license for a nonresident to take freshwater fish in this state shall be \$30.
- (d) A combination fishing and hunting license for a resident to take freshwater fish and game in this state shall be \$22.
- (e) A hunting license for a resident to take game in this state shall be $$12\frac{11}{1}$.
- (f) A hunting license for a nonresident to take game in this state shall be \$150.
- (g) A hunting license for a nonresident to take game in this state for 10 consecutive days shall be \$25. However, with respect to persons who are residents of states contiguous to Florida, the fee for a hunting license to take game in this

state for 10 consecutive days shall be \$121 unless such state has a reciprocal agreement with Florida pursuant to subsection (7).

- (h) A hunting license for a nonresident to take game in this state within a private hunting preserve for 10 consecutive days shall be \$15.
- (i) A license for a resident to take fur-bearing animals in this state shall be \$25.
- (j) A license for a nonresident to take fur-bearing animals in this state shall be \$100.
- (k) A sportsman's license for a resident shall be \$66. The sportsman's license authorizes the holder to take freshwater fish and game, subject to state and federal regulations and rules of the commission in effect at the time of taking, and authorizes the same activities authorized by a management area stamp, a muzzle-loading gun stamp, a turkey stamp, a Florida waterfowl stamp, and an archery stamp. A nonresident may not purchase a sportsman's license.
- reptiles or amphibians in this state is \$11. An annual license for a nonresident to take more than two reptiles and amphibians is \$150 and for 10 consecutive days is \$25. Any resident who is licensed pursuant to s. 372.921 shall be exempt from the licensing provisions of this paragraph as to the taking of reptiles. Any resident licensed pursuant to s. 372.65 shall be exempt from the licensing provisions of this paragraph as to the taking of frogs. Any person licensed pursuant to s. 372.6673 shall be exempt from the licensing provisions of this paragraph as to the taking of the taking of alligators.
- (3) A resident or nonresident taking fur-bearing animals by the use of guns or dogs only and not by the use of

traps or other devices, and not for commercial purposes, who has purchased the license provided for hunting in this section shall not be required to purchase the license provided in paragraph (2)(i) or paragraph (2)(j). A resident who is age 65 or older who has obtained a permanent hunting and fishing license issued pursuant to s. 372.561(5)(a) shall not be required to purchase the license provided in paragraph (2)(i).

- (4) Any person fishing in a fish management area shall only be required to purchase a fishing license as provided in this section.
- (5) In addition to any license required by this chapter, the following permits and fees for certain hunting, fishing, and recreational uses, and the activities authorized thereby, shall be:
- (a) A Florida waterfowl permit to take wild ducks or geese within this state or its coastal waters shall be \$3.
- (b) Management area permits to hunt, fish, or otherwise use for outdoor recreational purposes, land owned, leased, or managed by the commission or the State of Florida for the use and benefit of the commission, up to \$25 annually. Permits, and fees thereof, for short-term use of land which is owned, leased, or managed by the commission may be established by rule of the commission for any activity on such lands. Such permits and fees may be in lieu of or in addition to the annual management area permit. Other than for hunting or fishing, the provisions of this paragraph shall not apply on any lands not owned by the commission, unless the commission shall have obtained the written consent of the owner or primary custodian of such lands.
- (c) A muzzle-loading gun permit to hunt within this state with a muzzle-loading gun during those game seasons in

which hunting with a modern firearm is not allowed shall be \$5.

- (d) An archery permit to hunt within this state with a bow and arrow during those game seasons in which hunting with a firearm is not allowed shall be \$5.
- (e) A Florida turkey permit to take wild turkeys within this state shall be \$5.
- (f) A special use permit for limited entry hunting or fishing, where such hunting or fishing is authorized by commission rule, shall be up to \$100 per day but shall not exceed \$250 per week. In addition to the fee, the commission may charge each applicant for a special use permit a nonrefundable application fee of up to \$10.
- otherwise use, for outdoor recreational purposes, land leased by the commission from private nongovernmental owners. The fee for this permit shall be based upon economic compensation desired by the landowner, game population levels, desired hunter density, and administrative costs. The spouse and dependent children of the permittee are exempt from the permit fee when engaged in outdoor recreational activities other than hunting in the company of the permittee. There are no other exemptions to the fee required by this paragraph. The permit fee shall be set by the commission by rule on a per-area basis. The landowner lease fee, less an administrative fee not to exceed \$25, shall be remitted to the landowner as provided in the lease agreement for each area.
- (6) The following shall be exempt only from the stamp requirements of this section:
- 30 (a) Any resident age 65 and older who has obtained a 31 permanent license issued pursuant to s. 372.561(5)(a).

- (b) Any resident who is certified by the United States Department of Veterans Affairs or its predecessor, by the United States Social Security Administration, by any branch of the United States Armed Services, or by a licensed physician in this state to be totally and permanently disabled, or who holds a valid identification card issued under the provisions of s. 295.17, and who has obtained a permanent license issued pursuant to s. 372.561(5)(b).
- (7) The commission is authorized to reduce the fees for licenses and stamps under this section for residents of those states with which the commission has entered into reciprocal agreements with respect to such fees.
- (8) The commission may designate by rule no more than 2 consecutive or nonconsecutive days in each year as free fishing days. Notwithstanding any other provision of this chapter, any person may take freshwater fish for noncommercial purposes on a free fishing day without obtaining or possessing a license or paying a license fee as prescribed in this section. A person who takes freshwater fish on a free fishing day without obtaining a license or paying a fee must comply with all laws and regulations governing holders of a fishing license and all other conditions and limitations regulating the taking of freshwater fish as are imposed by law or rule.
- (9) A resident lifetime sportsman's license authorizes the holder to engage in the following noncommercial activities:
- (a) To take or attempt to take or possess freshwater fish, marine fish, and game, consistent with state and federal regulations and rules of the commission and the Department of Environmental Protection in effect at the time of taking.

1	(b) All activities authorized by a management area
2	stamp, a muzzle-loading gun stamp, a turkey stamp, an archery
3	stamp, a Florida waterfowl stamp, a snook stamp, and a
4	crawfish stamp.
5	(c) All activities for which an additional license,
6	stamp, or fee may be required to take or attempt to take or
7	possess freshwater fish, marine fish, and game, imposed
8	subsequent to the date of purchase of the resident lifetime
9	sportsman's license.
10	(10) The fee for a resident lifetime sportsman's
11	license shall be:
12	(a) 4 years of age or younger\$400
13	(b) 5-12 years of age\$700
14	(c) 13-63 years of age or older\$1,000
15	(d) 64 years of age or older\$12
16	(11) A resident lifetime hunting license authorizes
17	the holder to engage in the following noncommercial
18	activities:
19	(a) To take or attempt to take or possess game
20	consistent with state and federal regulations and rules of the
21	commission in effect at the time of taking.
22	(b) All activities authorized by a management area
23	stamp, excluding fishing, a muzzle-loading gun stamp, a turkey
24	stamp, an archery stamp, and a Florida waterfowl stamp.
25	(c) All activities for which an additional license,
26	stamp, or fee may be required to take or attempt to take or
27	possess game, imposed subsequent to the date of purchase of
28	the resident lifetime hunting license.
29	(12) The fee for a resident lifetime hunting license
30	shall be:
31	(a) 4 years of age or younger\$200

1	(b) 5-12 years of age\$350
2	(c) 13 years of age or older\$500
3	(13) A resident lifetime freshwater fishing license
4	authorizes the holder to engage in the following noncommercial
5	activities:
6	(a) To take or attempt to take or possess freshwater
7	fish consistent with state and federal regulations and rules
8	of the commission in effect at the time of taking.
9	(b) All activities authorized by a management area
10	stamp, excluding hunting.
11	(c) All activities for which an additional license,
12	stamp, or fee may be required to take or attempt to take or
13	possess freshwater fish, imposed subsequent to the date of
14	purchase of the resident lifetime freshwater fishing license.
15	(14) The fee for a resident lifetime freshwater
16	fishing license shall be:
17	(a) 4 years of age or younger\$125
18	(b) 5-12 years of age\$225
19	(c) 13 years of age or older\$300
20	(15) Fees collected pursuant to s. 370.0605(2) for
21	5-year saltwater fishing licenses, fees collected pursuant to
22	s. 370.0605(8) for replacement 5-year and lifetime licenses,
23	fees collected pursuant to s. 370.0615 for lifetime saltwater
24	fishing licenses and 30 percent of the fee for the lifetime
25	sportsman's license shall be transferred within 30 days
26	following the last day of the month in which the license fees
27	were received by the commission to the Marine Resources
28	Conservation Trust Fund.
29	(16) Five-year licenses are hereby authorized:
30	(a) A 5-year freshwater fishing license for a resident
31	to take or attempt to take or possess freshwater fish in this

state for 5 consecutive years shall be \$60 and shall authorize the holder to engage in the following noncommercial activities:

- 1. To take or attempt to take or possess freshwater fish consistent with state and federal regulations and rules of the commission in effect at the time of taking.
- 2. All activities authorized by a management area stamp, excluding hunting.
- 3. All activities for which an additional license, stamp, or fee may be required to take or attempt to take or possess freshwater fish, imposed subsequent to the date of purchase of the 5-year resident freshwater fishing license until the date of expiration.
- (b) A 5-year hunting license for a resident to take or attempt to take or possess game in this state for 5 consecutive years shall be \$270 and shall authorize the holder to engage in the following noncommercial activities:
- 1. To take or attempt to take or possess game consistent with state and federal regulations and rules of the commission in effect at the time of taking.
- 2. All activities authorized by a management area stamp, excluding fishing, a muzzle-loading gun stamp, a turkey stamp, an archery stamp, and a Florida waterfowl stamp.
- 3. All activities for which an additional license, stamp, or fee may be required to take or attempt to take or possess game, imposed subsequent to the date of purchase of the 5-year resident hunting license until the date of expiration.
- (c) Proceeds from the sale of 5-year licenses as provided in this chapter shall be deposited into the Dedicated License Trust Fund. One-fifth of the total proceeds derived

from the sale of 5-year licenses, replacement 5-year licenses, and all interest derived therefrom shall be available for appropriation annually.

- (17)(a) Effective July 1, 1999, the fees for licenses, permits, or stamps provided by this section shall be adjusted by the amount derived by multiplying said fees by the percentage change in the average cost-of-living index over the previous 24 months, not to exceed 5 percent, rounded to the nearest 50 cents. This adjustment shall be repeated each alternate July 1, thereafter.
- (b) The "average cost-of-living" index as of July 1 means the average of the monthly Consumer Price Index for the 24-month period ending March 1 immediately prior to the adjustment date relative to the United States as a whole, issued by the Bureau of Labor Statistics of the United States Department of Labor.

Section 7. Paragraphs (e) and (g) of subsection (2) of section 372.574, Florida Statutes, 1996 Supplement, are amended to read:

372.574 Appointment of subagents for the sale of hunting, fishing, and trapping licenses and permits.--

- (2) If a tax collector elects not to appoint subagents, the commission may appoint subagents within that county. Subagents shall serve at the pleasure of the commission. The commission may establish, by rule, procedures for selection of subagents. The following are requirements for subagents so appointed:
- (e) A subagent may charge and receive as his or her compensation 50 cents for each license or permit sold. This charge is in addition to the sum required by law to be collected for the sale and issuance of each license or permit.

In addition, no later than July 1, 1997, a subagent fee for the sale of licenses <u>electronically</u> over the telephone by credit card shall be established by competitive bid procedures which are overseen by the Game and Fresh Water Fish Commission.

and permits sold and all stamps issued, voided, stolen, or lost. Subagents are responsible to the commission for the fees for all licenses and permits sold and for the value of all stamps reported as lost. Subagents must report all stolen validation stamps to the appropriate law enforcement agency. The subagent shall submit a written report and a copy of the law enforcement agency's report to the commission within 5 days after discovering the theft. The value of a lost validation stamp is \$25\$5.

Section 8. Section 372.579, Florida Statutes, is created to read:

and permits.--The commission may, by rule, establish a processing fee of up to \$100 for each no-cost license or permit required by chapter 39 of the Florida Administrative Code. The commission shall annually report actions taken under the provisions of this section to the Legislature.

Section 9. Subsection (1) of section 372.661, Florida Statutes, is amended to read:

372.661 Private hunting preserve, license; exception.--

(1) Any person who operates a private hunting preserve commercially or otherwise shall be required to pay a license fee of \$50\$ for each such preserve; provided, however, that during the open season established for wild game of any

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species a private individual may take artificially propagated game of such species up to the bag limit prescribed for the particular species without being required to pay the license fee required by this section; provided further that if any such individual shall charge a fee for taking such game she or he shall be required to pay the license fee required by this section and to comply with the rules and regulations of the Game and Fresh Water Fish Commission relative to the operation of private hunting preserves.

Section 10. Section 372.87, Florida Statutes, is amended to read:

372.87 License fee; renewal, revocation.--The Florida Game and Fresh Water Fish Commission is hereby authorized and empowered to issue a license or permit for the keeping, possessing or exhibiting of poisonous or venomous reptiles, upon payment of an annual fee of\$25\$5 and upon assurance that all of the provisions of ss. 372.86-372.91 and such other reasonable rules and regulations as said commission may prescribe will be fully complied with in all respects. Such permit may be revoked by the Florida Game and Fresh Water Fish Commission upon violation of any of the provisions of ss. 372.86-372.91 or upon violation of any of the rules and regulations prescribed by said commission relating to the keeping, possessing and exhibiting of any poisonous and venomous reptiles. Such permits or licenses shall be for an annual period to be prescribed by the said commission and shall be renewable from year to year upon the payment of said 28 \$25\$ fee and shall be subject to the same conditions, limitations and restrictions as herein set forth. Section 11. Subsection (2) of section 372.921, Florida

Statutes, is amended, subsections (5), (6), (7), and (8) are

renumbered as subsections (6), (7), (8), and (9), respectively, and a new subsection (5) is added to said section, to read:

372.921 Exhibition of wildlife.--

- (2) The fees to be paid for the issuance of permits required by subsection (1) shall be as follows:
- (a) For not more than $\underline{25 \text{ Class I or Class II}}$ $\underline{10}$ individual specimens in the aggregate of all species, the sum of \$100\$ ± 5 per annum.
- (b) For over <u>25 Class I or Class II</u> 10 individual specimens in the aggregate of all species, the sum of \$250\$ per annum.
- (c) For any number of Class III individual specimens in the aggregate of all species, the sum of \$25 per annum.

The fees prescribed by this section shall be submitted to the Game and Fresh Water Fish Commission with the application for permit required by subsection (1) and shall be deposited in the State Game Fund.

(5) In instances where wildlife is seized or taken into custody by the commission, the owner of the wildlife or the possessor of the wildlife shall be responsible for payment of all expenses relative to the animal's capture, transport, boarding, veterinary care, or other costs associated with or incurred due to the seizure or custody. Such expenses shall be paid by the owner or possessor upon any conviction or finding of guilt of a criminal or noncriminal violation, regardless of adjudication or plea entered, of any provision of this chapter or chapter 828, or rules of the commission, or if such violation is disposed of under s. 921.187. Failure to pay such

expenses may be grounds for revocation or denial of permits to such persons to possess wildlife.

Section 12. Subsections (2) and (3) of section 372.922, Florida Statutes, are amended, subsections (4), (5), and (6) are renumbered as subsections (5), (6), and (7), respectively, and a new subsection (4) is added to said section, to read:

372.922 Personal possession of wildlife.--

- (2) The classifications of types of wildlife and fees to be paid for the issuance of permits shall be as follows:
- (a) Class I--Wildlife which, because of its nature, habits, or status, shall not be possessed as a personal pet.
- (b) Class II--Wildlife considered to present a real or potential threat to human safety, the sum of \$100 per annum.
 - (c) Class III--The sum of \$25 per annum.
- (3) The commission shall promulgate regulations defining Class I, and III, and III types of wildlife. The commission shall also establish regulations and requirements necessary to ensure that permits are granted only to persons qualified to possess and care properly for wildlife and that permitted wildlife possessed as personal pets will be maintained in sanitary surroundings and appropriate neighborhoods.
- into custody by the commission, the owner or possessor of the wildlife shall be responsible for the payment of all expenses relative to the animal's capture, transport, boarding, veterinary care or other costs associated with or incurred due to the seizure or custody. Such expenses shall be paid by the owner or possessor of the wildlife upon any conviction or finding of guilt of a criminal or noncriminal violation,

regardless of adjudication or plea entered, of any provision of this chapter or chapter 828, or rules of the commission, or if such violation is disposed of under s. 921.187. Failure to pay such expenses may be grounds for revocation or denial of permits to such persons to possess wildlife. Section 13. Subsection (3) of section 375.315, Florida Statutes, is amended to read: 375.315 Registration of off-road vehicles.--(3) Registration shall be renewed annually upon payment of an annual registration fee for off-road vehicles not to exceed\$25\$10. Section 14. This act shall take effect July 1, 1997.

1 2 HOUSE SUMMARY 3 Revises various provisions of law with respect to the Game and Fresh Water Fish Commission to: 4 1. Exempt entry fees for participation in freshwater fishing tournaments from the admission tax. 5 2. Direct the commission to provide services and information designed to inform Floridians and visitors 6 about the state's unique and diverse fish, game, and wildlife and make available such information by means of commonly used media. 7 8 Authorize the commission to promulgate rules for the purpose of entering into contracts which are primarily for promotional and advertising services and 9 promotional events. 10 Increase to \$25 the license fee to own and operate a private game preserve or farm.

5. Increase to \$2 an additional fee for each license or management permit sold. 11 12 6. Require a license for the taking of reptiles or amphibians. 7. Increase the fee for a resident freshwater fishing license to \$13 and for a resident hunting license 13 14 to \$12. Provide for a fee for a management area permit o. Provide for a fee for a management area permit to hunt, fish, or otherwise use, for outdoor recreational purposes, land leased by the commission from private nongovernmental owners.

9. Provide that, effective July 1, 1999, and every 2 years thereafter, the fees for licenses, permits, or stamps shall be adjusted by the amount derived by 15 16 17 multiplying said fees by the percentage change in the average cost-of-living index over the previous 24 months.

10. Provide processing fees for described no-cost 18 19 licenses and permits. 11. Increase to \$50 the license fee for operating a 20 private hunting preserve.
12. Increase to \$25 the fee for a license or permit 21 for keeping, possessing, or exhibiting poisonous or venomous reptiles. 22 13. Increase fees for the exhibition or possession of wildlife and provide that certain owners or possessors of wildlife which is seized or taken into custody shall be responsible for the payment of all expenses relative to the animal's capture, transport, boarding, veterinary 23 24 care, or other costs.
14. Increase to \$25 the registration fee for 25 26 off-road vehicles. 27 28 29 30 31