

By the Committees on Fiscal Resource and Natural Resources

314-1847-00

1                                   A bill to be entitled  
2           An act relating to licenses issued by the Fish  
3           and Wildlife Conservation Commission; amending  
4           s. 372.105, F.S.; providing that the proceeds  
5           from the sale of all lifetime licenses be  
6           deposited into the Lifetime Fish and Wildlife  
7           Trust Fund; amending s. 372.57, F.S.; providing  
8           for noncommercial saltwater fishing licenses;  
9           providing for exceptions; providing for a  
10          combination license to hunt and take freshwater  
11          and saltwater fish; providing for a combination  
12          freshwater and saltwater fishing license;  
13          coordinating the exemption requirements for  
14          licenses for retired residents to the  
15          retirement-age eligibility requirements of the  
16          United States Social Security Administration;  
17          authorizing the commission to issue temporary  
18          saltwater fishing licenses for special events  
19          in management areas for certain persons;  
20          providing that no fee is charged for such  
21          temporary licenses; providing for lifetime and  
22          5-year saltwater fishing licenses; deleting  
23          duplicate provision dealing with fishing  
24          licenses for residents 64 years of age or  
25          older; providing for a snook permit; providing  
26          for a crawfish permit; providing for use of  
27          such funds; creating s. 372.5701, F.S.;  
28          providing for the deposit and allocation of  
29          revenues received from the annual saltwater  
30          license fees; amending s. 372.561, F.S.;  
31          requiring the commission to issue licenses and

1           permits to take wild animal life or freshwater  
2           or saltwater aquatic life upon proof of the  
3           applicant that he or she is entitled to such a  
4           permit or license; providing that licenses and  
5           permits for hunting, saltwater fishing, and  
6           freshwater fishing must be issued, without fee,  
7           to certain disabled persons; specifying portion  
8           of license fees to be retained by tax  
9           collectors; amending s. 372.574, F.S.;  
10          providing for a fee for electronic license  
11          sales; providing for the replacement of a lost  
12          or destroyed license or permit; providing a  
13          fee; amending s. 372.66, F.S.; deleting the  
14          nonresident fur dealer agent license, the  
15          resident fur dealer agent license, and the  
16          resident local fur dealer license; amending ss.  
17          372.571, 372.5712, 372.5715, 372.573, 372.661,  
18          F.S.; conforming cross-references; amending s.  
19          372.83, F.S.; providing that it is unlawful to  
20          make, forge, or counterfeit any hunting or  
21          fishing license; providing penalties; providing  
22          that it is a noncriminal infraction to violate  
23          specified provisions relating to snook permits  
24          or crawfish permits; providing penalties;  
25          amending ss. 328.72, 328.76, F.S.; revising  
26          provisions relating to the remission of service  
27          fees to the Department of Highway Safety and  
28          Motor Vehicles and relating to the distribution  
29          and use of certain portions of the registration  
30          certificate fees; amending s. 370.06, F.S.;  
31          deleting obsolete provisions relating to gill

1 nets; repealing ss. 370.0605, 370.0615,  
2 370.0608, 370.062, 370.1111, and s. 370.14(10),  
3 (11), F.S., relating to saltwater fishing  
4 licenses; creating s. 372.5702, F.S.; providing  
5 a license program for tarpon; providing for  
6 fees; providing for deposit of such fees;  
7 providing an effective date.

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

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11 Section 1. Paragraph (b) of subsection (2) and  
12 paragraph (b) of subsection (3) of section 372.105, Florida  
13 Statutes, are amended to read:

14 372.105 Lifetime Fish and Wildlife Trust Fund.--

15 (2) The principal of the fund shall be derived from  
16 the following:

17 (b) Proceeds from the sale of lifetime licenses issued  
18 in accordance with s. 372.57 ~~with the exception of the~~  
19 ~~saltwater portion of the lifetime sportsman's license.~~

20 (3) The fund is declared to constitute a special trust  
21 derived from a contractual relationship between the state and  
22 the members of the public whose investments contribute to the  
23 fund. In recognition of such special trust, the following  
24 limitations and restrictions are placed on expenditures from  
25 the funds:

26 (b) The interest income received and accruing from the  
27 investments of the fund shall be spent in furtherance of the  
28 commission's exercise of the regulatory and executive powers  
29 of the state with respect to the management, protection, and  
30 conservation of wild animal life and saltwater and freshwater  
31 aquatic life as set forth in s. 9, Art. IV of the State

1 Constitution and this chapter and as otherwise authorized by  
2 the Legislature.

3 Section 2. Section 372.57, Florida Statutes, is  
4 amended to read:

5 372.57 Licenses and permits; exemptions; fees.--No  
6 person, except as provided herein, shall take or possess game,  
7 freshwater fish, saltwater fish, or fur-bearing animals within  
8 this state without having first obtained a license, permit, or  
9 authorization and paid the fees hereinafter set forth, unless  
10 such license is issued without fee as provided in s. 372.561.  
11 A person may not operate any vessel for which a fee is paid  
12 either directly or indirectly for the purpose of taking,  
13 attempting to take, or possessing any saltwater fish for  
14 noncommercial purposes, unless he or she has been issued an  
15 authorization or has obtained a license for each vessel for  
16 that purpose and has paid the license fee imposed under this  
17 section for such a vessel.Such license, permit, or  
18 authorization shall authorize the person to whom it is issued  
19 to take game, freshwater fish, saltwater fish, or fur-bearing  
20 animals in accordance with law and commission rules. Such  
21 license, permit, or authorization is not transferable. Each  
22 license or permit must bear on its face in indelible ink the  
23 name of the person to whom it is issued and other information  
24 requested by the commission, and, if the license is issued to  
25 the owner, operator, or custodian of a vessel for which a fee  
26 is paid either directly or indirectly for the purpose of  
27 taking or attempting to take or possess saltwater fish for  
28 noncommercial purposes, the vessel registration number or  
29 federal documentation number must be included. Such license,  
30 permit, or authorization issued by the commission or any agent  
31 must be in the personal possession of the person to whom

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

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

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

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

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

1           (d) Any resident when fishing with live or natural  
2 bait, using poles or lines which are not equipped with a  
3 fishing line retrieval mechanism, and fishing for  
4 noncommercial purposes in the county of her or his residence,  
5 except on legally established fish management areas. This  
6 paragraph, as amended by chapter 76-156, Laws of Florida, may  
7 be cited as the "Dempsey J. Barron, W. D. Childers, and Joe  
8 Kershaw Cane Pole Tax Repeal Act of 1976."

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

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

14           (g) Any Florida resident fishing in salt water from  
15 land or from a structure fixed to the land.

16           (h) Any person fishing from a vessel the operator of  
17 which is licensed under subsection (2).

18           (i) Any person who holds a valid saltwater products  
19 license issued under s. 370.06(2).

20           (j)~~(g)~~ Any person fishing who has been accepted as a  
21 client for developmental services by the Department of  
22 Children and Family Services, which department shall furnish  
23 such person proof thereof.

24           (k) Any person fishing from a pier for the purpose of  
25 taking or attempting to take or possess saltwater fish for  
26 noncommercial purposes licensed under this section.

27           (l) Any person fishing for the purpose of taking or  
28 attempting to take or possess saltwater fish for noncommercial  
29 purposes from a vessel that is licensed under this section.

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1           (m) Any Florida resident who is fishing for mullet in  
2 fresh water and has a valid Florida freshwater fishing  
3 license.

4           (n) Any Florida resident fishing for a saltwater  
5 species in fresh water from land or from a structure fixed to  
6 the land.

7           ~~(o)(h)~~ Any resident who meets the retirement age  
8 requirements, not including early-retirement age, of the  
9 United States Social Security Administration as specified in  
10 42 U.S.C. s. 416, and who has in her or his possession proof  
11 of compliance with the age, residency, and retirement-age  
12 eligibility requirements. A free license may be obtained from  
13 any tax collector's office upon proof of age, residency, and  
14 retirement-age eligibility requirements.~~65 years of age or~~  
15 ~~older who has in her or his possession proof of age and~~  
16 ~~residency. A free license may be obtained from any tax~~  
17 ~~collector's office upon proof of age and residency.~~

18           (2) For residents and nonresidents, the license and  
19 fees for noncommercial freshwater and saltwater fishing and  
20 for hunting and trapping in this state, and the activity  
21 authorized thereby, are as follows:

22           (a) A fishing license for a resident to take  
23 freshwater or saltwater fish in this state is \$12 each.

24           (b) A fishing license for a nonresident to take  
25 freshwater or saltwater fish in this state for 7 consecutive  
26 days is \$15 each.

27           (c) For a nonresident, an annual ~~A~~ fishing license ~~for~~  
28 ~~a nonresident~~ to take freshwater fish or an annual license to  
29 take saltwater fish in this state is \$30 each.

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1           (d) A combination fishing and hunting license for a  
2 resident to take freshwater fish and game in this state is  
3 \$22.

4           (e) A combination fishing license for a resident to  
5 take freshwater and saltwater fish is \$24.

6           (f) A combination license to hunt and take freshwater  
7 and saltwater fish is \$34.

8           (g)1. For a person who operates a vessel that is  
9 licensed to carry more than 10 customers and for which a fee  
10 is paid, either directly or indirectly, for the purpose of  
11 taking or attempting to take saltwater fish, the license is  
12 \$800 per year. The license must be kept aboard the vessel at  
13 all times.

14           2. For a person who operates a vessel that is licensed  
15 to carry no more than 10 customers, or for a person who is  
16 licensed to operate a vessel carrying 6 or fewer customers,  
17 for which a fee is paid, either directly or indirectly, for  
18 the purpose of taking or attempting to take saltwater fish,  
19 the license is \$400 per year; however, for a person who is  
20 licensed to operate a vessel carrying 6 or fewer customers but  
21 who operates a vessel carrying 4 or fewer customers, for which  
22 a fee is paid, either directly or indirectly, for such  
23 purposes, the license is \$200 per year. The license must be  
24 kept aboard the vessel at all times.

25           3. A person who operates a vessel required to be  
26 licensed under subparagraph 1. or subparagraph 2. may obtain a  
27 license in his or her own name, and the license is  
28 transferable and applicable to any vessel operated by the  
29 purchaser if the purchaser has paid the appropriate license  
30 fee.

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1           4. For any pier fixed to the land for the purpose of  
2 taking or attempting to take saltwater fish therefrom, a  
3 fishing license is \$500 per year. The owner, operator, or  
4 custodian of such a pier may buy the annual \$500 license. The  
5 purchaser of such a license must have the license available  
6 for inspection at all times.

7           5. For a recreational vessel not for hire and for  
8 which no fee is paid either directly or indirectly by guests,  
9 for the purpose of taking or attempting to take saltwater fish  
10 noncommercially, a fishing license is \$2,000 per year. The  
11 license may be purchased at the option of the vessel owner and  
12 must be kept aboard the vessel at all times. The licensee  
13 shall maintain a log of species taken and the date the species  
14 were taken and shall file a copy of the log with the Fish and  
15 Wildlife Conservation Commission at the time of renewal of the  
16 license.

17           (h)~~(e)~~ A hunting license for a resident to take game  
18 in this state is \$11.

19           (i)~~(f)~~ A hunting license for a nonresident to take  
20 game in this state is \$150.

21           (j)~~(g)~~ A hunting license for a nonresident to take  
22 game in this state for 10 consecutive days is \$25.

23           (k)~~(h)~~ A license for a resident and nonresident to  
24 take fur-bearing animals in this state is \$25.

25           (l)~~(i)~~ A sportsman's license for a resident is \$66.  
26 The sportsman's license authorizes the holder to take  
27 freshwater fish and game, subject to state and federal  
28 regulations and rules of the commission in effect at the time  
29 of taking, and authorizes the same activities authorized by a  
30 management area permit, a muzzle-loading gun permit, a turkey  
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1 permit, a Florida waterfowl permit, and an archery permit. A  
2 nonresident may not purchase a sportsman's license.

3 (3) The owner, operator, or custodian of a vessel the  
4 operator of which has been licensed under this section must  
5 maintain and report such statistical data as required by, and  
6 in a manner set forth in, the rules of the commission.

7 (4) The Fish and Wildlife Conservation Commission may  
8 issue a temporary saltwater fishing license, upon request, to  
9 any governmental or nonprofit organization that sponsors 1-day  
10 special events in fishing management areas for individuals who  
11 have physical, mental, or emotional disabilities or for the  
12 economically disadvantaged. A fee may not be charged for such  
13 a temporary license. The temporary license is valid for 1 day  
14 and must designate the date and the maximum number of  
15 individuals that it applies to.

16 (5)(3) A resident or nonresident taking fur-bearing  
17 animals by the use of guns or dogs only and not by the use of  
18 traps or other devices, and not for commercial purposes, who  
19 has purchased the license provided for hunting in this  
20 section, received a no-cost license, or is exempt from the  
21 license requirements of this chapter is not required to  
22 purchase a the license provided in paragraph ~~(2)(h)~~. A  
23 resident who is age 65 or older is not required to purchase  
24 the license provided in paragraph ~~(2)(k)~~ (2)(h).

25 (6)(4) In addition to any license required by this  
26 chapter, the following permits and fees for certain hunting,  
27 fishing, and recreational uses, and the activities authorized  
28 thereby, are:

29 (a) A Florida waterfowl permit to take wild ducks or  
30 geese within this state or its coastal waters is \$3.

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1           (b)1. Management area permits to hunt, freshwater  
2 fish, or otherwise use for outdoor recreational purposes, land  
3 owned, leased, or managed by the commission or the State of  
4 Florida for the use and benefit of the commission, up to \$25  
5 annually. Permits, and fees thereof, for short-term use of  
6 land which is owned, leased, or managed by the commission may  
7 be established by rule of the commission for any activity on  
8 such lands. Such permits and fees may be in lieu of or in  
9 addition to the annual management area permit. Other than for  
10 hunting or freshwater fishing, ~~the provisions of this~~  
11 paragraph does ~~shall~~ not apply on any lands not owned by the  
12 commission, unless the commission has ~~shall have~~ obtained the  
13 written consent of the owner or primary custodian of such  
14 lands.

15           2. A recreational user permit fee to hunt, fish in  
16 fresh water, or otherwise use for outdoor recreational  
17 purposes, land leased by the commission from private  
18 nongovernmental owners, except for those lands located  
19 directly north of the Apalachicola National Forest, east of  
20 the Ochlockonee River until the point the river meets the dam  
21 forming Lake Talquin, and south of the closest federal  
22 highway. The fee for this permit shall be based upon economic  
23 compensation desired by the landowner, game population levels,  
24 desired hunter density, and administrative costs. The permit  
25 fee shall be set by commission rule on a per-acre basis. On  
26 property currently in the private landowner payment program,  
27 the prior year's landowner payment shall be used to augment  
28 the recreational user permit fee so as to decrease the permit  
29 fee for the users of that property. One minor dependent child,  
30 16 years old or under, per permittee may hunt under the  
31 supervision of the permittee and is exempt from the permit

1 fee. The spouse and dependent children of a permittee are  
2 exempt from the permit fee when engaged in outdoor  
3 recreational activities other than hunting in the company of  
4 the permittee. Notwithstanding any other provision of this  
5 chapter, there are no other exclusions, exceptions, or  
6 exemptions from this permit fee. The recreational user permit  
7 fee, less an administrative permit fee of up to \$25 per  
8 permit, shall be remitted to the landowner as provided in the  
9 lease agreement for each area.

10 (c) A muzzle-loading gun permit to hunt within this  
11 state with a muzzle-loading gun during those game seasons in  
12 which hunting with a modern firearm is not allowed is \$5.

13 (d) An archery permit to hunt within this state with a  
14 bow and arrow during those game seasons in which hunting with  
15 a firearm is not allowed is \$5.

16 (e) A Florida turkey permit to take wild turkeys  
17 within this state is \$5.

18 (f) A special use permit for limited entry hunting or  
19 freshwater fishing, where such hunting or freshwater fishing  
20 is authorized by commission rule, shall be up to \$100 per day  
21 but shall not exceed \$250 per week. Notwithstanding any other  
22 provision of this chapter, there are no exclusions,  
23 exceptions, or exemptions from this fee. In addition to the  
24 fee, the commission may charge each applicant for a special  
25 use permit a nonrefundable application fee of up to \$10.

26 (g) A snook permit to take or possess any snook from  
27 any waters of the state is \$2. Moneys generated from these  
28 permits shall be used exclusively for programs to benefit  
29 snook population.

30 (h) A crawfish permit to take or possess any crawfish  
31 for recreational purposes from any water of the state is \$2.

1 Moneys generated from these permits shall be used exclusively  
2 for programs to benefit crawfish populations.

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

5 (7)(5) The commission may ~~is authorized to~~ reduce the  
6 fees for licenses and permits under this section for residents  
7 of those states with which the commission has entered into  
8 reciprocal agreements with respect to such fees.

9 (8)(6) The commission may designate by rule no more  
10 than 2 consecutive or nonconsecutive days in each year as free  
11 fishing days. Notwithstanding any other provision of this  
12 chapter, any person may take freshwater fish or saltwater fish  
13 for noncommercial purposes on a free fishing day without  
14 obtaining or possessing a license or paying a license fee as  
15 prescribed in this section. A person who takes freshwater  
16 fish or saltwater fish on a free fishing day without obtaining  
17 a license or paying a fee must comply with all laws and  
18 regulations governing holders of a fishing license and all  
19 other conditions and limitations regulating the taking of  
20 freshwater fish as are imposed by law or rule.

21 (9)(7) A resident lifetime sportsman's license  
22 authorizes the holder to engage in the following noncommercial  
23 activities:

24 (a) To take or attempt to take or possess freshwater  
25 fish, saltwater ~~marine~~ fish, and game, consistent with state  
26 and federal regulations and rules of the commission in effect  
27 at the time of taking.

28 (b) All activities authorized by a management area  
29 permit, a muzzle-loading gun permit, a turkey permit, an  
30 archery permit, a Florida waterfowl permit, a snook permit,  
31 and a crawfish permit.

1           (10)~~(8)~~ The fee for a resident lifetime sportsman's  
2 license is:  
3           (a) 4 years of age or younger.....\$400  
4           (b) 5-12 years of age.....\$700  
5           (c) 13 years of age or older.....\$1,000  
6           (11)~~(9)~~ A resident lifetime hunting license authorizes  
7 the holder to engage in the following noncommercial  
8 activities:  
9           (a) To take or attempt to take or possess game  
10 consistent with state and federal regulations and rules of the  
11 commission in effect at the time of taking.  
12           (b) All activities authorized by a management area  
13 permit, excluding fishing, a muzzle-loading gun permit, a  
14 turkey permit, an archery permit, and a Florida waterfowl  
15 permit.  
16           (12)~~(10)~~ The fee for a resident lifetime hunting  
17 license shall be:  
18           (a) 4 years of age or younger.....\$200  
19           (b) 5-12 years of age.....\$350  
20           (c) 13 years of age or older.....\$500  
21           (13)~~(11)~~ A resident lifetime freshwater fishing  
22 license authorizes the holder to engage in the following  
23 noncommercial activities:  
24           (a) To take or attempt to take or possess freshwater  
25 fish consistent with state and federal regulations and rules  
26 of the commission in effect at the time of taking.  
27           (b) All activities authorized by a management area  
28 permit, excluding hunting.  
29           (14)~~(12)~~ The fee for a resident lifetime freshwater  
30 fishing license shall be:  
31           (a) 4 years of age or younger.....\$125

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

3 (b) A 5-year hunting license for a resident to take or  
4 attempt to take or possess game in this state for 5  
5 consecutive years is \$55 and authorizes the holder to engage  
6 in noncommercial activities to take or attempt to take or  
7 possess game consistent with state and federal regulations and  
8 rules of the commission in effect at the time of taking.

9 (c) A 5-year saltwater fishing license for a resident  
10 to take or attempt to take or possess saltwater fish in this  
11 state for 5 consecutive years is \$60 and authorizes the holder  
12 to engage in noncommercial activities to take or attempt to  
13 take or possess saltwater fish consistent with state and  
14 federal regulations and rules of the commission in effect at  
15 the time of taking.

16 (18)~~(15)~~ Proceeds from the sale of 5-year licenses as  
17 provided in this chapter must ~~shall~~ be deposited into the  
18 Dedicated License Trust Fund. One-fifth of the total proceeds  
19 derived from the sale of 5-year licenses, replacement 5-year  
20 licenses, and all interest derived therefrom shall be  
21 available for appropriation annually.

22 Section 3. Section 372.5701, Florida Statutes, is  
23 created to read:

24 372.5701 Deposit of license fees; allocation of  
25 federal funds.--

26 (1) All annual saltwater license fees collected  
27 pursuant to s. 372.57 shall be deposited into the Marine  
28 Resources Conservation Trust Fund, to be used as follows:

29 (a) Not more than 5 percent of the total fees  
30 collected shall be used to carry out the responsibilities of  
31 the Fish and Wildlife Conservation Commission and to provide

1 for the award of funds to marine research institutions in this  
2 state for the purposes of enabling such institutions to  
3 conduct worthy marine research projects.

4 (b) Not less than 2.5 percent of the total fees  
5 collected shall be used for aquatic education purposes.

6 (c)1. The remainder of such fees shall be used by the  
7 department for the following program functions:

8 a. Not more than 5 percent of the total fees  
9 collected, for administration of the licensing program and for  
10 information and education.

11 b. Not more than 30 percent of the total fees  
12 collected, for law enforcement.

13 c. Not less than 27.5 percent of the total fees  
14 collected, for marine research.

15 d. Not less than 30 percent of the total fees  
16 collected, for fishery enhancement, including, but not limited  
17 to, fishery statistics development, artificial reefs, and fish  
18 hatcheries.

19 2. The Legislature shall annually appropriate to the  
20 commission from the General Revenue Fund for the activities  
21 and programs specified in subparagraph 1. at least the same  
22 amount of money as was appropriated to the Department of  
23 Environmental Protection from the General Revenue Fund for  
24 such activities and programs for fiscal year 1988-1989, and  
25 the amounts appropriated to the commission for such activities  
26 and programs from the Marine Resources Conservation Trust Fund  
27 shall be in addition to the amount appropriated to the  
28 commission for such activities and programs from the General  
29 Revenue Fund. The proceeds from recreational saltwater fishing  
30 license fees paid by fishers shall be appropriated only to the  
31 commission.

1           (2) Funds available from the Wallop-Breaux Aquatic  
2 Resources Trust Fund shall be distributed by the commission  
3 between the Division of Freshwater Fisheries and the Division  
4 of Marine Fisheries in proportion to the numbers of resident  
5 fresh and saltwater anglers as determined by the most current  
6 data on license sales. Unless otherwise provided by federal  
7 law, the commission, at a minimum, shall provide the  
8 following:

9           (a) Not less than 5 percent or more than 10 percent of  
10 the funds allocated to the commission shall be expended for an  
11 aquatic resources education program; and

12           (b) Not less than 10 percent of the funds allocated to  
13 the commission shall be expended for acquisition, development,  
14 renovation, or improvement of boating facilities.

15           Section 4. Section 372.561, Florida Statutes, is  
16 amended to read:

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

20           (1) ~~The provisions of This section applies shall apply~~  
21 to such licenses or permits as are established in s. 372.57.

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

1 support enforcement and use by the commission, and as  
2 otherwise provided by law.

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

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

12 (b) Tax collectors may retain \$1 for each freshwater  
13 fishing and hunting license or management area permit sold,  
14 and \$1.50 for each saltwater license sold.

15 (5)(a) Hunting and saltwater and freshwater fishing  
16 licenses and permits shall be issued, without fee, to any  
17 resident who is certified:

18 1. To be totally and permanently disabled by the  
19 United States Department of Veterans Affairs or its  
20 predecessor ~~or, by the United States Social Security~~  
21 ~~Administration,~~ by any branch of the United States Armed  
22 Forces, or by the verified written statement which is based  
23 upon the criteria for permanent and total disability in  
24 chapter 440 of a physician licensed in this state or who holds  
25 a valid identification card issued under the provisions of s.  
26 295.17, upon proof of the same. Any license issued under this  
27 provision after January 1, 1997, expires after 5 years and  
28 must be reissued, upon request, every 5 years thereafter.

29 2. To be totally disabled ~~A Disability Award Notice~~  
30 ~~issued~~ by the United States Social Security Administration  
31 upon proof of the same. Any license issued under this

1 provision after October 1, 1999, expires after 2 years and  
2 must be reissued, upon proof of certification as provided in  
3 this subsection, every 2 years thereafter ~~is not sufficient~~  
4 ~~certification for obtaining a permanent hunting and fishing~~  
5 ~~license under this section unless said form certifies a~~  
6 ~~resident is totally and permanently disabled.~~

7 (b) Notwithstanding any other provisions of this  
8 section, any person who has received after July 1, 1997, and  
9 before July 1, 2000, a valid disability license issued under  
10 this subsection, retains the rights vested thereunder until  
11 the license has expired.

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

27 (b) Tax collectors are also responsible for fees for  
28 all licenses and permits sold by their subagents and for the  
29 value of all licenses and permits ~~stamps~~ reported as lost.  
30 The commission may adopt rules to implement this section.

31

1           (c) Not later than August 15 of each year, each county  
2 tax collector shall submit to the commission a written audit  
3 report, on forms prescribed or approved by the commission, as  
4 to the numbers of all unissued licenses and permits ~~stamps~~ for  
5 the previous year along with all unissued pictorial permits ~~a~~  
6 ~~written audit report, on forms prescribed or approved by the~~  
7 ~~commission, of the numbers of the unissued stamps.~~

8           (7) Within 30 days after the submission of the annual  
9 audit report, each county tax collector shall provide the  
10 commission with a written audit report on unissued, sold, and  
11 voided licenses, permits, and stamps with a certified  
12 reconciliation statement prepared by a certified public  
13 accountant. Concurrent with the submission of the  
14 certification, the county tax collector shall remit to the  
15 commission the monetary value of all licenses, permits, and  
16 stamps that are unaccounted for. Each tax collector is also  
17 responsible for fees for all licenses, permits, and stamps  
18 distributed by him or her to subagents, sold by him or her, or  
19 reported by him or her as lost.

20           Section 5. Section 372.574, Florida Statutes, is  
21 amended to read:

22           372.574 Appointment of subagents for the sale of  
23 hunting, fishing, and trapping licenses and permits.--

24           (1) A county tax collector who elects to sell licenses  
25 and permits may appoint any person as a subagent for the sale  
26 of fishing, hunting, and trapping licenses and permits that  
27 the tax collector is allowed to sell. The following are  
28 requirements for subagents:

29           (a) Each subagent must serve at the pleasure of the  
30 county tax collector.

31

1           (b) Neither an employee of the county tax collector  
2 nor her or his relative or next of kin, by blood or otherwise,  
3 may be appointed as a subagent.

4           (c) The tax collector may require each subagent to  
5 post an appropriate bond as determined by the tax collector,  
6 using an insurance company acceptable to the tax collector.  
7 In lieu of such bond, the tax collector may purchase blanket  
8 bonds covering all or selected subagents or may allow a  
9 subagent to post such other security as is required by the tax  
10 collector.

11           (d) A subagent may sell licenses and permits as are  
12 determined by the tax collector at such specific locations  
13 within the county and in states contiguous to Florida as will  
14 best serve the public interest and convenience in obtaining  
15 licenses and permits. The commission may uniformly prohibit  
16 subagents from selling certain licenses or permits.

17           (e) It is unlawful for any person to handle licenses  
18 or permits for a fee or compensation of any kind unless she or  
19 he has been appointed as a subagent.

20           (f) Any person who willfully violates any of the  
21 provisions of this law is guilty of a misdemeanor of the  
22 second degree, punishable as provided in s. 775.082 or s.  
23 775.083.

24           (g) A subagent may charge and receive as her or his  
25 compensation 50 cents for each license or permit sold. This  
26 charge is in addition to the sum required by law to be  
27 collected for the sale and issuance of each license or permit.

28           (h) A subagent shall submit payment for and report the  
29 sale of licenses and permits to the tax collector as  
30 prescribed by the tax collector but no less frequently than  
31 monthly.

1           (i) Subagents shall submit an activity report for  
2 sales made during the reporting period on forms prescribed or  
3 approved by the commission. Periodic audits may be performed  
4 at the discretion of the commission.

5           (2) If a tax collector elects not to appoint  
6 subagents, the commission may appoint subagents within that  
7 county. Subagents shall serve at the pleasure of the  
8 commission. The commission may establish, by rule, procedures  
9 for selection of subagents. The following are requirements  
10 for subagents so appointed:

11           (a) The commission may require each subagent to post  
12 an appropriate bond as determined by the commission, using an  
13 insurance company acceptable to the commission. In lieu of  
14 the bond, the commission may purchase blanket bonds covering  
15 all or selected subagents or may allow a subagent to post  
16 other security as required by the commission.

17           (b) A subagent may sell licenses and permits as  
18 authorized by the commission at specific locations within the  
19 county and in states as will best serve the public interest  
20 and convenience in obtaining licenses and permits. The  
21 commission may prohibit subagents from selling certain  
22 licenses or permits.

23           (c) It is unlawful for any person to handle licenses  
24 or permits for a fee or compensation of any kind unless he or  
25 she has been appointed as a subagent.

26           (d) Any person who willfully violates any of the  
27 provisions of this section commits a misdemeanor of the second  
28 degree, punishable as provided in s. 775.082 or s. 775.083.

29           (e) A subagent may charge and receive as his or her  
30 compensation 50 cents for each license or permit sold. This  
31 charge is in addition to the sum required by law to be

1 collected for the sale and issuance of each license or permit.  
2 In addition, no later than July 1, 1997, a subagent fee for  
3 the sale of licenses over the telephone by credit card shall  
4 be established by competitive bid procedures which are  
5 overseen by the Fish and Wildlife Conservation Commission. A  
6 fee for electronic license sales may be established by  
7 competitive-bid procedures that are overseen by the Fish and  
8 Wildlife Conservation Commission.

9 (f) A subagent shall submit payment for and report the  
10 sale of licenses and permits to the commission as prescribed  
11 by the commission.

12 (g) Subagents shall maintain records of all licenses  
13 and permits sold ~~and all stamps issued~~, voided, stolen, or  
14 lost. Subagents are responsible to the commission for the  
15 fees for all licenses and permits sold and for the value of  
16 all licenses and permits ~~stamps~~ reported as lost. Subagents  
17 must report all stolen licenses and permits ~~validation stamps~~  
18 to the appropriate law enforcement agency. The subagent shall  
19 submit a written report and a copy of the law enforcement  
20 agency's report to the commission within 5 days after  
21 discovering the theft. ~~The value of a lost validation stamp is~~  
22 ~~\$5.~~

23 (h) Subagents shall submit an activity report for  
24 sales made during the reporting period on forms prescribed or  
25 approved by the commission. Periodic audits may be performed  
26 at the discretion of the commission.

27 (i) By July 15 of each year, each subagent shall  
28 submit to the commission all unissued stamps for the previous  
29 year along with a written audit report, on forms prescribed or  
30 approved by the commission, on the numbers of the unissued  
31 stamps.

1           (3) The Fish and Wildlife Conservation Commission or  
2 any other law enforcement agency may carry out any  
3 investigation necessary to secure information required to  
4 carry out and enforce this section.

5           ~~(4)(3)~~ All social security numbers that ~~which~~ are  
6 provided pursuant to ss. 372.561 and 372.57 and are contained  
7 in records of any subagent appointed under ~~pursuant to~~ this  
8 section are confidential as provided in those sections.

9           Section 6. Section 372.66, Florida Statutes, is  
10 amended to read:

11           372.66 License required for fur and hide dealers.--

12           (1) It is unlawful for any person to engage in the  
13 business of a dealer or buyer in alligator skins or green or  
14 dried furs in the state or purchase such skins within the  
15 state until such person has been licensed as herein provided.

16           (2) Any resident dealer or buyer who solicits business  
17 through the mails, or by advertising, or who travels to buy or  
18 employs or has other agents or buyers, shall be deemed a  
19 resident state dealer and must ~~shall be required to~~ pay a  
20 license fee of \$100 per annum ~~and shall pay an agent's license~~  
21 ~~fee of \$5 per annum for each agent or traveling buyer employed~~  
22 ~~by or buying for such licensed state dealer.~~

23           ~~(3) Any resident dealer or buyer who does not solicit~~  
24 ~~by mail, advertise, travel to buy or employ or have agents or~~  
25 ~~traveling buyers shall be deemed a resident local dealer and~~  
26 ~~shall be required to pay a license fee of \$10 per annum.~~

27           ~~(3)(4)~~ A nonresident dealer or buyer must ~~shall be~~  
28 ~~required to~~ pay a license fee of \$500 per annum ~~and shall pay~~  
29 ~~a license fee of \$100 per annum for each agent, resident buyer~~  
30 ~~or traveling buyer employed by or buying for or acting as~~  
31 ~~agent for such nonresident buyer.~~

1           ~~(5) All agents' licenses shall be applied for by, and~~  
2 ~~issued to, a resident state dealer or nonresident dealer and~~  
3 ~~shall show name and residence of such agent and shall be in~~  
4 ~~possession of such agent at all times when engaged in buying~~  
5 ~~furs or hides. Application for such licenses shall be made to~~  
6 ~~the Fish and Wildlife Conservation Commission on blanks~~  
7 ~~furnished by it.~~

8           (4)~~(6)~~ All dealers and buyers shall forward to the  
9 Fish and Wildlife Conservation Commission each 2 weeks during  
10 open season a report showing number and kind of hides bought  
11 and name of trapper from whom bought and the trapper's license  
12 number, or if trapper is exempt from license under any of the  
13 provisions of this chapter, such report shall show the nature  
14 of such exemption. A No common carrier may not shall  
15 knowingly ship or transport or receive for transportation any  
16 hides or furs unless such shipments have marked thereon name  
17 of shipper and the number of her or his fur-animal license or  
18 fur dealer's license.

19           Section 7. Section 372.571, Florida Statutes, is  
20 amended to read:

21           372.571 Expiration of licenses and permits.--Each  
22 license or permit issued under this chapter must be dated when  
23 issued. Each license or permit issued under this chapter  
24 remains valid for 12 months after the date of issuance, except  
25 for a lifetime license issued pursuant to s. 372.57 which is  
26 valid from the date of issuance until the death of the  
27 individual to whom the license is issued unless otherwise  
28 revoked in accordance with s. 372.99, or a 5-year license  
29 issued pursuant to s. 372.57 which is valid for 5 consecutive  
30 years from the date of purchase unless otherwise revoked in  
31 accordance with s. 372.99 or a license issued pursuant to s.

1 372.57(2)(b) or (j)~~(g)~~, which is valid for the period  
2 specified on the license or a license issued pursuant to s.  
3 372.57(6)(b)2., which expires on May 30. A resident lifetime  
4 license or a resident 5-year license that has been purchased  
5 by a resident of this state and who subsequently resides in  
6 another state shall be honored for activities authorized by  
7 that license.

8 Section 8. Subsection (1) of section 372.5712, Florida  
9 Statutes, is amended to read:

10 372.5712 Florida waterfowl permit revenues.--

11 (1) The commission shall expend the revenues generated  
12 from the sale of the Florida waterfowl permit as provided in  
13 s. 372.57(6)(a)~~s. 372.57(4)(a)~~ or that pro rata portion of  
14 any license that includes waterfowl hunting privileges, as  
15 provided in s. 372.57(2)(1)~~s. 372.57(2)(i) and (14)(b)~~ as  
16 follows: A maximum of 5 percent of the gross revenues shall  
17 be expended for administrative costs; a maximum of 25 percent  
18 of the gross revenues shall be expended for waterfowl research  
19 approved by the commission; and a maximum of 70 percent of the  
20 gross revenues shall be expended for projects approved by the  
21 commission, in consultation with the Waterfowl Advisory  
22 Council, for the purpose of protecting and propagating  
23 migratory waterfowl and for the development, restoration,  
24 maintenance, and preservation of wetlands within the state.

25 Section 9. Subsection (1) of section 372.5715, Florida  
26 Statutes, is amended to read:

27 372.5715 Florida wild turkey permit revenues.--

28 (1) The commission shall expend the revenues generated  
29 from the sale of the turkey permit as provided for in s.  
30 372.57(6)(e)~~s. 372.57(4)(e)~~ or that pro rata portion of any  
31 license that includes turkey hunting privileges as provided

1 for in s. 372.57(2)(1)~~s. 372.57(2)(i) and (14)(b)~~for  
2 research and management of wild turkeys.

3 Section 10. Section 372.573, Florida Statutes, is  
4 amended to read:

5 372.573 Management area permit revenues.--The  
6 commission shall expend the revenue generated from the sale of  
7 the management area permit as provided for in s. 372.57(6)(b)  
8 ~~s. 372.57(4)(b)~~or that pro rata portion of any license that  
9 includes management area privileges as provided for in s.  
10 372.57(2)(1)~~s. 372.57(2)(i) and (14)(b)~~for the lease,  
11 management, and protection of lands for public hunting,  
12 fishing, and other outdoor recreation.

13 Section 11. Section 372.661, Florida Statutes, is  
14 amended to read:

15 372.661 Private hunting preserve, license;  
16 exception.--

17 (1) Any person who operates a private hunting preserve  
18 commercially or otherwise shall ~~be required to~~ pay a license  
19 fee of \$25 for each such preserve; ~~provided, however, that~~  
20 during the open season established for wild game of any  
21 species, a private individual may take artificially propagated  
22 game of such species up to the bag limit prescribed for the  
23 particular species without being required to pay the license  
24 fee required by this section, but; ~~provided further that~~ if  
25 any such individual charges ~~shall charge~~ a fee for taking such  
26 game, she or he must ~~shall be required to~~ pay the license fee  
27 required by this section and must ~~to~~ comply with the rules and  
28 regulations of the Fish and Wildlife Conservation Commission  
29 relative to the operation of private hunting preserves.

30 (2) A commercial hunting preserve license, which  
31 exempts ~~shall exempt~~ patrons of licensed preserves from the

1 licensure requirements of s. 372.57(2), (d), (f), (h), (i),  
2 (j), and (l),~~s. 372.57(2)(e), (f), (g), and (i), (4)(a), (c),~~  
3 ~~(d), and (e), (7), (9), and (14)(b)~~while hunting on the  
4 licensed preserve property, shall be \$500. Such a commercial  
5 hunting preserve license is ~~shall be~~ available only to those  
6 private hunting preserves licensed under ~~pursuant to~~ this  
7 section which are operated exclusively for commercial  
8 purposes, which are open to the public, and for which a  
9 uniform fee is charged to patrons for hunting privileges.

10 Section 12. Section 372.83, Florida Statutes, is  
11 amended to read:

12 372.83 Noncriminal infractions; criminal penalties;  
13 suspension and revocation of licenses and permits.--

14 (1) A person is guilty of a noncriminal infraction,  
15 punishable as provided in s. 372.711, if she or he violates  
16 any of the following provisions:

17 (a) Rules, regulations, or orders relating to the  
18 filing of reports or other documents required of persons who  
19 are licensed or who hold permits issued by the commission.

20 (b) Rules, regulations, or orders relating to fish  
21 management areas.

22 (c) Rules, regulations, or orders relating to quota  
23 hunt permits, daily use permits, hunting zone assignments,  
24 camping restrictions, the use of alcoholic beverages, vehicle  
25 use, and check station requirements within wildlife management  
26 areas or other areas managed by the commission.

27 (d) Rules, regulations, or orders requiring permits  
28 free of charge to possess captive wildlife for personal use.

29 (e) Rules, regulations, or orders establishing size or  
30 slot limits for freshwater game fish.

31

1 (f) Rules, regulations, or orders regulating vessel  
2 size or specifying motor restrictions on specified water  
3 bodies.

4 (g) Rules, regulations, or orders relating to the  
5 registration of off-road vehicles and airboats operated on  
6 state lands.

7 (h) Section 372.57, relating to hunting, fishing, and  
8 trapping licenses.

9 (i) Section 372.988, relating to required clothing for  
10 persons hunting deer.

11 (j) Section 372.57(6)(g), relating to snook permits,  
12 or s. 372.57(6)(h), relating to crawfish permits.

13

14 A person who fails to pay the civil penalty specified in s.  
15 372.711 within 30 days after being cited for a noncriminal  
16 infraction or to appear before the court pursuant to that  
17 section is guilty of a misdemeanor of the second degree,  
18 punishable as provided in s. 775.082 or s. 775.083.

19 (2) A person is guilty of a misdemeanor of the second  
20 degree, punishable as provided in s. 775.082 or s. 775.083, if  
21 she or he violates any of the following rules, regulations, or  
22 orders of the commission:

23 (a) Rules, regulations, or orders that specify season  
24 or time periods for the taking of freshwater fish or wildlife.

25 (b) Rules, regulations, or orders that specify bag  
26 limits or restrict methods of taking freshwater fish or  
27 wildlife.

28 (c) Rules, regulations, or orders that relate to the  
29 sale, possession for sale, purchase, transfer, transportation,  
30 or importation of freshwater fish or wildlife.

31

1 (d) Rules, regulations, or orders that prohibit public  
2 access for specified periods to wildlife management areas or  
3 other areas managed by the commission.

4 (e) Rules, regulations, or orders that require a  
5 person to pay a fee to obtain a permit to possess captive  
6 wildlife or that require the maintenance of records relating  
7 to captive wildlife.

8 (f) All other rules, regulations, and orders of the  
9 commission, except those specified in subsection (1).

10 (3) It is unlawful for any person to make, forge,  
11 counterfeit, or reproduce a freshwater fishing, hunting, or  
12 saltwater fishing license unless authorized by the commission.  
13 It is unlawful for any person to knowingly have in his or her  
14 possession a forgery, counterfeit, or imitation of such a  
15 license unless possession by the person has been fully  
16 authorized by the commission. A person who violates this  
17 subsection commits a felony of the third degree, punishable as  
18 provided in s. 775.082, s. 775.083, or s. 775.084.

19 ~~(4)~~~~(3)~~ Unless otherwise provided in this chapter, a  
20 person who violates any provision of this chapter is guilty,  
21 for the first offense, of a misdemeanor of the second degree,  
22 punishable as provided in s. 775.082 or s. 775.083, and is  
23 guilty, for the second offense or any subsequent offense, of a  
24 misdemeanor of the first degree, punishable as provided in s.  
25 775.082 or s. 775.083.

26 ~~(5)~~~~(4)~~ The court may order the suspension or  
27 revocation of any license or permit issued to a person  
28 pursuant to this chapter, if that person commits a criminal  
29 offense specified in this chapter or a noncriminal infraction  
30 specified in this section.

31

1           Section 13. Subsections (7) and (15) of section  
2 328.72, Florida Statutes, are amended to read:

3           328.72 Classification; registration; fees and charges;  
4 surcharge; disposition of fees; fines; marine turtle  
5 stickers.--

6           (7) SERVICE FEE.--In addition to other registration  
7 fees, the vessel owner shall pay ~~the tax collector~~ a \$2.25  
8 service fee for each registration issued, replaced, or  
9 renewed. All fees collected by a tax collector, other than  
10 the service charge and the county portion of the registration  
11 certificate fee collected pursuant to subsection (1),  
12 ~~collected by a tax collector~~ must be remitted to the  
13 department not later than 7 working days following the last  
14 day of the week in which the money was collected ~~remitted~~.  
15 Vessels may travel in salt water or fresh water.

16           (15) DISTRIBUTION OF FEES.--~~The county portion of the~~  
17 registration certificate fee collected ~~Moneys deposited~~  
18 pursuant to subsection (1) is to be used ~~s. 328.76 to be~~  
19 ~~returned to the counties are~~ for the sole purposes of  
20 providing recreational channel marking and public launching  
21 facilities and other boating-related activities, for removal  
22 of vessels and floating structures deemed a hazard to public  
23 safety and health for failure to comply with s. 327.53, and  
24 for manatee and marine mammal protection and recovery. The  
25 county portion of the vessel registration certificate fee  
26 collected by the Fast Title Section of the Bureau of Titles  
27 and Registrations of the Department of Highway Safety and  
28 Motor Vehicles must be returned to the vessel owner's county  
29 of residence.~~The department shall ascertain, as a guideline~~  
30 ~~in determining the amounts of distributions each county may~~  
31 ~~receive, the number of noncommercial vessels registered in the~~

1 ~~county during the preceding fiscal year according to the fee~~  
2 ~~schedule provided in subsection (1) and shall promulgate rules~~  
3 ~~to effectuate this. Each fiscal year, prior to determination~~  
4 ~~of distributions to the counties under this section, an amount~~  
5 ~~equal to \$1 for each vessel registered in this state shall be~~  
6 ~~transferred to the Save the Manatee Trust Fund for manatee and~~  
7 ~~marine mammal research, protection, and recovery.~~

8 Section 14. Subsection (1) of section 328.76, Florida  
9 Statutes, is amended to read:

10 328.76 Marine Resources Conservation Trust Fund;  
11 vessel registration funds; appropriation and distribution.--

12 (1) Except as otherwise specified in this chapter and  
13 less any administrative costs, all funds collected from the  
14 registration of vessels through the Department of Highway  
15 Safety and Motor Vehicles and the tax collectors of the state  
16 shall be deposited in the Marine Resources Conservation Trust  
17 Fund for recreational channel marking; public launching  
18 facilities; law enforcement and quality control programs;  
19 aquatic weed control; manatee protection, recovery, rescue,  
20 rehabilitation, and release; and marine mammal protection and  
21 recovery. The funds collected pursuant to s. 328.72(1) shall  
22 be transferred as follows:

23 (a) In each fiscal year, an amount equal to \$1 for  
24 each vessel registered in this state shall be transferred to  
25 the Save the Manatee Trust Fund for manatee and marine mammal  
26 research, protection, and recovery in accordance with the  
27 provisions of s. 370.12(4)(a).

28 (b) In addition, in each fiscal year, an amount equal  
29 to 50 cents for each vessel registered in this state shall be  
30 transferred to the Save the Manatee Trust Fund in accordance  
31 with the provisions of s. 370.12(4)(b) for use by those

1 facilities approved to rescue, rehabilitate, and release  
2 manatees as authorized pursuant to the Fish and Wildlife  
3 Service of the United States Department of the Interior.

4 (c) Two dollars from each noncommercial vessel  
5 registration fee, except that for class A-1 vessels, shall be  
6 transferred to the Invasive Plant Control Trust Fund for  
7 aquatic weed research and control.

8 (d) Forty percent of the registration fees from  
9 commercial vessels shall be used for law enforcement and  
10 quality control programs.

11 (e) Forty percent of the registration fees from  
12 commercial vessels shall be transferred to the Invasive Plant  
13 Control Trust Fund for aquatic plant research and control.

14 Section 15. Subsection (3) of section 370.06, Florida  
15 Statutes, is amended to read:

16 370.06 Licenses.--

17 (3) NET LICENSES.--Except for cast nets and bait  
18 seines which are 100 feet in length or less and which have a  
19 mesh that is 3/8 inch or less, all nets used to take  
20 finfish, including, but not limited to, gill nets, trammel  
21 nets, and beach seines, must be licensed or registered. Each  
22 net used to take finfish for commercial purposes, or by a  
23 nonresident, must be licensed under a saltwater products  
24 license issued pursuant to subsection (2) and must bear the  
25 number of such license. ~~A noncommercial resident net  
26 registration must be issued to each net used to take finfish  
27 for noncommercial purposes and may only be issued to residents  
28 of the state. Each net so registered must bear the name of the  
29 person in whose name the net is registered.~~

30 Section 16. Section 372.5702, Florida Statutes, is  
31 created to read:

1           372.5702 Fish and Wildlife Conservation Commission  
2 license program for tarpon; fees; penalties.--

3           (1) The Fish and Wildlife Conservation Commission  
4 shall establish a license program for the purpose of issuing  
5 tags to individuals desiring to harvest tarpon (megalops  
6 atlantica) from the waters of the State of Florida. The tags  
7 shall be nontransferable, except that the commission may allow  
8 for a limited number of tags to be purchased by professional  
9 fishing guides for transfer to individuals, and issued by the  
10 commission in order of receipt of a properly completed  
11 application for a nonrefundable fee of \$50 per tag. The  
12 commission and any tax collector may sell the tags and collect  
13 the fees therefor. Tarpon tags are valid from July 1 through  
14 June 30. Before August 15 of each year, each tax collector  
15 shall submit to the commission all unissued tags for the  
16 previous calendar year along with a written audit report, on  
17 forms prescribed or approved by the commission, as to the  
18 numbers of the unissued tags. To defray the cost of issuing  
19 any tag, the issuing tax collector shall collect and retain as  
20 his or her costs, in addition to the tag fee collected, the  
21 amount allowed under s. 372.561(4) for the issuance of  
22 licenses.

23           (2) The number of tags to be issued shall be  
24 determined by rule of the commission. The commission shall in  
25 no way allow the issuance of tarpon tags to adversely affect  
26 the tarpon population.

27           (3) Proceeds from the sale of tarpon tags shall be  
28 deposited in the Marine Resources Conservation Trust Fund and  
29 shall be used to gather information directly applicable to  
30 tarpon management.

31

1           (4) No individual shall take, kill, or possess any  
2 fish of the species megalops atlantica, commonly known as  
3 tarpon, unless such individual has purchased a tarpon tag and  
4 securely attached it through the lower jaw of the fish. Said  
5 individual shall within 5 days after the landing of the fish  
6 submit a form to the commission which indicates the length,  
7 weight, and physical condition of the tarpon when caught; the  
8 date and location of where the fish was caught; and any other  
9 pertinent information which may be required by the commission.  
10 The commission may refuse to issue new tags to individuals or  
11 guides who fail to provide the required information.

12           (5) Any individual including a taxidermist who  
13 possesses a tarpon which does not have a tag securely attached  
14 as required by this section shall be subject to penalties as  
15 prescribed in s. 370.021. Provided, however, a taxidermist may  
16 remove the tag during the process of mounting a tarpon. The  
17 removed tag shall remain with the fish during any subsequent  
18 storage or shipment.

19           (6) Purchase of a tarpon tag shall not accord the  
20 purchaser any right to harvest or possess tarpon in  
21 contravention of rules adopted by the commission. No  
22 individual may sell, offer for sale, barter, exchange for  
23 merchandise, transport for sale, either within or without the  
24 state, offer to purchase, or purchase any species of fish  
25 known as tarpon.

26           (7) The commission shall prescribe and provide  
27 suitable forms and tags necessary to carry out the provisions  
28 of this section.

29           (8) The provisions of this section shall not apply to  
30 anyone who immediately returns a tarpon uninjured to the water  
31 at the place where the fish was caught.

1           Section 17. Sections 370.0605, 370.0615, 370.0608,  
2 370.062, and 370.1111, Florida Statutes, and subsection (10)  
3 and (11) of section 370.14, Florida Statutes, are repealed.

4           Section 18. This act shall take effect July 1, 2000.

5  
6                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
7                           COMMITTEE SUBSTITUTE FOR  
8                           CS/SB 386

9 CS/CS/SB 386 made the following substantive changes to CS/SB  
10 386:

- 11 1) Repeals s. 370.1111, F.S., relating to the \$2 snook  
12 permit and recreates it in ch. 372, F.S.  
13 2) Repeals s. 370.14(10)(11), F.S., relating to the \$2  
14 crawfish permit and recreates it in ch. 372, F.S.  
15 3) Repeals s. 370.062, F.S., relating to the tarpon  
16 licensing program and recreates it in ch. 372, F.S.  
17 4) Clarifies that the county portion of the vessel  
18 registration fee collected at the DHSMV must be returned  
19 to vessel owner's county of residence.  
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