

By Senator Bronson

18-764-01

1 A bill to be entitled
2 An act relating to the Fish and Wildlife
3 Conservation Commission; amending s. 370.06,
4 F.S.; recognizing the Railroad Retirement Board
5 for making certain disability determinations;
6 amending s. 370.13, F.S.; renaming depredation
7 endorsements as depredation permits; providing
8 permit requirements; amending s. 370.19, F.S.;
9 providing for legislative appointments to the
10 Atlantic States Marine Fisheries Commission;
11 amending s. 370.20, F.S.; providing for
12 legislative appointments to the Gulf States
13 Marine Fisheries Commission; amending s.
14 370.25, F.S.; conforming the responsibilities
15 for issuing artificial-reef permits with
16 transfer of duties to the Department of
17 Environmental Protection; amending s. 372.105,
18 F.S.; providing requirements for the Lifetime
19 Fish and Wildlife Trust Fund; amending s.
20 372.561, F.S.; recognizing the Railroad
21 Retirement Board for making certain disability
22 determinations; amending s. 374.977, F.S.;
23 conforming the responsibilities for posting and
24 maintaining regulatory waterway markers with
25 the transfer of duties to the Fish and Wildlife
26 Conservation Commission; providing an effective
27 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
2 370.06, Florida Statutes, is amended to read:

3 370.06 Licenses.--

4 (2) SALTWATER PRODUCTS LICENSE.--

5 (a) Every person, firm, or corporation that sells,
6 offers for sale, barter, or exchanges for merchandise any
7 saltwater products, or which harvests saltwater products with
8 certain gear or equipment as specified by law, must have a
9 valid saltwater products license, except that the holder of an
10 aquaculture certificate under s. 597.004 is not required to
11 purchase and possess a saltwater products license in order to
12 possess, transport, or sell marine aquaculture products. Each
13 saltwater products license allows the holder to engage in any
14 of the activities for which the license is required. The
15 license must be in the possession of the licenseholder or
16 aboard the vessel and shall be subject to inspection at any
17 time that harvesting activities for which a license is
18 required are being conducted. A restricted species endorsement
19 on the saltwater products license is required to sell to a
20 licensed wholesale dealer those species which the state, by
21 law or rule, has designated as "restricted species." This
22 endorsement may be issued only to a person who is at least 16
23 years of age, or to a firm certifying that over 25 percent of
24 its income or \$5,000 of its income, whichever is less, is
25 attributable to the sale of saltwater products pursuant to a
26 license issued under this paragraph or a similar license from
27 another state. This endorsement may also be issued to a
28 for-profit corporation if it certifies that at least \$5,000 of
29 its income is attributable to the sale of saltwater products
30 pursuant to a license issued under this paragraph or a similar
31 license from another state. However, if at least 50 percent of

1 the annual income of a person, firm, or for-profit corporation
2 is derived from charter fishing, the person, firm, or
3 for-profit corporation must certify that at least \$2,500 of
4 the income of the person, firm, or corporation is attributable
5 to the sale of saltwater products pursuant to a license issued
6 under this paragraph or a similar license from another state,
7 in order to be issued the endorsement. Such income attribution
8 must apply to at least 1 year out of the last 3 years. For the
9 purpose of this section "income" means that income which is
10 attributable to work, employment, entrepreneurship, pensions,
11 retirement benefits, and social security benefits. To renew an
12 existing restricted species endorsement, a marine aquaculture
13 producer possessing a valid saltwater products license with a
14 restricted species endorsement may apply income from the sale
15 of marine aquaculture products to licensed wholesale dealers.

16 1. The commission is authorized to require
17 verification of such income. Acceptable proof of income earned
18 from the sale of saltwater products shall be:

19 a. Copies of trip ticket records generated pursuant to
20 this subsection (marine fisheries information system),
21 documenting qualifying sale of saltwater products;

22 b. Copies of sales records from locales other than
23 Florida documenting qualifying sale of saltwater products;

24 c. A copy of the applicable federal income tax return,
25 including Form 1099 attachments, verifying income earned from
26 the sale of saltwater products;

27 d. Crew share statements verifying income earned from
28 the sale of saltwater products; or

29 e. A certified public accountant's notarized statement
30 attesting to qualifying source and amount of income.

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1 Any provision of this section or any other section of the
2 Florida Statutes to the contrary notwithstanding, any person
3 who owns a retail seafood market or restaurant at a fixed
4 location for at least 3 years who has had an occupational
5 license for 3 years prior to January 1, 1990, who harvests
6 saltwater products to supply his or her retail store and has
7 had a saltwater products license for 1 of the past 3 years
8 prior to January 1, 1990, may provide proof of his or her
9 verification of income and sales value at the person's retail
10 seafood market or restaurant and in his or her saltwater
11 products enterprise by affidavit and shall thereupon be issued
12 a restricted species endorsement.

13 2. Exceptions from income requirements shall be as
14 follows:

15 a. A permanent restricted species endorsement shall be
16 available to those persons age 62 and older who have qualified
17 for such endorsement for at least 3 out of the last 5 years.

18 b. Active military duty time shall be excluded from
19 consideration of time necessary to qualify and shall not be
20 counted against the applicant for purposes of qualifying.

21 c. Upon the sale of a used commercial fishing vessel
22 owned by a person, firm, or corporation possessing or eligible
23 for a restricted species endorsement, the purchaser of such
24 vessel shall be exempted from the qualifying income
25 requirement for the purpose of obtaining a restricted species
26 endorsement for a period of 1 year after purchase of the
27 vessel.

28 d. Upon the death or permanent disablement of a person
29 possessing a restricted species endorsement, an immediate
30 family member wishing to carry on the fishing operation shall
31 be exempted from the qualifying income requirement for the

1 purpose of obtaining a restricted species endorsement for a
2 period of 1 year after the death or disablement.

3 e. A restricted species endorsement may be issued on
4 an individual saltwater products license to a person age 62 or
5 older who documents that at least \$2,500 is attributable to
6 the sale of saltwater products pursuant to the provisions of
7 this paragraph.

8 f. A permanent restricted species endorsement may also
9 be issued on an individual saltwater products license to a
10 person age 70 or older who has held a saltwater products
11 license for at least 3 of the last 5 license years.

12 g. ~~(I)~~ Any resident who is certified to be totally and
13 permanently disabled by the Railroad Retirement Board, by the
14 United States Department of Veterans Affairs or its
15 predecessor, or by any branch of the United States Armed
16 Forces, or who holds a valid identification card issued by the
17 Department of Veterans' Affairs pursuant to s. 295.17, upon
18 proof of the same, or any resident certified to be totally
19 disabled by the United States Social Security Administration,
20 upon proof of the same, shall be exempted from the income
21 requirements if he or she also has held a saltwater products
22 license for at least 3 of the last 5 license years prior to
23 the date of the disability.

24 ~~(II) A Disability Award Notice issued by the United~~
25 ~~States Social Security Administration is not sufficient~~
26 ~~certification for a resident to obtain the income exemption~~
27 ~~unless the notice certifies that the resident is totally~~
28 ~~disabled.~~

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30 At least one saltwater products license bearing a restricted
31 species endorsement shall be aboard any vessel harvesting

1 restricted species in excess of any bag limit or when fishing
2 under a commercial quota or in commercial quantities, and such
3 vessel shall have a commercial vessel registration. This
4 subsection does not apply to any person, firm, or corporation
5 licensed under s. 370.07(1)(a)1. or (b) for activities
6 pursuant to such licenses. A saltwater products license may be
7 issued in the name of an individual or a valid boat
8 registration number. Such license is not transferable. A decal
9 shall be issued with each saltwater products license issued to
10 a valid boat registration number. The saltwater products
11 license decal shall be the same color as the vessel
12 registration decal issued each year pursuant to s. 328.48(5)
13 and shall indicate the period of time such license is valid.
14 The saltwater products license decal shall be placed beside
15 the vessel registration decal and, in the case of an
16 undocumented vessel, shall be placed so that the vessel
17 registration decal lies between the vessel registration number
18 and the saltwater products license decal. Any saltwater
19 products license decal for a previous year shall be removed
20 from a vessel operating on the waters of the state. A resident
21 shall pay an annual license fee of \$50 for a saltwater
22 products license issued in the name of an individual or \$100
23 for a saltwater products license issued to a valid boat
24 registration number. A nonresident shall pay an annual license
25 fee of \$200 for a saltwater products license issued in the
26 name of an individual or \$400 for a saltwater products license
27 issued to a valid boat registration number. An alien shall pay
28 an annual license fee of \$300 for a saltwater products license
29 issued in the name of an individual or \$600 for a saltwater
30 products license issued to a valid boat registration number.
31 Any person who sells saltwater products pursuant to this

1 license may sell only to a licensed wholesale dealer. A
2 saltwater products license must be presented to the licensed
3 wholesale dealer each time saltwater products are sold, and an
4 imprint made thereof. The wholesale dealer shall keep records
5 of each transaction in such detail as may be required by rule
6 of the commission not in conflict with s. 370.07(6), and shall
7 provide the holder of the saltwater products license with a
8 copy of the record. It is unlawful for any licensed wholesale
9 dealer to buy saltwater products from any unlicensed person
10 under the provisions of this section, except that a licensed
11 wholesale dealer may buy from another licensed wholesale
12 dealer. It is unlawful for any licensed wholesale dealer to
13 buy saltwater products designated as "restricted species" from
14 any person, firm, or corporation not possessing a restricted
15 species endorsement on his or her saltwater products license
16 under the provisions of this section, except that a licensed
17 wholesale dealer may buy from another licensed wholesale
18 dealer. The commission shall be the licensing agency, may
19 contract with private persons or entities to implement aspects
20 of the licensing program, and shall establish by rule a marine
21 fisheries information system in conjunction with the licensing
22 program to gather fisheries data.

23 Section 2. Subsection (3) of section 370.13, Florida
24 Statutes, is amended to read:

25 370.13 Stone crab; regulation.--

26 (3) ~~DEPREDATION PERMITS ENDORSEMENTS~~.--The Fish and
27 Wildlife Conservation Commission shall issue a depredation
28 permit upon request to any marine aquaculture producer, as
29 defined in s. 370.26, engaged in the culture of shellfish
30 ~~endorsement on the saltwater products license~~, which shall
31 entitle the aquaculture producer ~~licenseholder~~ to possess and

1 use up to 75 stone crab traps and up to 75 blue crab traps,
2 ~~notwithstanding any other provisions of law,~~ for the sole
3 purpose of taking incidental take of destructive or nuisance
4 stone crabs or blue crabs within 1 mile of the producer's
5 aquaculture shellfish beds. ~~Any marine aquaculture producer as~~
6 ~~defined by s. 370.26 who raises shellfish may obtain a~~
7 ~~depredation endorsement by providing an aquaculture~~
8 ~~registration certificate to the commission.~~ No Stone crabs or
9 blue crabs taken under this subsection may not be sold,
10 bartered, exchanged, or offered for sale, barter, or exchange.

11 Section 3. Subsections (1) and (2) of section 370.19,
12 Florida Statutes, are amended to read:

13 370.19 Atlantic States Marine Fisheries Compact;
14 implementing legislation.--

15 (1) FORM.--The Governor of this state is hereby
16 authorized and directed to execute a compact on behalf of the
17 State of Florida with any one or more of the States of Maine,
18 New Hampshire, Massachusetts, Rhode Island, Connecticut, New
19 York, New Jersey, Delaware, Maryland, Virginia, North
20 Carolina, South Carolina, and Georgia, and with such other
21 states as may enter into the compact, legally joining therein
22 in the form substantially as follows:

23
24 ATLANTIC STATES MARINE FISHERIES
25 COMPACT

26
27 The contracting states solemnly agree:

28
29 ARTICLE I
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1 The purpose of this compact is to promote the better
2 utilization of the fisheries, marine, shell, and anadromous,
3 of the Atlantic seaboard by the development of a joint program
4 for the promotion and protection of such fisheries, and by the
5 prevention of the physical waste of the fisheries from any
6 cause. It is not the purpose of this compact to authorize the
7 states joining herein to limit the production of fish or fish
8 products for the purpose of establishing or fixing the price
9 thereof, or creating and perpetuating a monopoly.

10
11 ARTICLE II
12

13 This agreement shall become operative immediately as to
14 those states executing it whenever any two or more of the
15 States of Maine, New Hampshire, Massachusetts, Rhode Island,
16 Connecticut, New York, New Jersey, Delaware, Maryland,
17 Virginia, North Carolina, South Carolina, Georgia and Florida
18 have executed it in the form that is in accordance with the
19 laws of the executing state and the Congress has given its
20 consent. Any state contiguous with any of the aforementioned
21 states and riparian upon waters frequented by anadromous fish,
22 flowing into waters under the jurisdiction of any of the
23 aforementioned states, may become a party hereto as
24 hereinafter provided.

25
26 ARTICLE III
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28 Each state joining herein shall appoint three
29 representatives to a commission hereby constituted and
30 designated as the Atlantic States Marine Fisheries Commission.
31 One shall be the executive officer of the administrative

1 agency of such state charged with the conservation of the
2 fisheries resources to which this compact pertains or, if
3 there be more than one officer or agency, the official of that
4 state named by the governor thereof. The second shall be a
5 member of the legislature of such state designated by such
6 legislature or, in the absence of such designation, such
7 legislator shall be designated by the governor thereof,
8 provided that if it is constitutionally impossible to appoint
9 a legislator as a commissioner from such state, the second
10 member shall be appointed in such manner as is established by
11 law ~~the house committee on commerce and reciprocal trade of~~
12 ~~such state~~. The third shall be a citizen who shall have a
13 knowledge of and interest in the marine fisheries problem to
14 be appointed by the governor. This commission shall be a body
15 corporate with the powers and duties set forth herein.

16
17 ARTICLE IV
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19 The duty of the said commission shall be to make
20 inquiry and ascertain from time to time such methods,
21 practices, circumstances and conditions as may be disclosed
22 for bringing about the conservation and the prevention of the
23 depletion and physical waste of the fisheries, marine, shell
24 and anadromous, of the Atlantic seaboard. The commission
25 shall have power to recommend the coordination of the exercise
26 of the police powers of the several states within their
27 respective jurisdictions to promote the preservation of those
28 fisheries and their protection against overfishing, waste,
29 depletion or any abuse whatsoever and to assure a continuing
30 yield from the fisheries resources of the aforementioned
31 states.

1 To that end the commission shall draft and, after
2 consultation with the advisory committee hereinafter
3 authorized, recommend to the governors and legislatures of the
4 various signatory states legislation dealing with the
5 conservation of the marine, shell and anadromous fisheries of
6 the Atlantic seaboard. The commission shall, more than one
7 month prior to any regular meeting of the legislature in any
8 signatory state, present to the governor of the state its
9 recommendations relating to enactments to be made by the
10 legislature of that state in furthering the intents and
11 purposes of this compact.

12 The commission shall consult with and advise the
13 pertinent administrative agencies in the states party hereto
14 with regard to problems connected with the fisheries and
15 recommend the adoption of such regulations as it deems
16 advisable.

17 The commission shall have power to recommend to the
18 states party hereto the stocking of the waters of such states
19 with fish and fish eggs or joint stocking by some or all of
20 the states party hereto and when two or more of the states
21 shall jointly stock waters the commission shall act as the
22 coordinating agency for such stocking.

23
24 ARTICLE V
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26 The commission shall elect from its number a chair and
27 a vice chair and shall appoint and at its pleasure remove or
28 discharge such officers and employees as may be required to
29 carry the provisions of this compact into effect and shall fix
30 and determine their duties, qualifications and compensation.
31 Said commission shall adopt rules and regulations for the

1 conduct of its business. It may establish and maintain one or
2 more offices for the transaction of its business and may meet
3 at any time or place but must meet at least once a year.

4
5 ARTICLE VI

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7 No action shall be taken by the commission in regard to
8 its general affairs except by the affirmative vote of a
9 majority of the whole number of compacting states present at
10 any meeting. No recommendation shall be made by the
11 commission in regard to any species of fish except by the
12 affirmative vote of a majority of the compacting states which
13 have an interest in such species. The commission shall define
14 what shall be an interest.

15
16 ARTICLE VII

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18 The Fish and Wildlife Service of the Department of the
19 Interior of the Government of the United States shall act as
20 the primary research agency of the Atlantic States Marine
21 Fisheries Commission cooperating with the research agencies in
22 each state for that purpose. Representatives of the said Fish
23 and Wildlife Service shall attend the meetings of the
24 commission.

25 An advisory committee to be representative of the
26 commercial fishers and the saltwater anglers and such other
27 interests of each state as the commission deems advisable
28 shall be established by the commission as soon as practicable
29 for the purpose of advising the commission upon such
30 recommendations as it may desire to make.

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ARTICLE VIII

When any state other than those named specifically in Article II of this compact shall become a party thereto for the purpose of conserving its anadromous fish in accordance with the provisions of Article II the participation of such state in the action of the commission shall be limited to such species of anadromous fish.

ARTICLE IX

Nothing in this compact shall be construed to limit the powers of any signatory state or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any signatory state imposing additional conditions to conserve its fisheries.

ARTICLE X

Continued absence of representation or of any representative on the commission from any state party hereto shall be brought to the attention of the governor thereof.

ARTICLE XI

The states party hereto agree to make annual appropriations to the support of the commission in proportion to the primary market value of the products of their fisheries, exclusive of cod and haddock, as recorded in the most recent published reports of the Fish and Wildlife Service of the United States Department of the Interior, provided no

1 state shall contribute less than \$200 per annum and the annual
2 contribution of each state above the minimum shall be figured
3 to the nearest \$100.

4 The compacting states agree to appropriate initially
5 the annual amounts scheduled below, which amounts are
6 calculated in the manner set forth herein, on the basis of the
7 catch record of 1938. Subsequent budgets shall be recommended
8 by a majority of the commission and the cost thereof allocated
9 equitably among the states in accordance with their respective
10 interests and submitted to the compacting states.

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12 Schedule of Initial Annual
13 State Contributions

14	Maine.....	\$700
15	New Hampshire.....	200
16	Massachusetts.....	2,300
17	Rhode Island.....	300
18	Connecticut.....	400
19	New York.....	1,300
20	New Jersey.....	800
21	Delaware.....	200
22	Maryland.....	700
23	Virginia.....	1,300
24	North Carolina.....	600
25	South Carolina.....	200
26	Georgia.....	200
27	Florida.....	1,500

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29 ARTICLE XII
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1 This compact shall continue in force and remain binding
2 upon each compacting state until renounced by it.
3 Renunciation of this compact must be preceded by sending 6
4 months' notice in writing of intention to withdraw from the
5 compact to the other states party hereto.

6 (2) COMMISSIONERS; APPOINTMENT AND REMOVAL.--In
7 pursuance of Article III of said compact there shall be three
8 members (hereinafter called commissioners) of the Atlantic
9 States Marine Fisheries Commission (hereinafter called
10 commission) from this state. The first commissioner from this
11 state shall be the Executive Director of the Fish and Wildlife
12 Conservation Commission, ex officio, and the term of any such
13 ex officio commissioner shall terminate at the time he or she
14 ceases to hold said office of Executive Director of the Fish
15 and Wildlife Conservation Commission, and his or her successor
16 as commissioner shall be his or her successor as executive
17 director. The second commissioner from this state shall be a
18 legislator appointed on a rotating basis by the President of
19 the Senate or the Speaker of the House of Representatives,
20 beginning with the appointment of a member of the House of
21 Representatives,~~and member of the house committee on commerce~~
22 ~~and reciprocal trade (of the State of Florida, ex officio,~~
23 ~~designated by said house committee on commerce and reciprocal~~
24 ~~trade),~~and the term of any such ~~ex officio~~ commissioner shall
25 terminate at the time he or she ceases to hold said
26 legislative office ~~as commissioner on interstate cooperation,~~
27 ~~and his or her successor as commissioner shall be named in~~
28 ~~like manner.~~ The Governor (subject to confirmation by the
29 Senate), shall appoint a citizen as a third commissioner who
30 shall have a knowledge of, and interest in, the marine
31 fisheries problem. The term of said commissioner shall be 3

1 years and the commissioner shall hold office until a successor
2 shall be appointed and qualified. Vacancies occurring in the
3 office of such commissioner from any reason or cause shall be
4 filled by appointment by the Governor (subject to confirmation
5 by the Senate), for the unexpired term. The Executive Director
6 of the Fish and Wildlife Conservation Commission as ex officio
7 commissioner may delegate, from time to time, to any deputy or
8 other subordinate in his or her department or office, the
9 power to be present and participate, including voting, as his
10 or her representative or substitute at any meeting of or
11 hearing by or other proceeding of the commission. The terms of
12 each of the initial three members shall begin at the date of
13 the appointment of the appointive commissioner, provided the
14 said compact shall then have gone into effect in accordance
15 with Article II of the compact; otherwise, they shall begin
16 upon the date upon which said compact shall become effective
17 in accordance with said Article II. Any commissioner may be
18 removed from office by the Governor upon charges and after a
19 hearing.

20 Section 4. Subsection (2) of section 370.20, Florida
21 Statutes, is amended to read:

22 370.20 Gulf States Marine Fisheries Compact;
23 implementing legislation.--

24 (2) MEMBERS OF COMMISSION; TERM OF OFFICE.--In
25 pursuance of article III of said compact, there shall be three
26 members (hereinafter called commissioners) of the Gulf States
27 Marine Fisheries Commission (hereafter called commission) from
28 the State of Florida. The first commissioner from the State of
29 Florida shall be the Executive Director of the Fish and
30 Wildlife Conservation Commission, ex officio, and the term of
31 any such ex officio commissioner shall terminate at the time

1 he or she ceases to hold said office of Executive Director of
2 the Fish and Wildlife Conservation Commission, and his or her
3 successor as commissioner shall be his or her successor as
4 executive director. The second commissioner from the State of
5 Florida shall be a legislator appointed on a rotating basis by
6 the President of the Senate or the Speaker of the House of
7 Representatives, beginning with the appointment of a member of
8 the Senate, and a member of the house committee on commerce
9 and reciprocal trade (of the State of Florida ex officio,
10 designated by said house committee on commerce and reciprocal
11 trade), and the term of any such ex officio commissioner shall
12 terminate at the time he or she ceases to hold said
13 legislative office ~~as commissioner on interstate cooperation,~~
14 ~~and his or her successor as commissioner shall be named in~~
15 ~~like manner.~~ The Governor (subject to confirmation by the
16 Senate) shall appoint a citizen as a third commissioner who
17 shall have a knowledge of and interest in the marine fisheries
18 problem. The term of said commissioner shall be 3 years and
19 the commissioner shall hold office until a successor shall be
20 appointed and qualified. Vacancies occurring in the office of
21 such commissioner from any reason or cause shall be filled by
22 appointment by the Governor (subject to confirmation by the
23 Senate) for the unexpired term. The Executive Director of the
24 Fish and Wildlife Conservation Commission, as ex officio
25 commissioner, may delegate, from time to time, to any deputy
26 or other subordinate in his or her department or office, the
27 power to be present and participate, including voting, as his
28 or her representative or substitute at any meeting of or
29 hearing by or other proceeding of the commission. The terms of
30 each of the initial three members shall begin at the date of
31 the appointment of the appointive commissioner, provided the

1 said compact shall then have gone into effect in accordance
2 with article II of the compact; otherwise they shall begin
3 upon the date upon which said compact shall become effective
4 in accordance with said article II.

5 Any commissioner may be removed from office by the
6 Governor upon charges and after a hearing.

7 Section 5. Paragraph (a) of subsection (6) of Section
8 370.25, Florida Statutes, is amended to read:

9 370.25 Artificial reef program; grants and financial
10 and technical assistance to local governments.--

11 (6) It is unlawful for any person to:

12 (a) Place artificial-reef-construction materials in
13 state waters outside zones permitted under the terms and
14 conditions defined in any artificial-reef permits issued by
15 the United States Army Corps of Engineers or by the Department
16 of Environmental Protection ~~Fish and Wildlife Conservation~~
17 ~~Commission~~.

18 Section 6. Paragraph (b) of subsection (2) and
19 paragraph (b) of subsection (3) of section 372.105, Florida
20 Statutes, are amended to read:

21 372.105 Lifetime Fish and Wildlife Trust Fund.--

22 (2) The principal of the fund shall be derived from
23 the following:

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

27 (3) The fund is declared to constitute a special trust
28 derived from a contractual relationship between the state and
29 the members of the public whose investments contribute to the
30 fund. In recognition of such special trust, the following
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1 limitations and restrictions are placed on expenditures from
2 the funds:

3 (b) The interest income received and accruing from the
4 investments of the fund shall be spent in furtherance of the
5 commission's exercise of the regulatory and executive powers
6 of the state with respect to the management, protection, and
7 conservation of wild animal life and saltwater and freshwater
8 aquatic life as set forth in s. 9, Art. IV of the State
9 Constitution and this chapter and as otherwise authorized by
10 the Legislature.

11 Section 7. Section 372.561, Florida Statutes, is
12 amended to read:

13 372.561 Issuance of licenses to take wild animal life
14 saltwater aquatic life or freshwater aquatic life; costs;
15 reporting.--

16 (1) This section applies to such licenses or permits
17 as are established in s. 372.57.

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

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

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

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

9 (5)(a) Hunting and saltwater or freshwater fishing
10 licenses and permits shall be issued, without fee, to any
11 resident who is certified:

12 1. To be totally and permanently disabled by the
13 Railroad Retirement Board, the United States Department of
14 Veterans Affairs or its predecessor or by any branch of the
15 United States Armed Forces or who holds a valid identification
16 card issued under the provisions of s. 295.17, upon proof of
17 the same. Any license issued under this provision after
18 January 1, 1997, expires after 5 years and must be reissued,
19 upon request, every 5 years thereafter.

20 2. To be totally disabled by the United States Social
21 Security Administration upon proof of the same. Any license
22 issued under this provision after October 1, 1999, expires
23 after 2 years and must be reissued, upon proof of
24 certification as provided in this subsection, every 2 years
25 thereafter.

26 (b) Notwithstanding any other provisions of this
27 section, any person who has received after July 1, 1997, and
28 before July 1, 2000, a valid disability license issued under
29 this subsection, retains the rights vested thereunder until
30 the license has expired.

31

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

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

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

24 (7) Within 30 days after the submission of the annual
25 audit report, each county tax collector shall provide the
26 commission with a written audit report on unissued, sold, and
27 voided licenses, permits, and stamps with a certified
28 reconciliation statement prepared by a certified public
29 accountant. Concurrent with the submission of the
30 certification, the county tax collector shall remit to the
31 commission the monetary value of all licenses, permits, and

1 stamps that are unaccounted for. Each tax collector is also
2 responsible for fees for all licenses, permits, and stamps
3 distributed by him or her to subagents, sold by him or her, or
4 reported by him or her as lost.

5 Section 8. Section 374.977, Florida Statutes, is
6 amended to read:

7 374.977 Inland navigation districts; manatee
8 protection speed zones, responsibility for sign posting.--Each
9 inland navigation district shall be responsible for posting
10 and maintaining regulatory markers, as approved by the Fish
11 and Wildlife Conservation Commission ~~Department of~~
12 ~~Environmental Protection~~, for manatee protection speed zones.
13 Such responsibility shall not be limited to the intracoastal
14 waterway, but shall include all waters within each member
15 county for which regulatory markers must be posted. Sign
16 locations shall be jointly selected by the Fish and Wildlife
17 Conservation Commission ~~Department of Environmental Protection~~
18 and the appropriate inland navigation district, pending
19 necessary federal, state and local approvals. Should an inland
20 navigation district lack the resources or otherwise be unable
21 to carry out its sign posting and maintenance duties, this
22 responsibility shall then be assumed by the Fish and Wildlife
23 Conservation Commission ~~Department of Environmental~~
24 ~~Protection~~.

25 Section 9. This act shall take effect July 1, 2001.
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SENATE SUMMARY

Authorizes the Railroad Retirement Board to make determinations concerning eligibility for exemptions from specified licensing requirements. Provides for depredation permits for marine aquaculture producers. Provides for legislative appointments to the Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commission. Designates the Department of Environmental Protection as the proper agency for issuing artificial-reef permits. Revises provisions relating to the Lifetime Fish and Wildlife Trust Fund. Designates the Fish and Wildlife Conservation Commission as the agency responsible for approving inland navigation markers.