

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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4		.	

ORIGINAL STAMP BELOW

11 The Committee on General Government Appropriations offered the
12 following:

14 **Amendment (with title amendment)**

15 Remove from the bill: Everything after the enacting clause
16
17 and insert in lieu thereof:

18 Section 1. Subsections (1) and (15) of section 328.72,
19 Florida Statutes, are amended to read:

20 328.72 Classification; registration; fees and charges;
21 surcharge; disposition of fees; fines; marine turtle
22 stickers.--

23 (1) VESSEL REGISTRATION FEE.--Vessels that are
24 required to be registered shall be classified for registration
25 purposes according to the following schedule, and the
26 registration certificate fee shall be in the following
27 amounts. The county portion of the vessel registration fee is
28 derived from recreational vessels only.+

29 Class A-1--Less than 12 feet in length, and all canoes
30 to which propulsion motors have been attached, regardless
31 of length.....\$3.50

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1 Class A-2--12 feet or more and less than 16 feet in
2 length.....10.50
3 (To county).....2.85
4 Class 1--16 feet or more and less than 26 feet in
5 length.....18.50
6 (To county).....8.85
7 Class 2--26 feet or more and less than 40 feet in
8 length.....50.50
9 (To county).....32.85
10 Class 3--40 feet or more and less than 65 feet in
11 length.....82.50
12 (To county).....56.85
13 Class 4--65 feet or more and less than 110 feet in
14 length.....98.50
15 (To county).....68.85
16 Class 5--110 feet or more in length..... 122.50
17 (To county).....86.85
18 Dealer registration certificate16.50

19 (15) DISTRIBUTION OF FEES.--Moneys designated for the
20 use of the counties, as specified in subsection (1), shall be
21 distributed by the tax collector to the board of county
22 commissioners for use as provided in this section. Such
23 moneys to be returned to the counties are for the sole
24 purposes of providing recreational channel marking and public
25 launching facilities and other boating-related activities, for
26 removal of vessels and floating structures deemed a hazard to
27 public safety and health for failure to comply with s. 327.53,
28 and for manatee and marine mammal protection and recovery. The
29 county portion of the vessel registration certificate fee
30 collected by the Fast Title Section of the Bureau of Titles
31 and Registration of the Department of Highway Safety and Motor

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1 Vehicles must be returned to the vessel owner's county of
2 Florida residence.

3 Section 2. Subsection (1) of section 328.76, Florida
4 Statutes, is amended to read:

5 328.76 Marine Resources Conservation Trust Fund;
6 vessel registration funds; appropriation and distribution.--

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

18 (a) In each fiscal year, an amount equal to \$1.50 for
19 each commercial and noncommercial vessel registered in this
20 state shall be transferred to the Save the Manatee Trust Fund
21 and shall be used only for the purposes specified in s.
22 370.12(4).

23 (b) An amount equal to \$2 ~~two dollars~~ from each
24 noncommercial vessel registration fee, except that for class
25 A-1 vessels, shall be transferred to the Invasive Plant
26 Control Trust Fund for aquatic weed research and control.

27 (c) An amount equal to 40 ~~forty~~ percent of the
28 registration fees from commercial vessels shall be transferred
29 to the Invasive Plant Control Trust Fund for aquatic plant
30 research and control.

31 (d) An amount equal to 40 ~~forty~~ percent of the

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1 registration fees from commercial vessels shall be transferred
2 by the Department of Highway Safety and Motor Vehicles, on a
3 monthly basis, to the General Inspection Trust Fund of the
4 Department of Agriculture and Consumer Services. These funds
5 shall be used for shellfish and aquaculture law enforcement
6 and quality control programs.

7 Section 3. Section 370.062, Florida Statutes, is
8 renumbered as section 372.5704, and amended to read:

9 372.5704~~370.062~~ ~~Fish and Wildlife Conservation~~
10 Commission license program for tarpon; fees; penalties.--

11 (1) The Fish and Wildlife Conservation Commission
12 shall establish a license program for the purpose of issuing
13 tags to individuals desiring to harvest tarpon (*megalops*
14 *atlantica*) from the waters of the state ~~of Florida~~. The tags
15 shall be nontransferable, except that the commission may allow
16 for a limited number of tags to be purchased by professional
17 fishing guides for transfer to individuals, and issued by the
18 commission in order of receipt of a properly completed
19 application for a nonrefundable fee of \$50 per tag. The
20 commission and any tax collector may sell the tags and collect
21 the fees therefor. Tarpon tags are valid from July 1 through
22 June 30. Before August 155 of each year, each tax collector
23 shall submit to the commission all unissued tags for the
24 previous calendar year along with a written audit report, on
25 forms prescribed or approved by the commission, as to the
26 numbers of the unissued tags. To defray the cost of issuing
27 any tag, the issuing tax collector shall collect and retain as
28 his or her costs, in addition to the tag fee collected, the
29 amount allowed under s. 372.561(7)~~(4)~~ for the issuance of
30 licenses.

31 (2) The number of tags to be issued shall be

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1 determined by rule of the commission. The commission shall in
2 no way allow the issuance of tarpon tags to adversely affect
3 the tarpon population.

4 (3) Proceeds from the sale of tarpon tags shall be
5 deposited in the Marine Resources Conservation Trust Fund and
6 shall be used to gather information directly applicable to
7 tarpon management.

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

19 (5) Any individual including a taxidermist who
20 possesses a tarpon which does not have a tag securely attached
21 as required by this section shall be subject to penalties as
22 prescribed in s. 370.021. Provided, however, a taxidermist may
23 remove the tag during the process of mounting a tarpon. The
24 removed tag shall remain with the fish during any subsequent
25 storage or shipment.

26 (6) Purchase of a tarpon tag shall not accord the
27 purchaser any right to harvest or possess tarpon in
28 contravention of rules adopted by the commission. No
29 individual may sell, offer for sale, barter, exchange for
30 merchandise, transport for sale, either within or without the
31 state, offer to purchase, or purchase any species of fish

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1 known as tarpon.

2 (7) The commission shall prescribe and provide
3 suitable forms and tags necessary to carry out the provisions
4 of this section.

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

8 ~~(9) All tag fees collected by the commission shall be~~
9 ~~transferred to the Marine Resources Conservation Trust Fund~~
10 ~~within 7 days following the last business day of the week in~~
11 ~~which the fees were received by the commission.~~

12 Section 4. Subsection (4) is added to section
13 370.0603, Florida Statutes, and paragraph (c) of subsection
14 (2) of said section is amended to read:

15 370.0603 Marine Resources Conservation Trust Fund;
16 purposes.--

17 (2) The Marine Resources Conservation Trust Fund shall
18 receive the proceeds from:

19 (c) All fees collected pursuant to ss. ~~370.062,~~
20 370.063, and 370.142, and 372.5704.

21 (4) Except as otherwise provided herein, general
22 revenue funds transferred to the Fish and Wildlife
23 Conservation Commission for deposit into the Marine Resources
24 Conservation Trust fund shall be used by the commission to
25 provide additional manatee protection by increasing
26 on-the-water law enforcement.

27 Section 5. Section 370.0608, Florida Statutes, is
28 renumbered as section 372.5701, and amended to read:

29 372.5701~~370.0608~~ Deposit of license fees; allocation
30 of federal funds.--

31 (1) Except where otherwise provided, all saltwater

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1 license and permit fees collected pursuant to s. 372.57 shall
2 ~~All license fees collected pursuant to s. 370.0605 shall be~~
3 ~~deposited into the Marine Resources Conservation Trust Fund,~~
4 ~~to be used as follows:~~

5 (a) Not less than 5 percent of the total fees
6 collected shall be used for marine fisheries management.~~Not~~
7 ~~more than 5 percent of the total fees collected shall be used~~
8 ~~to carry out the responsibilities of the Fish and Wildlife~~
9 ~~Conservation Commission and to provide for the award of funds~~
10 ~~to marine research institutions in this state for the purposes~~
11 ~~of enabling such institutions to conduct worthy marine~~
12 ~~research projects.~~

13 (b) Not less than 2.5 percent of the total fees
14 collected shall be used for saltwater aquatic education
15 purposes.

16 (c)1. The remainder of such fees shall be used by the
17 commission ~~department~~ for the following program functions:

18 a. Not more than 5 percent of the total fees
19 collected, for administration of the licensing program and for
20 information and education relating to saltwater fisheries.

21 b. Not less ~~more~~ than 30 percent of the total fees
22 collected, for law enforcement.

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

25 d. Not less than 30 percent of the total fees
26 collected, for saltwater fisheries ~~fishery~~ enhancement,
27 including, but not limited to, fishery statistics development,
28 artificial reefs, and fish hatcheries.

29 2. The Legislature shall annually appropriate to the
30 commission from the General Revenue Fund for the activities
31 and programs specified in subparagraph 1. at least the same

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1 amount of money as was appropriated to the Department of
2 Environmental Protection from the General Revenue Fund for
3 such activities and programs for fiscal year 1988-1989, and
4 the amounts appropriated to the commission for such activities
5 and programs from the Marine Resources Conservation Trust Fund
6 shall be in addition to the amount appropriated to the
7 commission for such activities and programs from the General
8 Revenue Fund. The proceeds from recreational saltwater fishing
9 license fees paid by fishers shall only be appropriated to the
10 commission.

11 (2) Funds available from the Wallop-Breaux Aquatic
12 Resources Trust Fund shall be distributed by the commission
13 between the Division of Freshwater Fisheries and the Division
14 of Marine Fisheries in proportion to the numbers of resident
15 fresh and saltwater anglers as determined by the most current
16 data on license sales. Unless otherwise provided by federal
17 law, the commission, at a minimum, shall provide the
18 following:

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

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

25 ~~(3) All license fees collected pursuant to s. 370.0605~~
26 ~~shall be transferred to the Marine Resources Conservation~~
27 ~~Trust Fund within 7 days following the last business day of~~
28 ~~the week in which the license fees were received by the~~
29 ~~commission. One-fifth of the total proceeds derived from the~~
30 ~~sale of 5-year licenses and replacement 5-year licenses, and~~
31 ~~all interest derived therefrom, shall be available for~~

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1 ~~appropriation annually.~~

2 Section 6. Section 370.0609, Florida Statutes, is
3 renumbered as section 372.5702, Florida Statutes, and amended
4 to read:

5 372.5702~~370.0609~~ Expenditure of funds.--Any moneys
6 available pursuant to s. 372.5701(1)(c)1.c ~~s.~~
7 ~~370.0608(1)(c)1.c.~~ may ~~shall~~ be expended by the Fish and
8 Wildlife Conservation Commission within Florida through grants
9 and contracts for research with research institutions
10 including but not limited to: Florida Sea Grant; Florida
11 Marine Resources Council; Harbour Branch Oceanographic
12 Institute; Technological Research and Development Authority;
13 ~~Florida Marine Research Institute of the Fish and Wildlife~~
14 ~~Conservation Commission; Indian River Region Research~~
15 ~~Institute; Mote Marine Laboratory; Marine Resources~~
16 ~~Development Foundation; Florida Institute of Oceanography; and~~
17 ~~Rosentiel School of Marine and Atmospheric Science; and the~~
18 Smithsonian Marine Station at Ft. Pierce.

19 Section 7. Subsection (3) of section 370.063, Florida
20 Statutes, is amended to read:

21 370.063 Special recreational crawfish license.--There
22 is created a special recreational crawfish license, to be
23 issued to qualified persons as provided by this section for
24 the recreational harvest of crawfish (spiny lobster) beginning
25 August 5, 1994.

26 (3) The holder of a special recreational crawfish
27 license must also possess the recreational crawfish permit
28 required by s. 372.57(8)(e)~~370.14(10)~~ ~~and the license~~
29 ~~required by s. 370.0605.~~

30 Section 8. Paragraph (b) of subsection (2) and
31 subsection (3) of section 372.105, Florida Statutes, are

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1 amended to read:

2 372.105 Lifetime Fish and Wildlife Trust Fund.--

3 (2) The principal of the fund shall be derived from
4 the following:

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

8 (3) The fund is declared to constitute a special trust
9 derived from a contractual relationship between the state and
10 the members of the public whose investments contribute to the
11 fund. In recognition of such special trust, the following
12 limitations and restrictions are placed on expenditures from
13 the funds:

14 (a) No expenditure or disbursement shall be made from
15 the principal of the fund.

16 (b) The interest income received and accruing from the
17 investments of proceeds from the sale of lifetime freshwater
18 fishing licenses and lifetime hunting licenses ~~the fund~~ shall
19 be spent in furtherance of the commission's ~~exercise of the~~
20 ~~regulatory and executive powers of the state with respect to~~
21 ~~the~~ management, protection, and conservation of wild animal
22 life and freshwater aquatic life as set forth in s. 9, Art. IV
23 of the State Constitution and this chapter and as otherwise
24 authorized by the Legislature.

25 (c) The interest income received and accruing from the
26 investments of proceeds from the sale of lifetime saltwater
27 fishing licenses shall be expended for marine law enforcement,
28 marine research, and marine fishery enhancement.

29 (d)~~(e)~~ No expenditures or disbursements from the
30 interest income derived from the sale of lifetime licenses
31 shall be made for any purpose until the respective holders of

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1 such licenses attain the age of 16 years. The Fish and
2 Wildlife Conservation Commission as administrator of the fund
3 shall determine actuarially on an annual basis the amounts of
4 interest income within the fund which may be disbursed
5 pursuant to this paragraph. The director shall cause deposits
6 of proceeds from the sale of lifetime licenses to be
7 identifiable by the ages of the license recipients.

8 (e)~~(d)~~ Any limitations or restrictions specified by
9 the donors on the uses of the interest income derived from
10 gifts, grants, and voluntary contributions shall be respected
11 but shall not be binding.

12 (f)~~(e)~~ The fund shall be exempt from the provisions of
13 s. 215.20.

14 Section 9. Section 372.106, Florida Statutes, is
15 amended to read:

16 372.106 Dedicated License Trust Fund.--

17 (1) There is established within the Fish and Wildlife
18 Conservation Commission the Dedicated License Trust Fund. The
19 fund shall be credited with moneys collected pursuant to s.
20 ~~ss. 370.0605 and~~ 372.57 for 5-year licenses and replacement
21 5-year licenses.

22 (2)(a) One-fifth of the total proceeds from the sale
23 of 5-year freshwater fishing and hunting licenses and
24 replacement licenses, and all interest derived therefrom,
25 shall be appropriated annually to the State Game Trust Fund.

26 (b) One-fifth of the total proceeds from the sale of
27 5-year saltwater fishing licenses and replacement licenses,
28 and all interest derived therefrom, shall be appropriated
29 annually to the Marine Resources Conservation Trust Fund.

30 (3)~~(2)~~ The fund shall be exempt from the provisions of
31 s. 215.20.

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1 Section 10. Subsections (1) and (4) of section 372.16,
2 Florida Statutes, are amended to read:

3 372.16 Private game preserves and farms; penalty.--

4 (1) Any person owning land in this state may, ~~after~~
5 ~~having secured a license therefor from the Fish and Wildlife~~
6 ~~Conservation Commission,~~ establish, maintain, and operate
7 within the boundaries thereof, a private preserve and farm,
8 not exceeding an area of 640 acres, for the protection,
9 preservation, propagation, rearing, and production of game
10 birds and animals for private and commercial purposes,
11 provided that no two game preserves shall join each other or
12 be connected. Before any private game preserve or farm is
13 established, the owner or operator shall secure a license from
14 the commission, the fee for which is \$25 per year.

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

30 Section 11. Section 372.561, Florida Statutes, is
31 amended to read:

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1 (Substantial rewording of section. See
2 s. 372.561, F.S., for present text.)
3 372.561 Recreational licenses, permits, and
4 authorization numbers to take wild animal life, freshwater
5 aquatic life, and marine life; issuance; costs; reporting.--
6 (1) This section applies to all recreational licenses
7 and permits, and any authorization numbers issued by the
8 commission through the electronic sale of recreational
9 licenses or permits.
10 (2) The commission shall establish forms for the
11 issuance of recreational licenses and permits.
12 (3) The commission shall issue a license, permit, or
13 an authorization number to take wild animal life, freshwater
14 acquatic life, or marine life when an applicant provides proof
15 that she or he is entitled to such license, permit, or
16 authorization number. Each applicant for a recreational
17 license, permit, or authorization number shall provide her or
18 his social security number on the application form.
19 Disclosure of social security numbers obtained through this
20 requirement shall be limited to the purposes of administration
21 of the Title IV-D program for child support enforcement, use
22 by the commission, and as otherwise provided by law.
23 (4) The commission is authorized to establish the
24 following using competitive bid procedures:
25 (a) A process and a vendor fee for the sale of
26 licenses, permits, and authorizations over the telephone using
27 a credit card.
28 (b) A process and a vendor fee for the electronic sale
29 of licenses, permits, and authorizations.
30 (c) A process and a vendor fee for a statewide
31 automated license system.

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1 (5) Licenses and permits to take wild animal life,
2 freshwater aquatic life, or marine life may be sold by the
3 commission, by any tax collector in the state, or by any
4 subagent authorized under s. 372.574.

5 (6) In addition to any license or permit fee, the sum
6 of \$1.50 shall be charged for each license or management area
7 permit to cover the cost of issuing such license or permit.

8 (7)(a)1. For each hunting or freshwater fishing
9 license sold, and for each sportsman's or gold sportsman's's
10 license sold, a tax collector may retain \$1.

11 2. For each management area permit sold, a tax
12 collector may retain \$1.

13 3. For each saltwater fishing tag or license sold,
14 including combination saltwater fishing and freshwater fishing
15 licenses, or combination saltwater fishing, freshwater
16 fishing, and hunting licenses, a tax collector may retain
17 \$1.50.

18 (b) Tax collectors shall remit license and permit
19 moneys, along with a report of funds collected and other
20 required documentation, to the commission weekly. Tax
21 collectors shall maintain records of all licenses and permits
22 that are sold, voided, stolen, or lost.

23 1. The tax collector is responsible to the commission
24 for the fees for all licenses and permits sold, and for the
25 value of all licenses and permits reported as lost.

26 2. The tax collector shall report stolen licenses and
27 permits to the appropriate law enforcement agency.

28 3. The tax collector shall submit a written report and
29 a copy of the law enforcement agency's report to the
30 commission within 5 days after discovering a theft.

31 4. The tax collector is responsible for the fees for

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1 all licenses and permits, sold or lost by a subagent appointed
2 pursuant to s. 372.574.

3 (8) The commission is authorized to adopt rules
4 pursuant to ss. 120.536(1) and 120.54 to implement the
5 provisions of this section.

6 Section 12. Section 372.562, Florida Statutes, is
7 created to read:

8 372.562 Recreational licenses and permits; exemptions
9 from fees and requirements.--

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

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

21 (b) To be disabled by the United States Social
22 Security Administration, upon proof of same. Any license
23 issued under this paragraph after October 1, 1999, expires
24 after 2 years and must be reissued, upon proof of
25 certification of disability, every 2 years thereafter.

26
27 A disability license issued after July 1, 1997, and before
28 July 1, 2000, retains the rights vested thereunder until the
29 license has expired.

30 (2) A hunting, freshwater fishing, or saltwater
31 fishing license or permit is not required for:

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1 (a) Any child under 16 years of age, except as
2 otherwise provided in this chapter.

3 (b) Any person hunting or fishing on her or his
4 homestead property, or on the homestead property of the
5 person's spouse or minor child; or any minor child hunting or
6 fishing on the homestead property of her or his parent.

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

10 (d) Any resident fishing for recreational purposes
11 only, within her or his county of residence with live or
12 natural bait, using poles or lines not equipped with a fishing
13 line retrieval mechanism, except on a legally established fish
14 management area. This paragraph may be cited as the "Dempsey
15 J. Barron, W.D. Childers, and Joe Kershaw Cane Pole Tax Repeal
16 Act of 1976."

17 (e) Any person fishing in a fishpond of 20 acres or
18 less that is located entirely within the private property of
19 the fishpond owner.

20 (f) Any person fishing in a fishpond that is licensed
21 in accordance with s. 372.5705.

22 (g) Any person fishing who has been accepted as a
23 client for developmental disabilities services by the
24 Department of Children and Family Services, provided the
25 department furnishes proof thereof.

26 (h) Any resident fishing in saltwater from land or
27 from a structure fixed to the land.

28 (i) Any person fishing from a vessel licensed pursuant
29 to s. 372.57(7).

30 (j) Any person fishing from a vessel, the operator of
31 which is licensed pursuant to s. 372.57(7).

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1 (k) Any person who holds a valid saltwater products
2 license issued under s. 370.06(2).

3 (l) Any person recreationally fishing from a pier
4 licensed under s. 372.57.

5 (m) Any resident who is fishing for mullet in
6 freshwater and who has a valid Florida freshwater fishing
7 license.

8 (n) Any resident fishing for a saltwater species in
9 freshwater from land or from a structure fixed to land.

10 (o) Any resident 65 years of age or older who has in
11 her or his possession proof of age and residency. A no-cost
12 license under this paragraph may be obtained from any tax
13 collector's office upon proof of age and residency, and must
14 be in the possession of the resident during hunting,
15 freshwater fishing, and saltwater fishing activities.

16 Section 13. Section 372.57, Florida Statutes, is
17 amended to read:

18 (Substantial rewording of section. See
19 s. 372.57, F.S., for present text.)

20 372.57 Recreational licenses, permits, and
21 authorization numbers; fees established.--

22 (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER
23 REQUIRED.--Except as provided in s. 372.562, no person shall
24 hunt, fish, or take fur-bearing animals within this state
25 without first obtaining a license, permit, or authorization
26 number and paying the fees set forth in this chapter. Such
27 license, permit, or authorization number shall authorize the
28 person to whom it is issued to hunt, fish, take fur-bearing
29 animals, and participate in outdoor recreational activities in
30 accordance with the laws of the state and rules of the
31 commission.

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1 (2) NONTRANSFERABILITY; INFORMATION AND
2 DOCUMENTATION.--

3 (a) Licenses, permits, and authorization numbers
4 issued under this chapter are not transferable. Each license
5 and permit must bear on its face in indelible ink the name of
6 the person to whom it is issued and other information as
7 deemed necessary by the commission. Licenses issued to the
8 owner, operator, or custodian of a vessel must include the
9 vessel registration number or federal documentation number.
10 Annual licenses must be dated when issued, and remain valid
11 for 12 months after the date of issuance.

12 (b) The lifetime licenses and 5-year licenses
13 authorized in this section shall be embossed with the name,
14 date of birth, date of issuance, and other pertinent
15 information as deemed necessary by the commission. A certified
16 copy of the applicant's birth certificate shall accompany each
17 application for a lifetime license for a resident 12 years of
18 age or younger.

19 (c) A positive form of identification is required when
20 using a free license, a lifetime license, a five-year license,
21 or an authorization number issued under this chapter, or when
22 otherwise required by a license or permit.

23 (3) PERSONAL POSSESSION REQUIRED.--Each license,
24 permit, or authorization number must be in the personal
25 possession of the person to whom it is issued while such
26 person is hunting, fishing, or taking fur-bearing animals. Any
27 person hunting, fishing, or taking fur-bearing animals who
28 fails to produce a license, permit, or authorization number at
29 the request of a commission law enforcement officer commits a
30 violation of the law.

31 (4) RESIDENT HUNTING AND FISHING LICENSES.--The

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1 licenses and fees for residents participating in hunting and
2 fishing activities in this state are as follows:
3 (a) Annual freshwater fishing license, \$12.
4 (b) Annual saltwater fishing license, \$12.
5 (c) Annual hunting license to take game, \$11.
6 (d) Annual combination freshwater fishing and hunting
7 license, \$22.
8 (e) Annual combination freshwater fishing and
9 saltwater fishing license, \$24.
10 (f) Annual combination hunting, freshwater fishing,
11 and saltwater fishing license, \$34.
12 (g) Annual license to take fur-bearing animals, \$25.
13 However, a resident with a valid hunting license or a no-cost
14 license who is taking fur-bearing animals for noncommercial
15 purposes using guns or dogs only, and not traps or other
16 devices, is not required to purchase this license. Also, a
17 resident 65 years of age or older is not required to purchase
18 this license.
19 (h) Annual sportsman's license, \$66, except an annual
20 sportsman's license for a resident 64 years of age or older is
21 \$12. A sportsman's license authorizes the person to whom it
22 is issued to take freshwater fish and game, subject to the
23 state and federal laws, rules, and regulations, including
24 rules of the commission, in effect at the time of the taking.
25 Other authorized activities include activities authorized by a
26 management area permit, a muzzle-loading gun permit, a turkey
27 permit, a Florida waterfowl permit, and an archery permit.
28 (i) Annual gold sportsman's license, \$82. The gold
29 sportsman's license authorizes the person to whom it is issued
30 to take freshwater fish, saltwater fish, and game, subject to
31 state and federal laws, rules, and regulations, including

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1 rules of the commission, in effect at the time of taking.
2 Other authorized activities include activities authorized by a
3 management area permit, a muzzle-loading gun permit, a turkey
4 permit, a Florida waterfowl permit, an archery permit, a snook
5 permit, and a crawfish permit.

6 (5) NONRESIDENT HUNTING AND FISHING LICENSES.--The
7 licenses and fees for nonresidents participating in hunting
8 and fishing activities in the state are as follows:

9 (a) Freshwater fishing license to take freshwater fish
10 for 7 consecutive days, \$15.

11 (b) Saltwater fishing license to take saltwater fish
12 for 1 day, \$7.50.

13 (c) Saltwater fishing license to take saltwater fish
14 for 7 consecutive days, \$15.

15 (d) Annual freshwater fishing license, \$30.

16 (e) Annual saltwater fishing license, \$30.

17 (f) Annual hunting license to take game, \$150.

18 (g) Hunting license to take game for 10 consecutive
19 days, \$25.

20 (h) Annual license to take fur-bearing animals, \$25.

21 However, a nonresident with a valid Florida hunting license
22 who is taking fur-bearing animals for noncommercial purposes
23 using guns or dogs only, and not traps or other devices, is
24 not required to purchase this license.

25 (6) PIER LICENSE.--A pier license for any pier fixed
26 to land for the purpose of taking or attempting to take
27 saltwater fish is \$500 per year. The pier license may be
28 purchased at the option of the owner, operator, or custodian
29 of such pier and must be available for inspection at all
30 times.

31 (7) VESSEL LICENSES.--

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1 (a) No person may operate any vessel wherein a fee is
2 paid either directly or indirectly, for the purpose of taking,
3 attempting to take, or possessing any marine fish for
4 noncommercial purposes unless he or she has been issued an
5 authorization number or has obtained a license for each vessel
6 for that purpose, and has paid the license fee pursuant to
7 paragraphs (b) and (c) for such vessel.

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

13 (c) 1. For any person who operates any vessel
14 licensed to carry no more than 10 customers, or for any person
15 licensed to operate any vessel carrying 6 or fewer customers,
16 wherein a fee is paid either directly or indirectly for the
17 purpose of taking or attempting to take marine fish, \$400 per
18 year.

19 2. For any person licensed to operate any vessel
20 carrying 6 or fewer customers, wherein a fee is paid either
21 directly or indirectly or the purpose of taking or attempting
22 to take marine fish, \$200 per year. The license must be kept
23 aboard the vessel at all times.

24 3. A person who operates a vessel required to be
25 licensed pursuant to paragraph (b) or paragraph (c) may obtain
26 a license in his or her own name, and such license shall be
27 transferable and apply to any vessel operated by the purchaser
28 provided that the purchaser has paid the appropriate license
29 fee.

30 (d) For a recreational vessel not for hire and for
31 which no fee is paid either directly or indirectly by guests

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1 for the purpose of taking or attempting to take marine fish
2 noncommercially, \$2,000 per year. The license may be
3 purchased at the option of the vessel owner and must be kept
4 aboard the vessel at all times. A log of species taken and
5 the date the species were taken shall be maintained and a copy
6 of the log filed with the commission at the time of renewal of
7 the license.

8 (e) The owner, operator, or custodian of a vessel the
9 operator of which has been licensed pursuant to paragraph (a)
10 must maintain and report such statistical data as required by,
11 and in a manner set forth in, the rules of the commission.

12 (8) SPECIFIED HUNTING, FISHING, AND RECREATIONAL
13 ACTIVITY PERMITS.--In addition to any license required under
14 this chapter, the following permits and fees for specified
15 hunting, fishing, and recreational uses and activities are
16 required:

17 (a) An annual Florida waterfowl permit for a resident
18 or nonresident to take wild ducks or geese within the state or
19 its coastal waters is \$3.

20 (b) An annual Florida turkey permit for a resident to
21 take wild turkeys within the state is \$5.

22 (c) An annual Florida turkey permit for a nonresident
23 to take wild turkeys within the state is \$100.

24 (d) An annual snook permit for a resident or
25 nonresident to take or possess any snook from any waters of
26 the state is \$2. Revenue generated from the sale of snook
27 permits shall be used exclusively for programs to benefit the
28 snook population.

29 (e) An annual crawfish permit for a resident or
30 nonresident to take or possess any crawfish for recreational
31 purposes from any waters of the state is \$2. Revenue

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1 generated from the sale of crawfish permits shall be used
2 exclusively for programs to benefit the crawfish population.

3 (f) An annual muzzle-loading gun permit for a resident
4 or nonresident to hunt within the state with a muzzle-loading
5 gun is \$5. Hunting with a muzzle-loading gun is limited to
6 game seasons in which hunting with a modern firearm is not
7 authorized by the commission.

8 (g) An annual archery permit for a resident or
9 nonresident to hunt within the state with a bow and arrow is
10 \$5. Hunting with an archery permit is limited to those game
11 seasons in which hunting with a firearm is not authorized by
12 the commission.

13 (h) A special use permit for a resident or nonresident
14 to participate in limited entry hunting or fishing activities
15 as authorized by commission rule shall not exceed \$100 per day
16 or \$250 per week. Notwithstanding any other provision of this
17 chapter, there are no exclusions, exceptions, or exemptions
18 from this permit fee. In addition to the permit fee, the
19 commission may charge each special use permit applicant a
20 nonrefundable application fee not to exceed \$10.

21 (i)1. A management area permit for a resident or
22 nonresident to hunt on, fish on, or otherwise use for outdoor
23 recreational purposes, land owned, leased, or managed by the
24 commission, or by the state for the use and benefit of the
25 commission, shall not exceed \$25 per year.

26 2. Permit fees for short-term use of land that is
27 owned, leased, or managed by the commission may be established
28 by rule of the commission for activities on such lands. Such
29 permits may be in lieu of, or in addition to, the annual
30 management area permit authorized in subparagraph 1.

31 3. Other than for hunting or fishing, the provisions

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1 of this paragraph shall not apply on any lands not owned by
2 the commission, unless the commission has obtained the written
3 consent of the owner or primary custodian of such lands.

4 (j)1. A recreational user permit is required to hunt
5 on, fish on, or otherwise use for outdoor recreational
6 purposes, land leased by the commission from private
7 nongovernmental owners, except for those lands located
8 directly north of the Apalachicola National Forest, east of
9 the Ochlocknee River until the point the river meets the dam
10 forming Lake Talquin, and south of the closest federal
11 highway. The fee for a recreational user permit shall be
12 based upon the economic compensation desired by the landowner,
13 game population levels, desired hunter density, and
14 administrative costs. The permit fee shall be set by
15 commission rule on a per-acre basis. The recreational user
16 permit fee, less administrative costs of up to \$25 per permit,
17 shall be remitted to the landowner as provided in the lease
18 agreement for each area.

19 2. One minor dependent, 16 years of age or younger,
20 may hunt under the supervision of the permittee and is exempt
21 from the recreational user permit requirements. The spouse
22 and dependent children of a permittee are exempt from the
23 recreational user permit requirements when engaged in outdoor
24 recreational activities other than hunting and when
25 accompanied by a permittee. Notwithstanding any other
26 provisions of this chapter, no other exclusions, exceptions,
27 or exemptions from the recreational user permit fee are
28 authorized.

29 (9)(a) RESIDENT 5-YEAR HUNTING AND FISHING
30 LICENSES.--Five-year licenses are available for residents
31 only, as follows:

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1 1. A 5-year freshwater fishing or saltwater fishing
2 license is \$60 for each type of license and authorizes the
3 person to whom the license is issued to take or attempt to
4 take or possess freshwater fish or saltwater fish consistent
5 with the state and federal laws and regulations and rules of
6 the commission in effect at the time of taking.

7 2. A 5-year hunting license is \$55 and authorizes the
8 person to whom it is issued to take or attempt to take or
9 possess game consistent with the state and federal laws and
10 regulations and rules of the commission in effect at the time
11 of taking.

12 (b) Proceeds from the sale of all 5-year licenses
13 shall be deposited into the Dedicated License Trust Fund, to
14 be distributed in accordance with the provisions of s.
15 372.106.

16 (10) RESIDENT LIFETIME FRESHWATER AND SALTWATER
17 FISHING LICENSES.--

18 (a) Lifetime freshwater fishing licenses and saltwater
19 fishing licenses are available for residents only, as follows,
20 for:

21 1. Persons 4 years of age or younger, for a fee of
22 \$125 for each type of license.

23 2. Persons 5 years of age or older, but under 13 years
24 of age, for a fee of \$225 for each type of license.

25 3. Persons 13 years of age or older, for a fee of \$300
26 for each type of license.

27 (b) The following activities are authorized by the
28 purchase of a lifetime freshwater fishing license:

29 1. Taking, or attempting to take or possess,
30 freshwater fish consistent with the state and federal laws and
31 regulations and rules of the commission in effect at the time

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1 of the taking.

2 2. All activities authorized by a management area
3 permit, excluding hunting.

4 (c) The following activities are authorized by the
5 purchase of a lifetime saltwater fishing license:

6 1. Taking, or attempting to take or possess, saltwater
7 fish consistent with the state and federal laws and
8 regulations and rules of the commission in effect at the time
9 of the taking.

10 2. All activities authorized by a snook permit and a
11 crawfish permit.

12 3. All activities for which an additional license,
13 permit, or fee is required to take or attempt to take or
14 possess saltwater fish, which additional license, permit, or
15 fee was imposed subsequent to the date of the purchase of the
16 lifetime saltwater fishing license.

17 (11) RESIDENT LIFETIME HUNTING LICENSES.--

18 (a) Lifetime hunting licenses are available to
19 residents only, as follows, for:

20 1. Persons 4 years of age or younger, for a fee of
21 \$200.

22 2. Persons 5 years of age or older, but under 13 years
23 of age, for a fee of \$350.

24 3. Persons 13 years of age or older, for a fee of
25 \$500.

26 (b) The following activities are authorized by the
27 purchase of a lifetime hunting license:

28 1. Taking, or attempting to take or possess, game
29 consistent with the state and federal laws and regulations and
30 rules of the commission in effect at the time of the taking.

31 2. All activities authorized by a muzzle-loading gun

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1 permit, a turkey permit, an archery permit, a Florida
2 waterfowl permit, and a management area permit, excluding
3 fishing.

4 (12) RESIDENT LIFETIME SPORTSMAN'S LICENSES.--

5 (a) Lifetime sportsman's licenses are available, to
6 residents only, as follows, for:

7 1. Persons 4 years of age or younger, for a fee of
8 \$400.

9 2. Persons 5 years of age or older, but under 13 years
10 of age, for a fee of \$700.

11 3. Persons 13 years of age or older, for a fee of
12 \$1,000.

13 (b) The following activities are authorized by the
14 purchase of a lifetime sportsman's license:

15 1. Taking, or attempting to take or possess,
16 freshwater and saltwater fish, and game, consistent with the
17 state and federal laws and regulations and rules of the
18 commission in effect at the time of taking.

19 2. All activities authorized by a management area
20 permit, a muzzle-loading gun permit, a turkey permit, an
21 archery permit, a Florida waterfowl permit, a snook permit,
22 and a crawfish permit.

23
24 The proceeds from the sale of all lifetime licenses authorized
25 in this section shall be deposited into the Lifetime Fish and
26 Wildlife Trust Fund, to be distributed as provided in s.
27 372.105.

28 (13) RECIPROCAL FEE AGREEMENTS.--The commission is
29 authorized to reduce the fees for licenses and permits under
30 this section for residents of those states with which the
31 commission has entered into reciprocal agreements with respect

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1 to such fees.

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

17 Section 14. Section 372.571, Florida Statutes, is
18 amended to read:

19 372.571 Expiration of licenses and permits.--Each
20 license or permit issued under this chapter must be dated when
21 issued. Each license or permit issued under this chapter
22 remains valid for 12 months after the date of issuance, except
23 for a lifetime license issued pursuant to s. 372.57 which is
24 valid from the date of issuance until the death of the
25 individual to whom the license is issued unless otherwise
26 revoked in accordance with s. 372.99, or a 5-year license
27 issued pursuant to s. 372.57 which is valid for 5 consecutive
28 years from the date of purchase unless otherwise revoked in
29 accordance with s. 372.99 or a license issued pursuant to s.
30 372.57(5)(a), (b), (c), and (g), and (8)(h) and (i)2., ~~(2)(b)~~
31 or ~~(g)~~, which is valid for the period specified on the

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1 license. A resident lifetime license or a resident 5-year
2 license that has been purchased by a resident of this state
3 and who subsequently resides in another state shall be honored
4 for activities authorized by that license.

5 Section 15. Subsection (1) of section 372.5712,
6 Florida Statutes, is amended to read:

7 372.5712 Florida waterfowl permit revenues.--

8 (1) The commission shall expend the revenues generated
9 from the sale of the Florida waterfowl permit as provided in
10 s. 372.57(8)(4)(a) or that pro rata portion of any license
11 that includes waterfowl hunting privileges, as provided in s.
12 372.57(4)(2)(h) and (i) ~~and (14)(b)~~ as follows: A maximum of
13 5 percent of the gross revenues shall be expended for
14 administrative costs; a maximum of 25 percent of the gross
15 revenues shall be expended for waterfowl research approved by
16 the commission; and a maximum of 70 percent of the gross
17 revenues shall be expended for projects approved by the
18 commission, in consultation with the Waterfowl Advisory
19 Council, for the purpose of protecting and propagating
20 migratory waterfowl and for the development, restoration,
21 maintenance, and preservation of wetlands within the state.

22 Section 16. Subsection (1) of section 372.5715,
23 Florida Statutes, is amended to read:

24 372.5715 Florida wild turkey permit revenues.--

25 (1) The commission shall expend the revenues generated
26 from the sale of the turkey permit as provided for in s.
27 372.57(8)(b) and (c) ~~(4)(e)~~ or that pro rata portion of any
28 license that includes turkey hunting privileges as provided
29 for in s. 372.57(4)(h) and (i); ~~s. 372.57(2)(i) and (14)(b)~~
30 for research and management of wild turkeys.

31 Section 17. Paragraph (h) of subsection (1) and

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1 paragraphs (e) and (i) of subsection (2) of section 372.574,
2 Florida Statutes, are amended to read:

3 372.574 Appointment of subagents for the sale of
4 hunting, fishing, and trapping licenses and permits.--

5 (1) A county tax collector who elects to sell licenses
6 and permits may appoint any person as a subagent for the sale
7 of fishing, hunting, and trapping licenses and permits that
8 the tax collector is allowed to sell. The following are
9 requirements for subagents:

10 (h) A subagent shall weekly submit payment for and
11 report the sale of licenses and permits to the tax collector
12 ~~as prescribed by the tax collector but no less frequently than~~
13 ~~monthly.~~

14 (2) If a tax collector elects not to appoint
15 subagents, the commission may appoint subagents within that
16 county. Subagents shall serve at the pleasure of the
17 commission. The commission may establish, by rule, procedures
18 for selection of subagents. The following are requirements
19 for subagents so appointed:

20 (e) A subagent may charge and receive as his or her
21 compensation 50 cents for each license or permit sold. This
22 charge is in addition to the sum required by law to be
23 collected for the sale and issuance of each license or permit.
24 ~~In addition, no later than July 1, 1997, a subagent fee for~~
25 ~~the sale of licenses over the telephone by credit card shall~~
26 ~~be established by competitive bid procedures which are~~
27 ~~overseen by the Fish and Wildlife Conservation Commission. A~~
28 ~~fee for electronic license sales may be established by~~
29 ~~competitive bid procedures that are overseen by the Fish and~~
30 ~~Wildlife Conservation Commission.~~

31 ~~(i) By July 15 of each year, each subagent shall~~

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1 ~~submit to the commission all unissued stamps for the previous~~
2 ~~year along with a written audit report, on forms prescribed or~~
3 ~~approved by the commission, on the numbers of the unissued~~
4 ~~stamps.~~

5 Section 18. Section 372.573, Florida Statutes, is
6 amended to read:

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

15 Section 19. Subsection (7) of section 372.5717,
16 Florida Statutes, is amended to read:

17 372.5717 Hunter safety course; requirements;
18 penalty.--

19 (7) The hunter safety requirements of this section do
20 not apply to persons for whom licenses are not required under
21 s. ~~372.562(2)~~ ~~372.57(1)~~.

22 Section 20. Section 372.579, Florida Statutes, is
23 created to read:

24 372.579 Processing applications for licenses and
25 permits.--

26 (1) The commission is authorized to impose a
27 processing fee not to exceed \$100 for each license or permit
28 required by Title 68 of the Florida Administrative Code. The
29 commission shall annually report actions taken under this
30 section to the President of the Senate, the Speaker of the
31 House of Representatives, and the appropriate substantive and

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1 fiscal committees of the Legislature.

2 (2) The commission is authorized to adopt rules
3 pursuant to ss. 120.536(1) and 120.54 to implement the
4 provisions of this section.

5 Section 21. Paragraph (a) of subsection (1) and
6 subsection (2) of section 372.65, Florida Statutes, are
7 amended to read:

8 372.65 Freshwater fish dealer's license.--

9 (1) No person shall engage in the business of taking
10 for sale or selling any frogs or freshwater fish, including
11 live bait, of any species or size, or importing any exotic or
12 nonindigenous fish, until such person has obtained a license
13 and paid the fee therefor as set forth herein. The license
14 issued shall be in the possession of the person to whom issued
15 while such person is engaging in the business of taking for
16 sale or selling freshwater fish or frogs, is not transferable,
17 shall bear on its face in indelible ink the name of the person
18 to whom it is issued, and shall be affixed to a license
19 identification card issued by the commission. Such license is
20 not valid unless it bears the name of the person to whom it is
21 issued and is so affixed. The failure of such person to
22 exhibit such license to the commission or any of its wildlife
23 officers when such person is found engaging in such business
24 is a violation of law. The license fees and activities
25 permitted under particular licenses are as follows:

26 (a) The fee for a resident commercial fishing license,
27 which permits a resident to take freshwater fish or frogs by
28 any lawful method prescribed by the commission and to sell
29 such fish or frogs, shall be \$25. The license provided for in
30 this paragraph shall also allow noncommercial fishing as
31 provided by law and commission rules, and the license in s.

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1 372.57(4)(2)(a) shall not be required.

2 ~~"(2) The provisions of ss. 372.561 and 372.571, except~~
3 ~~those provisions relating to issuance without fee to certain~~
4 ~~classes of persons, shall apply to licenses issued under this~~
5 ~~section.~~

6 Section 22. Section 372.661, Florida Statutes, is
7 amended to read:

8 372.661 Private hunting preserve licenses; fees
9 license; exception.--

10 (1) Any person who operates a private hunting preserve
11 commercially or otherwise shall be required to pay a license
12 fee of \$50~~\$25~~ for each such preserve; provided, however, that
13 during the open season established for wild game of any
14 species a private individual may take artificially propagated
15 game of such species up to the bag limit prescribed for the
16 particular species without being required to pay the license
17 fee required by this section; provided further that if any
18 such individual shall charge a fee for taking such game she or
19 he shall be required to pay the license fee required by this
20 section and to comply with the rules ~~and regulations~~ of the
21 ~~Fish and Wildlife Conservation~~ commission relative to the
22 operation of private hunting preserves.

23 (2) A commercial hunting preserve license, which shall
24 exempt patrons of licensed preserves from the license and
25 permit requirements of s. 372.57(4)(c),(d),(f),(h) and (i);
26 (5)(f) and (g); (8)(a),(b),(c), (f) and (g); and (9)(a)2.;
27 ~~(11) and (12) licensure requirements of s. 372.57(2)(e), (f),~~
28 ~~(g), and (i), (4)(a), (c), (d), and (e), (7), (9), and (14)(b)~~
29 while hunting on the licensed preserve property, shall be
30 \$500. Such commercial hunting preserve license shall be
31 available only to those private hunting preserves licensed

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1 pursuant to this section which are operated exclusively for
2 commercial purposes, which are open to the public, and for
3 which a uniform fee is charged to patrons for hunting
4 privileges.

5 Section 23. Subsection (8) is added to section
6 372.711, Florida Statutes, to read:

7 372.711 Noncriminal infractions.--

8 (8) A person charged with violating the requirement
9 for personal possession of a license or permit under s. 372.57
10 may not be convicted if, prior to or at the time of a court or
11 hearing appearance, the person produces the required license
12 or permit for verification by the hearing officer or court
13 clerk. The license or permit must have been issued to the
14 person charged with committing the violation and must have
15 been valid at the time the violation occurred. The clerk of
16 the court may assess a fee of \$5 to cover the costs of a case
17 under this subsection.

18 Section 24. Paragraph (h) of subsection (1) of section
19 372.83, Florida Statutes, is reenacted to read:

20 372.83 Noncriminal infractions; criminal penalties;
21 suspension and revocation of licenses and permits.--

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

25 (h) Section 372.57, relating to hunting, fishing, and
26 trapping licenses.

27
28 A person who fails to pay the civil penalty specified in s.
29 372.711 within 30 days after being cited for a noncriminal
30 infraction or to appear before the court pursuant to that
31 section is guilty of a misdemeanor of the second degree,

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1 punishable as provided in s. 775.082 or s. 775.083.

2 Section 25. Subsections (1), (2), and (4) of section
3 372.921, Florida Statutes, are amended to read:

4 372.921 Exhibition of wildlife.--

5 (1) In order to provide humane treatment and sanitary
6 surroundings for wild animals kept in captivity, no person,
7 firm, corporation, or association shall have, or be in
8 possession of, in captivity for the purpose of public display
9 with or without charge or for public sale any wildlife,
10 specifically birds, mammals, amphibians, and reptiles, whether
11 indigenous to Florida or not, without having first secured a
12 permit from the Fish and Wildlife Conservation Commission
13 authorizing such person, firm, or corporation to have in its
14 possession in captivity the species and number of wildlife
15 specified within such permit; however, this section does not
16 apply to any wildlife not protected by law and the rules
17 ~~regulations~~ of the ~~Fish and Wildlife Conservation~~ commission.

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

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

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

26 (c) For any number of Class III individual specimens
27 in the aggregate of all species, the sum of \$25 per annum.

28 (d) The commission is authorized to adopt rules
29 pursuant to the provisions of ss.120.536(1) and 120.54 to
30 implement the provisions of this section, including but not
31 limited to defining Class I, Class II, and Class III types of

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1 wildlife.

2

3 The fees prescribed by this subsection ~~section~~ shall be
4 submitted to the ~~Fish and Wildlife Conservation~~ commission
5 with the application for permit required by subsection (1) and
6 shall be deposited in the State Game Fund.

7 (4) Permits issued pursuant to this section and places
8 where wildlife is kept or held in captivity shall be subject
9 to inspection by officers of the ~~Fish and Wildlife~~
10 ~~Conservation~~ commission at all times. The commission shall
11 have the power to release or confiscate any specimens of any
12 wildlife, specifically birds, mammals, amphibians, or
13 reptiles, whether indigenous to the state or not, when it is
14 found that conditions under which they are being confined are
15 unsanitary, or unsafe to the public in any manner, or that the
16 species of wildlife are being maltreated, mistreated, or
17 neglected or kept in any manner contrary to the provisions of
18 chapter 828, any such permit to the contrary notwithstanding.
19 Before any such wildlife is confiscated or released under the
20 authority of this section, the owner thereof shall have been
21 advised in writing of the existence of such unsatisfactory
22 conditions; the owner shall have been given 30 days in which
23 to correct such conditions; the owner shall have failed to
24 correct such conditions; the owner shall have had an
25 opportunity for a proceeding pursuant to chapter 120; and the
26 commission shall have ordered such confiscation or release
27 after careful consideration of all evidence in the particular
28 case in question. The final order of the commission shall
29 constitute final agency action.

30 Section 26. Paragraph (b) of subsection (8) of section
31 212.06, Florida Statutes, is amended to read:

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1 212.06 Sales, storage, use tax; collectible from
2 dealers; "dealer" defined; dealers to collect from purchasers;
3 legislative intent as to scope of tax.--
4 (8)
5 (b) The presumption that tangible personal property
6 used in another state, territory of the United States, or the
7 District of Columbia for 6 months or longer before being
8 imported into this state was not purchased for use in this
9 state does not apply to any boat for which a saltwater fishing
10 license fee is required to be paid pursuant to s. 372.57(7)
11 ~~370.0605(2)(b)1., 2., or 3.~~, either directly or indirectly,
12 for the purpose of taking, attempting to take, or possessing
13 any marine fish for noncommercial purposes. Use tax shall
14 apply and be due on such a boat as provided in this paragraph,
15 and proof of payment of such tax must be presented prior to
16 the first such licensure of the boat, registration of the boat
17 pursuant to chapter 328, and titling of the boat pursuant to
18 chapter 328. A boat that is first licensed within 1 year after
19 purchase shall be subject to use tax on the full amount of the
20 purchase price; a boat that is first licensed in the second
21 year after purchase shall be subject to use tax on 90 percent
22 of the purchase price; a boat that is first licensed in the
23 third year after purchase shall be subject to use tax on 80
24 percent of the purchase price; a boat that is first licensed
25 in the fourth year after purchase shall be subject to use tax
26 on 70 percent of the purchase price; a boat that is first
27 licensed in the fifth year after purchase shall be subject to
28 use tax on 60 percent of the purchase price; and a boat that
29 is first licensed in the sixth year after purchase, or later,
30 shall be subject to use tax on 50 percent of the purchase
31 price. If the purchaser fails to provide the purchase invoice

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1 on such boat, the fair market value of the boat at the time of
2 importation into this state shall be used to compute the tax.

3 Section 27. Paragraph (1) of subsection (4) of section
4 215.20, Florida Statutes, is amended to read:

5 215.20 Certain income and certain trust funds to
6 contribute to the General Revenue Fund.--

7 (4) The income of a revenue nature deposited in the
8 following described trust funds, by whatever name designated,
9 is that from which the deductions authorized by subsection (3)
10 shall be made:

11 (1) The Marine Resources Conservation Trust Fund
12 created by s. 370.0603 ~~s. 370.0608~~, with the exception of
13 those fees collected for recreational saltwater fishing
14 licenses as provided in s. 372.57 ~~370.0605~~.

15
16 The enumeration of the foregoing moneys or trust funds shall
17 not prohibit the applicability thereto of s. 215.24 should the
18 Governor determine that for the reasons mentioned in s. 215.24
19 the money or trust funds should be exempt herefrom, as it is
20 the purpose of this law to exempt income from its force and
21 effect when, by the operation of this law, federal matching
22 funds or contributions or private grants to any trust fund
23 would be lost to the state.

24 Section 28. Subsection (3) of section 705.101, Florida
25 Statutes, is amended to read:

26 705.101 Definitions.--As used in this chapter:

27 (3) "Abandoned property" means all tangible personal
28 property that does not have an identifiable owner and that has
29 been disposed on public property in a wrecked, inoperative, or
30 partially dismantled condition or has no apparent intrinsic
31 value to the rightful owner. ~~However,~~ Vessels determined to be

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1 derelict by the Fish and Wildlife Conservation Commission or a
2 county or municipality in accordance with the provisions of s.
3 823.11 are ~~not~~ included within this definition.

4 Section 29. Sections 370.0605, 370.0615, and 370.1111,
5 and subsections (10) and (11) of section 370.14, Florida
6 Statutes, are repealed.

7 Section 30. For fiscal year 2001-2002, there is hereby
8 appropriated \$6 million to be transferred from the general
9 revenue fund to the Marine Resources Conservation Trust Fund
10 within the Fish and Wildlife Conservation Commission. For
11 fiscal year 2001-2002, thereby is hereby appropriated \$6
12 million from the Marine Resources Conservation Trust Fund to
13 the Fish and Wildlife Conservation Commission to fund the costs
14 of 38 additional on-the-water law enforcement positions and 4
15 support staff. There are hereby authorized 42 full time
16 equivalent positions in the Fish and Wildlife Conservation
17 Commission.

18 Section 31. Beginning in fiscal year 2002-2003, and
19 annually thereafter, there is annually appropriated \$3.7
20 million to be transferred from the general revenue fund to the
21 Marine Resources Conservation Trust Fund within the Fish and
22 Wildlife Conservation Commission. Beginning in fiscal year
23 2002-2003, and annually thereafter, there is annually
24 appropriated \$3.7 million from the Marine Resources
25 Conservation Trust Fund to the Fish and Wildlife Conservation
26 Commission as continuation funding for the positions
27 established in section 30 of this act.

28 Section 32. This act shall take effect July 1, 2001.
29
30
31

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 2 through page 3, line 12
4 remove from the title of the bill: all of said lines

5

6 and insert in lieu thereof:

7 An act relating to funding for the Fish and
8 Wildlife Conservation Commission; amending s.
9 328.72, F.S.; specifying source of the county
10 portion of vessel registration fees; providing
11 for the return of certain vessel registration
12 fees to the vessel owner's county of Florida
13 residence; amending s. 328.76, F.S.; clarifying
14 provisions relating to distribution and uses of
15 funds in the Marine Resources Conservation
16 Trust Fund; renumbering and amending s.
17 370.062, F.S.; relating to issuance of license
18 tags for harvesting tarpon; modifying date for
19 tax collector's return of unissued tags;
20 deleting provisions relating to transfer of tag
21 fees to the Marine Resources conservation Trust
22 fund within a specified period; amending s.
23 370.0603, F.S.; specifying the uses of
24 designated funds deposited into the Marine
25 Resources Conservation Trust Fund; correcting a
26 cross-reference; renumbering and amending s.
27 370.0608, F.S.; providing for the deposit of
28 licenses and fees into the Marine Resources
29 Conservation Trust Fund; revising purposes for
30 which licenses and fees may be used;
31 renumbering and amending s. 370.0609, F.S.;

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1 providing for the expenditure of funds through
2 grants and contracts; amending s. 370.063,
3 F.S.; correcting a cross-reference; amending s.
4 372.105, F.S.; revising provisions relating to
5 sources and uses of funds in the Lifetime Fish
6 and Wildlife Trust Fund; amending s. 372.106,
7 F.S.; specifying distribution of certain funds
8 in the Dedicated License Trust Fund; amending
9 s. 372.16, F.S.; increasing the license fee for
10 private game preserves and farms; amending s.
11 372.561, F.S.; revising provisions relating
12 issuance of recreational licenses, permits, and
13 authorization numbers to take wild animal life,
14 freshwater aquatic life, and marine life, and
15 administrative costs and reporting related
16 thereto; creating s. 372.562, F.S.; providing
17 exemptions from recreational license and permit
18 fees; and requirements; amending s. 372.57,
19 F.S.; revising and reorganizing provisions
20 specifying fees and requirements for
21 recreational licenses, permits, and
22 authorization numbers, including hunting
23 licenses, saltwater and freshwater fishing
24 licenses, 5-year licenses, and lifetime
25 licenses; creating an annual gold sportsman's's
26 license; increasing the fee for a nonresident
27 Florida turkey permit; providing for pier
28 licenses and recreational vessel licenses, and
29 fees therefor; providing for snook permits and
30 crawfish permits, and uses thereof; amending
31 ss. 372.571, 372.5712, 372.5715, 372.5717,

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1 372.573, and 372.65, F.S.; correcting cross
2 references; amending s. 372.574, F.S.; revising
3 reporting requirements; creating s. 372.579,
4 F.S.; authorizing a processing fee for certain
5 licenses and permits; requiring a report;
6 providing rulemaking authority; amending s.
7 372.661, F.S.; increasing the license fee for a
8 private hunting preserve; amending s. 372.711,
9 F.S.; providing for dismissal of violations of
10 license or permit possession requirements,
11 under certain conditions; providing a fee;
12 reenacting s. 372.83(1)(h), F.S.; reenacting a
13 provision referencing penalties for violations
14 of hunting, fishing, and trapping license
15 requirements; amending s. 372.921, F.S.;
16 including amphibians in provisions relating to
17 exhibition of wildlife; increasing permit fees;
18 providing rulemaking authority; amending ss.
19 212.06 and 215.20, F.S.; amending s. 705.101,
20 F.S.; adding derelict vessels to the definition
21 of abandoned property; correcting cross
22 references; repealing s. 370.0605, F.S.,
23 relating to saltwater fishing licenses and
24 fees; repealing s. 370.0615, F.S., relating to
25 lifetime saltwater fishing licenses; repealing
26 s. 370.1111, F.S., relating to snook fishing
27 permits; repealing s. 370.14(10) and (11),
28 F.S., relating to recreational crawfish taking
29 permits and issuance of a crawfish stamp;
30 providing appropriations; providing an
31 effective date.