

By Senator Kirkpatrick

5-638A-98

1                                   A bill to be entitled  
2           An act relating to game and fishing licenses;  
3           amending s. 370.0605, F.S.; deleting a  
4           short-term saltwater fishing license; amending  
5           s. 372.16, F.S.; revising the license fee for  
6           private game preserves and farms; amending s.  
7           372.561, F.S.; providing for the value of a  
8           universal form or stamp; amending s. 372.57,  
9           F.S.; revising age categories for certain  
10          licenses; creating s. 372.579, F.S.;  
11          authorizing the Game and Fresh Water Fish  
12          Commission to establish processing fees;  
13          amending s. 372.661, F.S.; revising the license  
14          fee for a private hunting preserve; amending s.  
15          372.672, F.S.; providing an additional purpose  
16          for the use of funds from the Florida Panther  
17          Research and Management Trust Fund; amending s.  
18          372.674, F.S.; authorizing the use of the  
19          Florida Panther Research and Management Trust  
20          Fund for environmental education projects;  
21          amending s. 372.87, F.S.; revising the license  
22          fee for possessing venomous reptiles; amending  
23          s. 372.921, F.S.; revising licenses and fees  
24          for the exhibition of wildlife; amending s.  
25          372.922, F.S.; revising licenses and fees for  
26          the personal possession of wildlife; providing  
27          an effective date.

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

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1           Section 1. Paragraph (a) of subsection (2) of section  
2 370.0605, Florida Statutes, is amended to read:

3           370.0605 Saltwater fishing license required; fees.--

4           (2) Saltwater fishing license fees are as follows:

5           (a)1. For a resident of the state, ~~\$10 for a 10-day~~  
6 ~~license and~~ \$12 for a 1-year license.

7           2. For a resident of the state, \$60 for 5 consecutive  
8 years from the date of purchase.

9           3. For a nonresident of the state, \$5 for a 3-day  
10 license, \$15 for a 7-day license, and \$30 for a 1-year  
11 license.

12           4. For purposes of this section, "resident" has the  
13 same meaning as that found in s. 372.001.

14           Section 2. Subsection (4) of section 372.16, Florida  
15 Statutes, is amended to read:

16           (4) Any person violating the provisions of this  
17 section shall for the first offense be guilty of a misdemeanor  
18 of the second degree, punishable as provided in s. 775.082 or  
19 s. 775.083, and for a second or subsequent offense shall be  
20 guilty of a misdemeanor of the first degree, punishable as  
21 provided in s. 775.082 or s. 775.083. Any person convicted of  
22 violating the provisions of this section shall forfeit, to the  
23 Game and Fresh Water Fish Commission, any license or permit  
24 issued under the provisions hereof; and no further license or  
25 permit shall be issued to such person for a period of 1 year  
26 following such conviction. Before any private game preserve or  
27 farm is established, the owner or operator shall secure a  
28 license from the Game and Fresh Water Fish Commission, the fee  
29 for which shall be \$25~~\$5~~ per year.

30           Section 3. Subsection (6) of section 372.561, Florida  
31 Statutes, is amended to read:

1           372.561 Issuance of licenses to take wild animal life  
2 or freshwater aquatic life; costs; reporting.--

3           (6)(a) Tax collectors shall remit license and permit  
4 moneys, along with a report of funds collected and other  
5 required documentation, to the commission within 7 days  
6 following the last business day of the week in which the fees  
7 were received by the tax collector. The tax collector shall  
8 maintain records of all such licenses and permits which are  
9 sold, and all stamps issued voided, stolen, or lost. The tax  
10 collector is responsible to the commission for the fee for all  
11 licenses and permits sold and for the value of all universal  
12 forms or stamps reported as lost. The tax collector shall  
13 report stolen permits to the appropriate law enforcement  
14 agency. The tax collector shall submit a written report and a  
15 copy of the law enforcement agency's report to the commission  
16 within 5 days after discovering the theft. The value of a  
17 universal form or validation stamp is ~~\$25~~\$5.

18           (b) Tax collectors are also responsible for fees for  
19 all licenses and permits sold by their subagents and for the  
20 value of all universal forms or stamps reported as lost. The  
21 commission may adopt rules to implement this section.

22           (c) Not later than August 15 of each year, each county  
23 tax collector shall submit to the commission all unissued  
24 stamps or universal forms for the previous year along with a  
25 written audit report, on forms prescribed or approved by the  
26 commission, of the numbers of the unissued stamps or universal  
27 forms.

28           Section 4. Paragraph (g) is added to subsection (4) of  
29 section 372.57, Florida Statutes, and subsection (8) of that  
30 section is amended to read:

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1           372.57 Licenses and permits; exemptions; fees.--No  
2 person, except as provided herein, shall take game, freshwater  
3 fish, or fur-bearing animals within this state without having  
4 first obtained a license, permit, or authorization and paid  
5 the fees hereinafter set forth, unless such license is issued  
6 without fee as provided in s. 372.561. Such license, permit,  
7 or authorization shall authorize the person to whom it is  
8 issued to take game, freshwater fish, or fur-bearing animals  
9 in accordance with law and commission rules. Such license,  
10 permit, or authorization is not transferable. Each license or  
11 permit must bear on its face in indelible ink the name of the  
12 person to whom it is issued and other information requested by  
13 the commission. Such license, permit, or authorization issued  
14 by the commission or any agent must be in the personal  
15 possession of the person to whom issued while taking game,  
16 freshwater fish, or fur-bearing animals. The failure of such  
17 person to exhibit such license, permit, or authorization to  
18 the commission or its wildlife officers, when such person is  
19 found taking game, freshwater fish, or fur-bearing animals, is  
20 a violation of law. A positive form of identification is  
21 required when using an authorization, a lifetime license, a  
22 5-year license, or when otherwise required by the license or  
23 permit. The lifetime licenses and 5-year licenses provided  
24 herein shall be embossed with the name, date of birth, the  
25 date of issuance, and other pertinent information as deemed  
26 necessary by the commission. A certified copy of the  
27 applicant's birth certificate shall accompany all applications  
28 for a lifetime license for residents 12 years of age and  
29 younger.

30           (4) In addition to any license required by this  
31 chapter, the following permits and fees for certain hunting,

1 fishing, and recreational uses, and the activities authorized  
2 thereby, are:

3 (g) The fee for a permanent hunting and fishing  
4 license for a resident 64 years of age or older is \$12.

5 (8) The fee for a resident lifetime sportsman's  
6 license is:

7 (a) 4 years of age or younger.....\$400

8 (b) 5-12 years of age.....\$700

9 (c) 13-64 ~~13-63~~ years of age or older.....\$1,000

10 ~~(d) 64 years of age or older.....\$12~~

11 Section 5. Section 372.579, Florida Statutes, is  
12 created to read:

13 372.579 Processing fees for licenses and permits.--The  
14 commission may by rule establish a processing fee of up to  
15 \$100 for each license or permit required by chapter 39,  
16 Florida Administrative Code. The commission shall submit an  
17 annual report to the President of the Senate and the Speaker  
18 of the House of Representatives on any rule adopted under this  
19 section.

20 Section 6. Subsection (1) of section 372.661, Florida  
21 Statutes, is amended to read:

22 372.661 Private hunting preserve, license;  
23 exception.--

24 (1) Any person who operates a private hunting preserve  
25 commercially or otherwise shall be required to pay a license  
26 fee of \$50~~\$25~~ for each such preserve; provided, however, that  
27 during the open season established for wild game of any  
28 species a private individual may take artificially propagated  
29 game of such species up to the bag limit prescribed for the  
30 particular species without being required to pay the license  
31 fee required by this section; provided further that if any

1 such individual shall charge a fee for taking such game she or  
2 he shall be required to pay the license fee required by this  
3 section and to comply with the rules and regulations of the  
4 Game and Fresh Water Fish Commission relative to the operation  
5 of private hunting preserves.

6 Section 7. Paragraph (d) is added to subsection (2) of  
7 section 372.672, Florida Statutes, to read:

8 372.672 Florida Panther Research and Management Trust  
9 Fund.--

10 (2) Money from the fund shall be spent only for the  
11 following purposes:

12 (d) To fund and to administer education programs  
13 authorized by s. 372.674.

14 Section 8. Subsections (6) and (7) of section 372.674,  
15 Florida Statutes, are amended to read:

16 372.674 Environmental education.--

17 (6) The advisory council shall:

18 (a) Serve as a forum for the discussion and study of  
19 problems that affect the environment which could be improved  
20 with environmental education.

21 (b) Develop a recommended priority list for projects  
22 to be funded through the Florida Panther Research and  
23 Management Trust Fund and the Save the Manatee Trust Fund and  
24 review and evaluate projects implemented through the fund.

25 (c) Review and evaluate annual funding needs for  
26 educational activities and materials which will assist Florida  
27 public school students, teachers, and administrators in the  
28 perception and understanding of ecological principles and  
29 environmental problems.

30 (d) Cooperate with the Department of Education in  
31 evaluating annual project proposals for projects to be funded

1 through the Florida Panther Research and Management Trust Fund  
2 and the Save the Manatee Trust Fund to develop and distribute  
3 model instructional materials for use in environmental  
4 education to integrate environmental education into the  
5 general curriculum of public school districts, community  
6 colleges, and universities.

7 (e) Cooperate with the Department of Environmental  
8 Protection in evaluating annual proposals for projects to be  
9 funded through the Florida Panther Research and Management  
10 Trust Fund and the Save the Manatee Trust Fund that can  
11 promote an understanding about environmental protection  
12 programs and activities administered by the department.

13 (f) Not less than 90 days prior to each regular  
14 session of the Legislature, prepare an annual report of its  
15 activities and recommendations and transmit it to the  
16 Governor, the President of the Senate, and the Speaker of the  
17 House of Representatives.

18 (7) The Game and Fresh Water Fish Commission shall  
19 review the recommended list of projects to be funded from the  
20 Florida Panther Research and Management Trust Fund and the  
21 Save the Manatee Trust Fund by August of each year and make a  
22 final determination of projects to receive grants from  
23 available appropriations by the Legislature. The commission  
24 shall act upon the recommended list within 45 days after  
25 receipt of the list.

26 Section 9. Section 372.87, Florida Statutes, is  
27 amended to read:

28 372.87 License fee; renewal, revocation.--The Florida  
29 Game and Fresh Water Fish Commission is hereby authorized and  
30 empowered to issue a license or permit for the keeping,  
31 possessing or exhibiting of poisonous or venomous reptiles,

1 upon payment of an annual fee of ~~\$25~~\$5 and upon assurance  
2 that all of the provisions of ss. 372.86-372.91 and such other  
3 reasonable rules and regulations as said commission may  
4 prescribe will be fully complied with in all respects. Such  
5 permit may be revoked by the Florida Game and Fresh Water Fish  
6 Commission upon violation of any of the provisions of ss.  
7 372.86-372.91 or upon violation of any of the rules and  
8 regulations prescribed by said commission relating to the  
9 keeping, possessing and exhibiting of any poisonous and  
10 venomous reptiles. Such permits or licenses shall be for an  
11 annual period to be prescribed by the said commission and  
12 shall be renewable from year to year upon the payment of said  
13 ~~\$25~~\$5 fee and shall be subject to the same conditions,  
14 limitations and restrictions as herein set forth.

15 Section 10. Subsection (2) of section 372.921, Florida  
16 Statutes, is amended, present subsections (5), (6), (7), and  
17 (8) of that section are redesignated as subsections (6), (7),  
18 (8), and (9), respectively, and a new subsection (5) is added  
19 to that section to read:

20 372.921 Exhibition of wildlife.--

21 (2) The fees to be paid for the issuance of permits  
22 required by subsection (1) shall be as follows:

23 (a) For not more than 25 ~~10~~ Class I or Class II  
24 individual specimens in the aggregate of all species, the sum  
25 of \$100~~\$5~~ per annum.

26 (b) For over 25 ~~10~~ Class I or Class II individual  
27 specimens in the aggregate of all species, the sum of \$250~~\$25~~  
28 per annum.

29 (c) For any number of Class III individual specimens  
30 in the aggregate of all species, the sum of \$25 per annum.  
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1 The fees prescribed by this section shall be submitted to the  
2 Game and Fresh Water Fish Commission with the application for  
3 permit required by subsection (1) and shall be deposited in  
4 the State Game Fund.

5 (5) In instances when wildlife is seized or taken into  
6 custody by the commission, the owners or possessors of the  
7 wildlife are responsible for payment of all expenses relative  
8 to the capture, transport, boarding, veterinary care, or other  
9 costs associated with or incurred due to the seizure or  
10 custody of the wildlife. The expenses must be paid by the  
11 owners or possessors upon any conviction or finding of guilt  
12 of a criminal or noncriminal violation, regardless of  
13 adjudication or plea entered, of any provision of chapter 372  
14 or chapter 828, or rules of the commission, or if such  
15 violation is disposed of under s. 921.187. Failure to pay the  
16 expenses may be grounds for revocation or denial of permits to  
17 those persons to possess wildlife.

18 Section 11. Subsections (2) and (3) of section  
19 372.922, Florida Statutes, are amended, present subsections  
20 (4), (5), and (6) of that section are redesignated as  
21 subsections (5), (6), and (7), respectively, and a new  
22 subsection (4) is added to that section to read:

23 372.922 Personal possession of wildlife.--

24 (1) It is unlawful for any person or persons to  
25 possess any wildlife as defined in this act, whether  
26 indigenous to Florida or not, until she or he has obtained a  
27 permit as provided by this section from the Game and Fresh  
28 Water Fish Commission.

29 (2) The classifications of types of wildlife and fees  
30 to be paid for the issuance of permits shall be as follows:

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1 (a) Class I--Wildlife which, because of its nature,  
2 habits, or status, shall not be possessed as a personal pet.

3 (b) Class II--Wildlife considered to present a real or  
4 potential threat to human safety, the sum of \$50~~\$100~~ per  
5 annum.

6 (c) Class III--The sum of up to \$25 per annum.

7 (3) The commission shall promulgate regulations  
8 defining Class I,~~and~~ II, and III types of wildlife. The  
9 commission shall also establish regulations and requirements  
10 necessary to ensure that permits are granted only to persons  
11 qualified to possess and care properly for wildlife and that  
12 permitted wildlife possessed as personal pets will be  
13 maintained in sanitary surroundings and appropriate  
14 neighborhoods.

15 (4) In instances when wildlife is seized or taken into  
16 custody by the commission, the owners or possessors of the  
17 wildlife are responsible for payment of all expenses relative  
18 to the capture, transport, boarding, veterinary care, or other  
19 costs associated with or incurred due to the seizure or  
20 custody of the wildlife. The expenses must be paid by the  
21 owners or possessors upon any conviction or finding of guilt  
22 of a criminal or noncriminal violation, regardless of  
23 adjudication or plea entered, of any provision of chapter 372  
24 or chapter 828, or rules of the commission, or if such  
25 violation is disposed of under s. 921.187. Failure to pay the  
26 expenses may be grounds for revocation or denial of permits to  
27 those persons to possess wildlife.

28 Section 12. This act shall take effect July 1, 1998.  
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SENATE SUMMARY

Deletes a saltwater fishing license and fee. Provides for changes in the amounts of several license fees issued by the Game and Fresh Water Fish Commission. Revises conditions for the issuance of certain licenses. Authorizes the commission to establish processing fees by administrative rule. Authorizes the use of the Florida Panther Research and Management Trust Fund for environmental education projects.