

ENROLLED

2001 Legislature

CS for CS for SB 1204, 1st Engrossed

1
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. 374.977,
18 F.S.; conforming the responsibilities for
19 posting and maintaining regulatory waterway
20 markers with the transfer of duties to the Fish
21 and Wildlife Conservation Commission;
22 encouraging the release and feeding of certain
23 quail; amending s. 372.57, F.S.; deleting
24 requirements for the use of certain fees to
25 subsidize the private landowner payment
26 program; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Paragraph (a) of Subsection (2) of section
31 370.06, Florida Statutes, is amended to read:

1 370.06 Licenses.--

2 (2) SALTWATER PRODUCTS LICENSE.--

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

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

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

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

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

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

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

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

29

30 Any provision of this section or any other section of the
31 Florida Statutes to the contrary notwithstanding, any person

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

11 2. Exceptions from income requirements shall be as
12 follows:

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

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

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

26 d. Upon the death or permanent disablement of a person
27 possessing a restricted species endorsement, an immediate
28 family member wishing to carry on the fishing operation shall
29 be exempted from the qualifying income requirement for the
30 purpose of obtaining a restricted species endorsement for a
31 period of 1 year after the death or disablement.

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

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

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

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

27
28 At least one saltwater products license bearing a restricted
29 species endorsement shall be aboard any vessel harvesting
30 restricted species in excess of any bag limit or when fishing
31 under a commercial quota or in commercial quantities, and such

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

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

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

23 370.13 Stone crab; regulation.--

24 (3) ~~DEPREDATION PERMITS ENDORSEMENTS~~--The Fish and
25 Wildlife Conservation Commission shall issue a depredation
26 permit upon request to any marine aquaculture producer, as
27 defined in s. 370.26, engaged in the culture of shellfish
28 ~~endorsement on the saltwater products license~~, which shall
29 entitle the aquaculture producer licenseholder to possess and
30 use up to 75 stone crab traps and up to 75 blue crab traps,
31 ~~notwithstanding any other provisions of law,~~for the sole

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

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

11 370.19 Atlantic States Marine Fisheries Compact;
12 implementing legislation.--

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

21
22 ATLANTIC STATES MARINE FISHERIES
23 COMPACT
24

25 The contracting states solemnly agree:
26

27 ARTICLE I
28

29 The purpose of this compact is to promote the better
30 utilization of the fisheries, marine, shell, and anadromous,
31 of the Atlantic seaboard by the development of a joint program

1 for the promotion and protection of such fisheries, and by the
2 prevention of the physical waste of the fisheries from any
3 cause. It is not the purpose of this compact to authorize the
4 states joining herein to limit the production of fish or fish
5 products for the purpose of establishing or fixing the price
6 thereof, or creating and perpetuating a monopoly.

7
8 ARTICLE II

9
10 This agreement shall become operative immediately as to
11 those states executing it whenever any two or more of the
12 States of Maine, New Hampshire, Massachusetts, Rhode Island,
13 Connecticut, New York, New Jersey, Delaware, Maryland,
14 Virginia, North Carolina, South Carolina, Georgia and Florida
15 have executed it in the form that is in accordance with the
16 laws of the executing state and the Congress has given its
17 consent. Any state contiguous with any of the aforementioned
18 states and riparian upon waters frequented by anadromous fish,
19 flowing into waters under the jurisdiction of any of the
20 aforementioned states, may become a party hereto as
21 hereinafter provided.

22
23 ARTICLE III

24
25 Each state joining herein shall appoint three
26 representatives to a commission hereby constituted and
27 designated as the Atlantic States Marine Fisheries Commission.
28 One shall be the executive officer of the administrative
29 agency of such state charged with the conservation of the
30 fisheries resources to which this compact pertains or, if
31 there be more than one officer or agency, the official of that

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

13
14 ARTICLE IV
15

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

29 To that end the commission shall draft and, after
30 consultation with the advisory committee hereinafter
31 authorized, recommend to the governors and legislatures of the

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ARTICLE VI

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

ARTICLE VII

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

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

ARTICLE VIII

1 contribution of each state above the minimum shall be figured
2 to the nearest \$100.

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

10

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Schedule of Initial Annual

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State Contributions

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Maine.....\$700

14

New Hampshire.....200

15

Massachusetts.....2,300

16

Rhode Island.....300

17

Connecticut.....400

18

New York.....1,300

19

New Jersey.....800

20

Delaware.....200

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Maryland.....700

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Virginia.....1,300

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North Carolina.....600

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South Carolina.....200

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Georgia.....200

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Florida.....1,500

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ARTICLE XII

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This compact shall continue in force and remain binding

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upon each compacting state until renounced by it.

1 Renunciation of this compact must be preceded by sending 6
2 months' notice in writing of intention to withdraw from the
3 compact to the other states party hereto.

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

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

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

20 370.20 Gulf States Marine Fisheries Compact;
21 implementing legislation.--

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

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

1 article II of the compact; otherwise they shall begin upon the
2 date upon which said compact shall become effective in
3 accordance with said article II.

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

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

8 370.25 Artificial reef program; grants and financial
9 and technical assistance to local governments.--

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

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

17 Section 6. Section 374.977, Florida Statutes, is
18 amended to read:

19 374.977 Inland navigation districts; manatee
20 protection speed zones, responsibility for sign posting.--Each
21 inland navigation district shall be responsible for posting
22 and maintaining regulatory markers, as approved by the Fish
23 and Wildlife Conservation Commission ~~Department of~~
24 ~~Environmental Protection~~, for manatee protection speed zones.
25 Such responsibility shall not be limited to the intracoastal
26 waterway, but shall include all waters within each member
27 county for which regulatory markers must be posted. Sign
28 locations shall be jointly selected by the Fish and Wildlife
29 Conservation Commission ~~Department of Environmental Protection~~
30 and the appropriate inland navigation district, pending
31 necessary federal, state and local approvals. Should an inland

1 navigation district lack the resources or otherwise be unable
2 to carry out its sign posting and maintenance duties, this
3 responsibility shall then be assumed by the Fish and Wildlife
4 Conservation Commission ~~Department of Environmental~~
5 ~~Protection~~.

6 Section 7. State agencies and water management
7 districts that manage lands for public hunting are encouraged
8 to authorize the release and feeding of breeder-raised and
9 wild quail on such lands to increase quail hunting
10 opportunities and replenish quail population in the state.

11 Section 8. Paragraph (b) of subsection (4) of section
12 372.57, Florida Statutes, is amended to read:

13 372.57 Licenses and permits; exemptions; fees.--No
14 person, except as provided herein, shall take game, freshwater
15 fish, or fur-bearing animals within this state without having
16 first obtained a license, permit, or authorization and paid
17 the fees hereinafter set forth, unless such license is issued
18 without fee as provided in s. 372.561. Such license, permit,
19 or authorization shall authorize the person to whom it is
20 issued to take game, freshwater fish, or fur-bearing animals
21 in accordance with law and commission rules. Such license,
22 permit, or authorization is not transferable. Each license or
23 permit must bear on its face in indelible ink the name of the
24 person to whom it is issued and other information requested by
25 the commission. Such license, permit, or authorization issued
26 by the commission or any agent must be in the personal
27 possession of the person to whom issued while taking game,
28 freshwater fish, or fur-bearing animals. The failure of such
29 person to exhibit such license, permit, or authorization to
30 the commission or its wildlife officers, when such person is
31 found taking game, freshwater fish, or fur-bearing animals, is

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

17 (4) In addition to any license required by this
18 chapter, the following permits and fees for certain hunting,
19 fishing, and recreational uses, and the activities authorized
20 thereby, are:

21 (b)1. Management area permits to hunt, fish, or
22 otherwise use for outdoor recreational purposes, land owned,
23 leased, or managed by the commission or the State of Florida
24 for the use and benefit of the commission, up to \$25 annually.
25 Permits, and fees thereof, for short-term use of land which is
26 owned, leased, or managed by the commission may be established
27 by rule of the commission for any activity on such lands.
28 Such permits and fees may be in lieu of or in addition to the
29 annual management area permit. Other than for hunting or
30 fishing, the provisions of this paragraph shall not apply on
31 any lands not owned by the commission, unless the commission

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

3 2. A recreational user permit fee to hunt, fish, or
4 otherwise use for outdoor recreational purposes, land leased
5 by the commission from private nongovernmental owners, except
6 for those lands located directly north of the Apalachicola
7 National Forest, east of the Ochlockonee River until the point
8 the river meets the dam forming Lake Talquin, and south of the
9 closest federal highway. The fee for this permit shall be
10 based upon economic compensation desired by the landowner,
11 game population levels, desired hunter density, and
12 administrative costs. The permit fee shall be set by
13 commission rule on a per-acre basis. ~~On property currently in
14 the private landowner payment program, the prior year's
15 landowner payment shall be used to augment the recreational
16 user permit fee so as to decrease the permit fee for the users
17 of that property.~~One minor dependent child, 16 years old or
18 under, per permittee may hunt under the supervision of the
19 permittee and is exempt from the permit fee. The spouse and
20 dependent children of a permittee are exempt from the permit
21 fee when engaged in outdoor recreational activities other than
22 hunting in the company of the permittee. Notwithstanding any
23 other provision of this chapter, there are no other
24 exclusions, exceptions, or exemptions from this permit fee.
25 The recreational user permit fee, less an administrative
26 permit fee of up to \$25 per permit, shall be remitted to the
27 landowner as provided in the lease agreement for each area.

28 Section 9. This act shall take effect July 1, 2001.
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