

By Representative Sembler

1 A bill to be entitled
2 An act relating to hunting and fishing;
3 amending s. 372.561, F.S.; deleting an
4 exemption from hunting and fishing license
5 fees; amending s. 372.57, F.S.; providing
6 license fee exemptions for certain disabled
7 persons; deleting a 3-day nonresident fishing
8 license; creating s. 372.5711, F.S.; providing
9 for review of hunting and fishing license and
10 permit fees and exemptions; providing an
11 effective date.

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

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15 Section 1. Section 372.651, Florida Statutes, 1998
16 Supplement, is amended to read:

17 372.561 Issuance of licenses to take wild animal life
18 or freshwater aquatic life; costs; reporting.--

19 (1) The provisions of this section shall apply to such
20 licenses or permits as are established in s. 372.57.

21 (2) The commission shall issue licenses and permits to
22 take wild animal life or freshwater aquatic life upon proof by
23 the applicant for licensure that she or he is entitled to such
24 license or permit. The commission shall establish the forms
25 for such licenses and permits. Each applicant for a license,
26 permit, or authorization shall provide the applicant's social
27 security number on the application form. Disclosure of social
28 security numbers obtained through this requirement shall be
29 limited to the purpose of administration of the Title IV-D
30 program for child support enforcement and use by the
31 commission, and as otherwise provided by law.

1 (3) Licenses and permits for the state may be sold by
2 the commission, by any tax collector in this state, or by any
3 appointed subagent.

4 (4)(a) In addition to any license or permit fee, the
5 sum of \$1.50 shall be charged for each license or management
6 area permit sold. Such charge is for the purpose of, and the
7 source from which is subtracted, all administrative costs of
8 issuing a license or permit, including, but not limited to,
9 printing, distribution, and credit card fees.

10 (b) Tax collectors may retain \$1 for each license or
11 management area permit sold.

12 ~~(5) Hunting and fishing licenses and permits shall be
13 issued, without fee, to any resident who is certified to be
14 totally and permanently disabled by the United States
15 Department of Veterans Affairs or its predecessor, by the
16 United States Social Security Administration, by any branch of
17 the United States Armed Forces, or by the verified written
18 statement which is based upon the criteria for permanent and
19 total disability in chapter 440 of a physician licensed in
20 this state or who holds a valid identification card issued
21 under the provisions of s. 295.17, upon proof of same. Any
22 license issued after January 1, 1997, expires after 5 years
23 and must be reissued, upon request, every 5 years thereafter.
24 A Disability Award Notice issued by the United States Social
25 Security Administration is not sufficient certification for
26 obtaining a permanent hunting and fishing license under this
27 section unless said form certifies a resident is totally and
28 permanently disabled.~~

29 (5)(6)(a) Tax collectors shall remit license and
30 permit moneys, along with a report of funds collected and
31 other required documentation, to the commission within 7 days

1 following the last business day of the week in which the fees
2 were received by the tax collector. The tax collector shall
3 maintain records of all such licenses and permits which are
4 sold, and all stamps issued voided, stolen, or lost. The tax
5 collector is responsible to the commission for the fee for all
6 licenses and permits sold and for the value of all stamps
7 reported as lost. The tax collector shall report stolen
8 permits to the appropriate law enforcement agency. The tax
9 collector shall submit a written report and a copy of the law
10 enforcement agency's report to the commission within 5 days
11 after discovering the theft. The value of a validation stamp
12 is \$5.

13 (b) Tax collectors are also responsible for fees for
14 all licenses and permits sold by their subagents and for the
15 value of all stamps reported as lost. The commission may
16 adopt rules to implement this section.

17 (c) Not later than August 15 of each year, each county
18 tax collector shall submit to the commission all unissued
19 stamps for the previous year along with a written audit
20 report, on forms prescribed or approved by the commission, of
21 the numbers of the unissued stamps.

22 (6)~~(7)~~(a) Each county tax collector, as issuing agent
23 for the commission, shall submit to the commission by January
24 31, 1997, a report of the sale of, and payment for, all
25 licenses and permits sold between June 1, 1996, and December
26 31, 1996.

27 (b) By March 15, 1997, each county tax collector shall
28 provide the commission with a written report, on forms
29 provided by the commission, of the audit numbers of all
30 unissued licenses and permits for the period of June 1, 1996,
31 to December 31, 1996. Within 30 days after the submission of

1 the annual audit report, each county tax collector shall
2 provide the commission with a written audit report on
3 unissued, sold, and voided licenses, permits, and stamps with
4 a certified reconciliation statement prepared by a certified
5 public accountant. Concurrent with the submission of the
6 certification, the county tax collector shall remit to the
7 commission the monetary value of all licenses, permits, and
8 stamps that are unaccounted for. Each tax collector is also
9 responsible for fees for all licenses, permits, and stamps
10 distributed by him or her to subagents, sold by him or her, or
11 reported by him or her as lost.

12 Section 2. Subsection (1) and paragraph (b) of
13 subsection (2) of section 372.57, Florida Statutes, 1998
14 Supplement, are amended to read:

15 372.57 Licenses and permits; exemptions; fees.--No
16 person, except as provided herein, shall take game, freshwater
17 fish, or fur-bearing animals within this state without having
18 first obtained a license, permit, or authorization and paid
19 the fees hereinafter set forth, unless such license is issued
20 without fee as provided in s. 372.561. Such license, permit,
21 or authorization shall authorize the person to whom it is
22 issued to take game, freshwater fish, or fur-bearing animals
23 in accordance with law and commission rules. Such license,
24 permit, or authorization is not transferable. Each license or
25 permit must bear on its face in indelible ink the name of the
26 person to whom it is issued and other information requested by
27 the commission. Such license, permit, or authorization issued
28 by the commission or any agent must be in the personal
29 possession of the person to whom issued while taking game,
30 freshwater fish, or fur-bearing animals. The failure of such
31 person to exhibit such license, permit, or authorization to

1 the commission or its wildlife officers, when such person is
2 found taking game, freshwater fish, or fur-bearing animals, is
3 a violation of law. A positive form of identification is
4 required when using an authorization, a lifetime license, a
5 5-year license, or when otherwise required by the license or
6 permit. The lifetime licenses and 5-year licenses provided
7 herein shall be embossed with the name, date of birth, the
8 date of issuance, and other pertinent information as deemed
9 necessary by the commission. A certified copy of the
10 applicant's birth certificate shall accompany all applications
11 for a lifetime license for residents 12 years of age and
12 younger. Each applicant for a license, permit, or
13 authorization shall provide the applicant's social security
14 number on the application form. Disclosure of social security
15 numbers obtained through this requirement shall be limited to
16 the purpose of administration of the Title IV-D child support
17 enforcement program and use by the commission, and as
18 otherwise provided by law.

19 (1) A license or permit is not required for:

20 (a) Any child under 16 years of age except as
21 otherwise provided in this chapter.

22 (b) Any person hunting or fishing in the person's
23 county of residence on the person's homestead or the homestead
24 of the person's spouse or minor child, or any minor child
25 hunting or fishing on the homestead of her or his parent.

26 (c) Any resident who is a member of the Armed Forces
27 of the United States, who is not stationed in this state, when
28 home on leave for 30 days or less, upon submission of orders.

29 (d) Any resident when fishing with live or natural
30 bait, using poles or lines which are not equipped with a
31 fishing line retrieval mechanism, and fishing for

1 noncommercial purposes in the county of her or his residence,
2 except on legally established fish management areas. This
3 paragraph, as amended by chapter 76-156, Laws of Florida, may
4 be cited as the "Dempsey J. Barron, W. D. Childers, and Joe
5 Kershaw Cane Pole Tax Repeal Act of 1976."

6 (e) Any person fishing in a fish pond of 20 acres or
7 less which is located entirely within the private property of
8 the fish pond owner.

9 (f) Any person fishing in a fish pond which is
10 licensed in accordance with s. 372.5705.

11 (g) Any person fishing who is blind within the meaning
12 of s. 413.033 or who has been accepted as a client for
13 developmental services by the Department of Children and
14 Family Health and Rehabilitative Services, and who has ~~which~~
15 ~~department shall furnish such person~~ proof thereof.

16 (h) Any disabled veteran with proof of disability from
17 the Veterans Administration.

18 (i) Any person who is an amputee.

19 (j) Any person who is permanently confined to a
20 wheelchair.

21 (k) ~~(h)~~ Any resident 65 years of age or older who has
22 in her or his possession proof of age and residency. A free
23 license may be obtained from any tax collector's office upon
24 proof of age and residency.

25 (2) For residents and nonresidents, the license and
26 fees for noncommercial fishing and for hunting and trapping in
27 this state, and the activity authorized thereby, are as
28 follows:

29 (b) ~~1-~~ A fishing license for a nonresident to take
30 freshwater fish in this state for 7 consecutive days is \$15.

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1 ~~2. A fishing license for a nonresident to take~~
2 ~~freshwater fish for 3 consecutive days is \$5.~~

3 Section 3. Section 372.5711, Florida Statutes, is
4 created to read:

5 372.5711 Review of fees for licenses and permits and
6 review of exemptions.--The fees for licenses and permits
7 established under this chapter, and the exemptions thereto,
8 shall be reviewed by the Legislature during the regular
9 session of the Legislature every 5 years beginning with the
10 year 2000 Regular Session of the Legislature.

11 Section 4. This act shall take effect July 1, 1999.

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14 HOUSE SUMMARY

15 Provides an exemption from any hunting or fishing license
16 fee or permit for any disabled veteran with proof of
17 disability, any person who is an amputee, and any person
18 who is permanently confined to a wheelchair. Eliminates
19 the 3-day nonresident freshwater fishing license.
20 Provides that the fees for licenses and permits
21 established under ch. 372, F.S., and the exemptions
22 thereto, shall be reviewed by the Legislature during the
23 regular session of the Legislature beginning in the year
24 2000.
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