

By the Council for Ready Infrastructure and Representative  
Dockery

1                                   A bill to be entitled  
2           An act relating to funding for the Fish and  
3           Wildlife Conservation Commission; amending s.  
4           327.73, F.S.; providing for dismissal of  
5           violations of boating safety identification  
6           card possession requirements under certain  
7           conditions; providing a fee; amending s.  
8           328.72, F.S.; specifying source of the county  
9           portion of vessel registration fees; providing  
10          for the return of certain vessel registration  
11          fees to the vessel owner's county of Florida  
12          residence; amending s. 328.76, F.S.; clarifying  
13          provisions relating to distribution and uses of  
14          funds in the Marine Resources Conservation  
15          Trust Fund; renumbering and amending s.  
16          370.062, F.S., relating to issuance of license  
17          tags for harvesting tarpon; modifying date for  
18          tax collector's return of unissued tags;  
19          deleting provisions relating to transfer of tag  
20          fees to the Marine Resources Conservation Trust  
21          Fund within a specified period; amending s.  
22          370.0603, F.S.; specifying the uses of  
23          designated funds deposited into the Marine  
24          Resources Conservation Trust Fund; renumbering  
25          and amending s. 370.0608, F.S.; providing for  
26          the deposit of licenses and fees into the  
27          Marine Resources Conservation Trust Fund;  
28          revising purposes for which licenses and fees  
29          may be used; renumbering and amending s.  
30          370.0609, F.S.; providing for the expenditure  
31          of funds through grants and contracts to

1 specified research institutions; amending s.  
2 372.105, F.S.; revising provisions relating to  
3 sources and uses of funds in the Lifetime Fish  
4 and Wildlife Trust Fund; amending s. 372.106,  
5 F.S.; specifying distribution of certain funds  
6 in the Dedicated License Trust Fund; amending  
7 s. 372.16, F.S.; increasing the license fee for  
8 private game preserves and farms; amending s.  
9 372.561, F.S.; revising provisions relating to  
10 issuance of recreational licenses, permits, and  
11 authorization numbers to take wild animal life,  
12 freshwater aquatic life, and marine life, and  
13 administrative costs and reporting related  
14 thereto; creating s. 372.562, F.S.; providing  
15 exemptions from recreational license and permit  
16 fees and requirements; amending s. 372.57,  
17 F.S.; revising and reorganizing provisions  
18 specifying fees and requirements for  
19 recreational licenses, permits, and  
20 authorization numbers, including hunting  
21 licenses, saltwater and freshwater fishing  
22 licenses, 5-year licenses, and lifetime  
23 licenses; creating an annual gold sportsman's  
24 license; increasing the fee for a nonresident  
25 Florida turkey permit; providing for pier  
26 licenses and recreational vessel licenses, and  
27 fees therefor; providing for snook permits and  
28 crawfish permits, and uses thereof; amending  
29 ss. 370.063, 372.571, 372.5712, 372.5715,  
30 372.5717, 372.573, and 372.65, F.S.; correcting  
31 cross references; deleting obsolete language;

1 amending s. 372.574, F.S.; revising subagent  
2 duties and reporting requirements; creating s.  
3 372.579, F.S.; authorizing a processing fee for  
4 certain licenses and permits; requiring a  
5 report; providing rulemaking authority;  
6 amending s. 372.661, F.S.; increasing the  
7 license fee for a private hunting preserve;  
8 amending s. 372.711, F.S.; providing for  
9 dismissal of violations of license or permit  
10 possession requirements, under certain  
11 conditions; providing a fee; reenacting s.  
12 372.83(1)(h), F.S.; reenacting a provision  
13 referencing penalties for violations of  
14 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 s.  
19 372.922, F.S.; requiring a permit for personal  
20 possession of wildlife by an exhibitor or  
21 seller; providing a fee exemption; amending s.  
22 705.101, F.S.; including derelict vessels  
23 within the definition of "abandoned property";  
24 amending ss. 212.06 and 215.20, F.S.;  
25 correcting cross references; repealing s.  
26 370.0605, F.S., relating to saltwater fishing  
27 licenses and fees; repealing s. 370.0615, F.S.,  
28 relating to lifetime saltwater fishing  
29 licenses; repealing s. 370.1111, F.S., relating  
30 to snook fishing permits; repealing s.  
31 370.14(10) and (11), F.S., relating to

1 recreational crawfish taking permits and  
2 issuance of a crawfish stamp; providing  
3 appropriations; providing an effective date.  
4

5 Be It Enacted by the Legislature of the State of Florida:  
6

7 Section 1. Subsection (4) of section 327.73, Florida  
8 Statutes, is amended to read:

9 327.73 Noncriminal infractions.--

10 (4) Any person charged with a noncriminal infraction  
11 under this section may:

12 (a) Pay the civil penalty, either by mail or in  
13 person, within 30 days of the date of receiving the citation;  
14 or,

15 (b) If he or she has posted bond, forfeit bond by not  
16 appearing at the designated time and location.  
17

18 If the person cited follows either of the above procedures, he  
19 or she shall be deemed to have admitted the noncriminal  
20 infraction and to have waived the right to a hearing on the  
21 issue of commission of the infraction. Such admission shall  
22 not be used as evidence in any other proceedings. If a person  
23 who is cited for a violation of s. 327.395 can show a boating  
24 safety identification card issued to him or her and valid at  
25 the time of the citation, the clerk of the court may dismiss  
26 the case and may assess a \$5 dismissal fee.

27 Section 2. Subsection (1) of section 328.72, Florida  
28 Statutes, and subsection (15) of said section as amended by  
29 section 31 of chapter 2000-362, Laws of Florida, are amended  
30 to read:  
31

1           328.72 Classification; registration; fees and charges;  
2 surcharge; disposition of fees; fines; marine turtle  
3 stickers.--  
4           (1) VESSEL REGISTRATION FEE.--Vessels that are  
5 required to be registered shall be classified for registration  
6 purposes according to the following schedule, and the  
7 registration certificate fee shall be in the following  
8 amounts. The county portion of the vessel registration fee is  
9 derived from recreational vessels only.†  
10           Class A-1--Less than 12 feet in length, and all canoes  
11 to which propulsion motors have been attached, regardless of  
12 length.....\$3.50  
13           Class A-2--12 feet or more and less than 16 feet in  
14 length.....10.50  
15 (To county).....2.85  
16           Class 1--16 feet or more and less than 26 feet in  
17 length.....18.50  
18 (To county).....8.85  
19           Class 2--26 feet or more and less than 40 feet in  
20 length.....50.50  
21 (To county).....32.85  
22           Class 3--40 feet or more and less than 65 feet in  
23 length.....82.50  
24 (To county).....56.85  
25           Class 4--65 feet or more and less than 110 feet in  
26 length.....98.50  
27 (To county).....68.85  
28           Class 5--110 feet or more in length.....122.50  
29 (To county).....86.85  
30           Dealer registration certificate .....16.50  
31

1           (15) DISTRIBUTION OF FEES.--Moneys designated for the  
2 use of the counties, as specified in subsection (1), shall be  
3 distributed by the tax collector to the board of county  
4 commissioners for use as provided in this section. Such  
5 moneys to be returned to the counties are for the sole  
6 purposes of providing recreational channel marking and public  
7 launching facilities and other boating-related activities, for  
8 removal of vessels and floating structures deemed a hazard to  
9 public safety and health for failure to comply with s. 327.53,  
10 and for manatee and marine mammal protection and recovery. The  
11 county portion of the vessel registration certificate fee  
12 collected by the Fast Title Section of the Bureau of Titles  
13 and Registration of the Department of Highway Safety and Motor  
14 Vehicles must be returned to the vessel owner's county of  
15 Florida residence.

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

18           328.76 Marine Resources Conservation Trust Fund;  
19 vessel registration funds; appropriation and distribution.--

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

31

1 (a) In each fiscal year, an amount equal to \$1.50 for  
2 each commercial and noncommercial vessel registered in this  
3 state shall be transferred to the Save the Manatee Trust Fund  
4 and shall be used only for the purposes specified in s.  
5 370.12(4).

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

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

14 (d) An amount equal to 40 ~~forty~~ percent of the  
15 registration fees from commercial vessels shall be transferred  
16 by the Department of Highway Safety and Motor Vehicles, on a  
17 monthly basis, to the General Inspection Trust Fund of the  
18 Department of Agriculture and Consumer Services. These funds  
19 shall be used for shellfish and aquaculture law enforcement  
20 and quality control programs.

21 Section 4. Paragraph (c) of subsection (2) of section  
22 370.0603, Florida Statutes, is amended, and subsection (4) is  
23 added to said section, to read:

24 370.0603 Marine Resources Conservation Trust Fund;  
25 purposes.--

26 (2) The Marine Resources Conservation Trust Fund shall  
27 receive the proceeds from:

28 (c) All fees collected pursuant to ss. ~~370.062,~~  
29 370.063, ~~and~~ 370.142, and 372.5704.

30 (4) Except as otherwise provided in this section,  
31 general revenue funds transferred to the commission for

1 deposit into the Marine Resources Conservation Trust Fund  
2 shall be used by the commission to provide additional manatee  
3 protection by increasing on-the-water law enforcement.

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

7 372.5701 ~~370.0608~~ Deposit of license fees; allocation  
8 of federal funds.--

9 (1) Except as otherwise provided, all saltwater  
10 license and permit fees collected pursuant to s. 372.57 ~~All~~  
11 ~~license fees collected pursuant to s. 370.0605~~ shall be  
12 deposited into the Marine Resources Conservation Trust Fund,  
13 to be used as follows:

14 (a) Not less than 5 percent of the total fees  
15 collected shall be used for marine fisheries management. ~~Not~~  
16 ~~more than 5 percent of the total fees collected shall be used~~  
17 ~~to carry out the responsibilities of the Fish and Wildlife~~  
18 ~~Conservation Commission and to provide for the award of funds~~  
19 ~~to marine research institutions in this state for the purposes~~  
20 ~~of enabling such institutions to conduct worthy marine~~  
21 ~~research projects.~~

22 (b) Not less than 2.5 percent of the total fees  
23 collected shall be used for saltwater aquatic education  
24 purposes.

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

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

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



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

3           d. Not less than 30 percent of the total fees  
4 collected, for saltwater fisheries ~~fishery~~ enhancement,  
5 including, but not limited to, fishery statistics development,  
6 artificial reefs, and fish hatcheries.

7           2. The Legislature shall annually appropriate to the  
8 commission from the General Revenue Fund for the activities  
9 and programs specified in subparagraph 1. at least the same  
10 amount of money as was appropriated to the Department of  
11 Environmental Protection from the General Revenue Fund for  
12 such activities and programs for fiscal year 1988-1989, and  
13 the amounts appropriated to the commission for such activities  
14 and programs from the Marine Resources Conservation Trust Fund  
15 shall be in addition to the amount appropriated to the  
16 commission for such activities and programs from the General  
17 Revenue Fund. The proceeds from recreational saltwater fishing  
18 license fees paid by fishers shall only be appropriated to the  
19 commission.

20           (2) Funds available from the Wallop-Breaux Aquatic  
21 Resources Trust Fund shall be distributed by the commission  
22 between the Division of Freshwater Fisheries and the Division  
23 of Marine Fisheries in proportion to the numbers of resident  
24 fresh and saltwater anglers as determined by the most current  
25 data on license sales. Unless otherwise provided by federal  
26 law, the commission, at a minimum, shall provide the  
27 following:

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

31

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

4 ~~(3) All license fees collected pursuant to s. 370.0605~~  
5 ~~shall be transferred to the Marine Resources Conservation~~  
6 ~~Trust Fund within 7 days following the last business day of~~  
7 ~~the week in which the license fees were received by the~~  
8 ~~commission. One-fifth of the total proceeds derived from the~~  
9 ~~sale of 5-year licenses and replacement 5-year licenses, and~~  
10 ~~all interest derived therefrom, shall be available for~~  
11 ~~appropriation annually.~~

12 Section 6. Section 370.0609, Florida Statutes, is  
13 renumbered as section 372.5702, Florida Statutes, and amended  
14 to read:

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

28 Section 7. Section 370.062, Florida Statutes, is  
29 renumbered as section 372.5704, Florida Statutes, and  
30 subsections (1) and (9) of said section are amended to read:  
31

1           372.5704 ~~370.062~~ Fish and Wildlife Conservation  
2 Commission license program for tarpon; fees; penalties.--  
3           (1) The ~~Fish and Wildlife Conservation~~ commission  
4 shall establish a license program for the purpose of issuing  
5 tags to individuals desiring to harvest tarpon (*megalops*  
6 *atlantica*) from the waters of the state of ~~Florida~~. The tags  
7 shall be nontransferable, except that the commission may allow  
8 for a limited number of tags to be purchased by professional  
9 fishing guides for transfer to individuals, and issued by the  
10 commission in order of receipt of a properly completed  
11 application for a nonrefundable fee of \$50 per tag. The  
12 commission and any tax collector may sell the tags and collect  
13 the fees therefor. Tarpon tags are valid from July 1 through  
14 June 30. Before August 15 ~~5~~ of each year, each tax collector  
15 shall submit to the commission all unissued tags for the  
16 previous calendar year along with a written audit report, on  
17 forms prescribed or approved by the commission, as to the  
18 numbers of the unissued tags. To defray the cost of issuing  
19 any tag, the issuing tax collector shall collect and retain as  
20 his or her costs, in addition to the tag fee collected, the  
21 amount allowed under s. 372.561(7) ~~(4)~~ for the issuance of  
22 licenses.

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

27           Section 8. Subsection (3) of section 370.063, Florida  
28 Statutes, is amended to read:

29           370.063 Special recreational crawfish license.--There  
30 is created a special recreational crawfish license, to be  
31 issued to qualified persons as provided by this section for

1 the recreational harvest of crawfish (spiny lobster) beginning  
2 August 5, 1994.

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

7 Section 9. Paragraph (b) of subsection (2) and  
8 subsection (3) of section 372.105, Florida Statutes, are  
9 amended to read:

10 372.105 Lifetime Fish and Wildlife Trust Fund.--

11 (2) The principal of the fund shall be derived from  
12 the following:

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

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

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

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

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

3 (c) The interest income received and accruing from the  
4 investments of proceeds from the sale of lifetime saltwater  
5 fishing licenses shall be expended for marine law enforcement,  
6 marine research, and marine fishery enhancement.

7 (d)~~(c)~~ No expenditures or disbursements from the  
8 interest income derived from the sale of lifetime licenses  
9 shall be made for any purpose until the respective holders of  
10 such licenses attain the age of 16 years. The Fish and  
11 Wildlife Conservation Commission as administrator of the fund  
12 shall determine actuarially on an annual basis the amounts of  
13 interest income within the fund which may be disbursed  
14 pursuant to this paragraph. The director shall cause deposits  
15 of proceeds from the sale of lifetime licenses to be  
16 identifiable by the ages of the license recipients.

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

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

23 Section 10. Section 372.106, Florida Statutes, is  
24 amended to read:

25 372.106 Dedicated License Trust Fund.--

26 (1) There is established within the Fish and Wildlife  
27 Conservation Commission the Dedicated License Trust Fund. The  
28 fund shall be credited with moneys collected pursuant to s.  
29 ~~ss. 370.0605 and 372.57~~ for 5-year licenses and replacement  
30 5-year licenses.

31

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

5       (b) One-fifth of the total proceeds from the sale of  
6 5-year saltwater fishing licenses and replacement licenses,  
7 and all interest derived therefrom, shall be appropriated  
8 annually to the Marine Resources Conservation Trust Fund.

9       ~~(3)(2)~~ The fund shall be exempt from the provisions of  
10 s. 215.20.

11       Section 11. Subsections (1) and (4) of section 372.16,  
12 Florida Statutes, are amended to read:

13       372.16 Private game preserves and farms; penalty.--

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

25       (4) Any person violating ~~the provisions of this~~  
26 section ~~shall~~ for the first offense commits ~~be guilty~~ of a  
27 misdemeanor of the second degree, punishable as provided in s.  
28 775.082 or s. 775.083, and for a second or subsequent offense  
29 commits ~~shall be guilty~~ of a misdemeanor of the first degree,  
30 punishable as provided in s. 775.082 or s. 775.083. Any  
31 person convicted of violating ~~the provisions of this section~~

1 shall forfeit, to the ~~Fish and Wildlife Conservation~~  
2 commission, any license or permit issued under this section  
3 ~~the provisions hereof~~; and no further license or permit shall  
4 be issued to such person for a period of 1 year following such  
5 conviction. ~~Before any private game preserve or farm is~~  
6 ~~established, the owner or operator shall secure a license from~~  
7 ~~the Fish and Wildlife Conservation Commission, the fee for~~  
8 ~~which shall be \$5 per year.~~

9 Section 12. Section 372.561, Florida Statutes, is  
10 amended to read:

11 (Substantial rewording of section. See  
12 s. 372.561, F.S., for present text.)

13 372.561 Recreational licenses, permits, and  
14 authorization numbers to take wild animal life, freshwater  
15 aquatic life, and marine life; issuance; costs; reporting.--

16 (1) This section applies to all recreational licenses  
17 and permits and to any authorization numbers issued by the  
18 commission through the electronic sale of recreational  
19 licenses or permits.

20 (2) The commission shall establish forms for the  
21 issuance of recreational licenses and permits.

22 (3) The commission shall issue a license, permit, or  
23 authorization number to take wild animal life, freshwater  
24 aquatic life, or marine life when an applicant provides proof  
25 that she or he is entitled to such license, permit, or  
26 authorization number. Each applicant for a recreational  
27 license, permit, or authorization number shall provide her or  
28 his social security number on the application form.

29 Disclosure of social security numbers obtained through this  
30 requirement shall be limited to the purposes of administration  
31

1 of the Title IV-D program for child support enforcement, use  
2 by the commission, and as otherwise provided by law.

3 (4) The commission is authorized to establish the  
4 following, using competitive bid procedures:

5 (a) A process and a vendor fee for the sale of  
6 licenses, permits, and authorization numbers over the  
7 telephone using a credit card.

8 (b) A process and a vendor fee for the electronic sale  
9 of licenses, permits, and authorization numbers.

10 (c) A process and a vendor fee for a statewide  
11 automated license system.

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

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

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

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

24 3. For each saltwater fishing tag or license sold,  
25 including combination saltwater fishing and freshwater fishing  
26 licenses, or combination saltwater fishing, freshwater  
27 fishing, and hunting licenses, a tax collector may retain  
28 \$1.50.

29 (b) Tax collectors shall remit license and permit  
30 moneys, along with a report of funds collected and other  
31 required documentation, to the commission weekly. Tax



1 collectors shall maintain records of all licenses and permits  
2 that are sold, voided, stolen, or lost.

3 1. The tax collector is responsible to the commission  
4 for the fees for all licenses and permits sold and for the  
5 value of all licenses and permits reported as lost.

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

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

11 4. The tax collector is responsible for the fees for  
12 all licenses and permits sold or lost by a subagent appointed  
13 pursuant to s. 372.574.

14 (8) The commission is authorized to adopt rules  
15 pursuant to ss. 120.536(1) and 120.54 to implement the  
16 provisions of this section.

17 Section 13. Section 372.562, Florida Statutes, is  
18 created to read:

19 372.562 Recreational licenses and permits; exemptions  
20 from fees and requirements.--

21 (1) Hunting, freshwater fishing, and saltwater fishing  
22 licenses and permits shall be issued without fee to any  
23 resident who is certified:

24 (a) To be totally and permanently disabled by the  
25 Railroad Retirement Board, by the United States Department of  
26 Veterans Affairs or its predecessor, or by any branch of the  
27 United States Armed Forces, or who holds a valid  
28 identification card issued under the provisions of s. 295.17,  
29 upon proof of same. Any license issued under this paragraph  
30 after January 1, 1997, expires after 5 years and must be  
31 reissued, upon request, every 5 years thereafter.

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

6  
7 A disability license issued after July 1, 1997, and before  
8 July 1, 2000, retains the rights vested thereunder until the  
9 license has expired.

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

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

14            (b) Any person hunting or fishing on her or his  
15 homestead property, or on the homestead property of the  
16 person's spouse or minor child; or any minor child hunting or  
17 fishing on the homestead property of her or his parent.

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

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

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

31

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

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

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

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

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

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

15       (l) Any person recreationally fishing from a pier  
16 licensed under s. 372.57.

17       (m) Any resident who is fishing for mullet in  
18 freshwater and who has a valid Florida freshwater fishing  
19 license.

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

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

28       Section 14. Section 372.57, Florida Statutes, is  
29 amended to read:

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

1           372.57 Recreational licenses, permits, and  
2 authorization numbers; fees established.--  
3           (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER  
4 REQUIRED.--Except as provided in s. 372.562, no person shall  
5 hunt, fish, or take fur-bearing animals within this state  
6 without having first obtained a license, permit, or  
7 authorization number and paying the fees set forth in this  
8 chapter. Such license, permit, or authorization number shall  
9 authorize the person to whom it is issued to hunt, fish, take  
10 fur-bearing animals, and participate in outdoor recreational  
11 activities in accordance with the laws of the state and rules  
12 of the commission.  
13           (2) NONTRANSFERABILITY; INFORMATION AND  
14 DOCUMENTATION.--  
15           (a) Licenses, permits, and authorization numbers  
16 issued under this chapter are not transferable. Each license  
17 and permit must bear on its face in indelible ink the name of  
18 the person to whom it is issued and other information as  
19 deemed necessary by the commission. Licenses issued to the  
20 owner, operator, or custodian of a vessel that directly or  
21 indirectly collects fees for taking or attempting to take or  
22 possess saltwater fish for noncommercial purposes must include  
23 the vessel registration number or federal documentation  
24 number. Annual licenses must be dated when issued and shall  
25 remain valid for 12 months after the date of issuance.  
26           (b) The lifetime licenses and 5-year licenses  
27 authorized in this section shall be embossed with the name,  
28 date of birth, date of issuance, and other pertinent  
29 information as deemed necessary by the commission. A certified  
30 copy of the applicant's birth certificate shall accompany each  
31

1 application for a lifetime license for a resident 12 years of  
2 age or younger.

3 (c) A positive form of identification is required when  
4 using a free license, a lifetime license, a 5-year license, or  
5 an authorization number issued under this chapter, or when  
6 otherwise required by a license or permit.

7 (3) PERSONAL POSSESSION REQUIRED.--Each license,  
8 permit, or authorization number must be in the personal  
9 possession of the person to whom it is issued while such  
10 person is hunting, fishing, or taking fur-bearing animals. Any  
11 person hunting, fishing, or taking fur-bearing animals who  
12 fails to produce a license, permit, or authorization number at  
13 the request of a commission law enforcement officer commits a  
14 violation of the law.

15 (4) RESIDENT HUNTING AND FISHING LICENSES.--The  
16 licenses and fees for residents participating in hunting and  
17 fishing activities in this state are as follows:

18 (a) Annual freshwater fishing license, \$12.

19 (b) Annual saltwater fishing license, \$12.

20 (c) Annual hunting license to take game, \$11.

21 (d) Annual combination freshwater fishing and hunting  
22 license, \$22.

23 (e) Annual combination freshwater fishing and  
24 saltwater fishing license, \$24.

25 (f) Annual combination hunting, freshwater fishing,  
26 and saltwater fishing license, \$34.

27 (g) Annual license to take fur-bearing animals, \$25.

28 However, a resident with a valid hunting license or a no-cost  
29 license who is taking fur-bearing animals for noncommercial  
30 purposes using guns or dogs only, and not traps or other  
31 devices, is not required to purchase this license. Also, a

1 resident 65 years of age or older is not required to purchase  
2 this license.

3 (h) Annual sportsman's license, \$66, except that an  
4 annual sportsman's license for a resident 64 years of age or  
5 older is \$12. A sportsman's license authorizes the person to  
6 whom it is issued to take freshwater fish and game, subject to  
7 the state and federal laws, rules, and regulations, including  
8 rules of the commission, in effect at the time of the taking.  
9 Other authorized activities include activities authorized by a  
10 management area permit, a muzzle-loading gun permit, a turkey  
11 permit, a Florida waterfowl permit, and an archery permit.

12 (i) Annual gold sportsman's license, \$82. The gold  
13 sportsman's license authorizes the person to whom it is issued  
14 to take freshwater fish, saltwater fish, and game, subject to  
15 the state and federal laws, rules, and regulations, including  
16 rules of the commission, in effect at the time of taking.  
17 Other authorized activities include activities authorized by a  
18 management area permit, a muzzle-loading gun permit, a turkey  
19 permit, a Florida waterfowl permit, an archery permit, a snook  
20 permit, and a crawfish permit.

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

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

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

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

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

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

1       (f) Hunting license to take game for 10 consecutive  
2 days, \$25.

3       (g) Annual hunting license to take game, \$150.

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

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

9       (6) PIER LICENSE.--A pier license for any pier fixed  
10 to land for the purpose of taking or attempting to take  
11 saltwater fish is \$500 per year. The pier license may be  
12 purchased at the option of the owner, operator, or custodian  
13 of such pier and must be available for inspection at all  
14 times.

15       (7) VESSEL LICENSES.--

16       (a) No person may operate any vessel wherein a fee is  
17 paid, either directly or indirectly, for the purpose of  
18 taking, attempting to take, or possessing any marine fish for  
19 noncommercial purposes unless he or she has been issued an  
20 authorization number or has obtained a license for each vessel  
21 for that purpose, and has paid the license fee pursuant to  
22 paragraphs (b) and (c) for such vessel.

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

28       (c)1. A license for any person who operates any vessel  
29 licensed to carry no more than 10 customers, or for any person  
30 licensed to operate any vessel carrying 6 or fewer customers,  
31 wherein a fee is paid, either directly or indirectly, for the

1 purpose of taking or attempting to take marine fish is \$400  
2 per year.

3 2. A license for any person licensed to operate any  
4 vessel carrying six or fewer customers wherein a fee is paid,  
5 either directly or indirectly, for the purpose of taking or  
6 attempting to take marine fish is \$200 per year. The license  
7 must be kept aboard the vessel at all times.

8 3. A person who operates a vessel required to be  
9 licensed pursuant to paragraph (b) or paragraph (c) may obtain  
10 a license in his or her own name, and such license shall be  
11 transferable and apply to any vessel operated by the  
12 purchaser, provided that the purchaser has paid the  
13 appropriate license fee.

14 (d) A license for a recreational vessel not for hire  
15 and for which no fee is paid, either directly or indirectly,  
16 by guests for the purpose of taking or attempting to take  
17 marine fish noncommercially is \$2,000 per year. The license  
18 may be purchased at the option of the vessel owner and must be  
19 kept aboard the vessel at all times. A log of species taken  
20 and the date the species were taken shall be maintained and a  
21 copy of the log filed with the commission at the time of  
22 renewal of the license.

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

27 (8) SPECIFIED HUNTING, FISHING, AND RECREATIONAL  
28 ACTIVITY PERMITS.--In addition to any license required under  
29 this chapter, the following permits and fees for specified  
30 hunting, fishing, and recreational uses and activities are  
31 required:



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

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

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

8       (d) An annual snook permit for a resident or  
9 nonresident to take or possess any snook from any waters of  
10 the state is \$2. Revenue generated from the sale of snook  
11 permits shall be used exclusively for programs to benefit the  
12 snook population.

13       (e) An annual crawfish permit for a resident or  
14 nonresident to take or possess any crawfish for recreational  
15 purposes from any waters of the state is \$2. Revenue  
16 generated from the sale of crawfish permits shall be used  
17 exclusively for programs to benefit the crawfish population.

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

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

28       (h) A special use permit for a resident or nonresident  
29 to participate in limited entry hunting or fishing activities  
30 as authorized by commission rule shall not exceed \$100 per day  
31 or \$250 per week. Notwithstanding any other provision of this

1 chapter, there are no exclusions, exceptions, or exemptions  
2 from this permit fee. In addition to the permit fee, the  
3 commission may charge each special use permit applicant a  
4 nonrefundable application fee not to exceed \$10.

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

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

15 3. Other than for hunting or fishing, the provisions  
16 of this paragraph shall not apply on any lands not owned by  
17 the commission, unless the commission has obtained the written  
18 consent of the owner or primary custodian of such lands.

19 (j)1. A recreational user permit is required to hunt  
20 on, fish on, or otherwise use for outdoor recreational  
21 purposes land leased by the commission from private  
22 nongovernmental owners, except for those lands located  
23 directly north of the Apalachicola National Forest, east of  
24 the Ochlocknee River until the point the river meets the dam  
25 forming Lake Talquin, and south of the closest federal  
26 highway. The fee for a recreational user permit shall be  
27 based upon the economic compensation desired by the landowner,  
28 game population levels, desired hunter density, and  
29 administrative costs. The permit fee shall be set by  
30 commission rule on a per-acre basis. The recreational user  
31 permit fee, less administrative costs of up to \$25 per permit,

1 shall be remitted to the landowner as provided in the lease  
2 agreement for each area.

3 2. One minor dependent, 16 years of age or younger,  
4 may hunt under the supervision of the permittee and is exempt  
5 from the recreational user permit requirements. The spouse  
6 and dependent children of a permittee are exempt from the  
7 recreational user permit requirements when engaged in outdoor  
8 recreational activities other than hunting and when  
9 accompanied by a permittee. Notwithstanding any other  
10 provision of this chapter, no other exclusions, exceptions, or  
11 exemptions from the recreational user permit fee are  
12 authorized.

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

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

22 2. A 5-year hunting license is \$55 and authorizes the  
23 person to whom it is issued to take or attempt to take or  
24 possess game consistent with the state and federal laws and  
25 regulations and rules of the commission in effect at the time  
26 of taking.

27 (b) Proceeds from the sale of all 5-year licenses  
28 shall be deposited into the Dedicated License Trust Fund, to  
29 be distributed in accordance with the provisions of s.  
30 372.106.

31

- 1           (10) RESIDENT LIFETIME FRESHWATER AND SALTWATER  
2 FISHING LICENSES.--
- 3           (a) Lifetime freshwater fishing licenses and saltwater  
4 fishing licenses are available for residents only, as follows,  
5 for:
- 6           1. Persons 4 years of age or younger, for a fee of  
7 \$125 for each type of license.
- 8           2. Persons 5 years of age or older, but under 13 years  
9 of age, for a fee of \$225 for each type of license.
- 10           3. Persons 13 years of age or older, for a fee of \$300  
11 for each type of license.
- 12           (b) The following activities are authorized by the  
13 purchase of a lifetime freshwater fishing license:
- 14           1. Taking, or attempting to take or possess,  
15 freshwater fish consistent with the state and federal laws and  
16 regulations and rules of the commission in effect at the time  
17 of the taking.
- 18           2. All activities authorized by a management area  
19 permit, excluding hunting.
- 20           (c) The following activities are authorized by the  
21 purchase of a lifetime saltwater fishing license:
- 22           1. Taking, or attempting to take or possess, saltwater  
23 fish consistent with the state and federal laws and  
24 regulations and rules of the commission in effect at the time  
25 of the taking.
- 26           2. All activities authorized by a snook permit and a  
27 crawfish permit.
- 28           3. All activities for which an additional license,  
29 permit, or fee is required to take or attempt to take or  
30 possess saltwater fish, which additional license, permit, or  
31

1 fee was imposed subsequent to the date of the purchase of the  
2 lifetime saltwater fishing license.

3 (11) RESIDENT LIFETIME HUNTING LICENSES.--  
4 (a) Lifetime hunting licenses are available to  
5 residents only, as follows, for:

6 1. Persons 4 years of age or younger, for a fee of  
7 \$200.

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

10 3. Persons 13 years of age or older, for a fee of  
11 \$500.

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

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

17 2. All activities authorized by a muzzle-loading gun  
18 permit, a turkey permit, an archery permit, a Florida  
19 waterfowl permit, and a management area permit, excluding  
20 fishing.

21 (12) RESIDENT LIFETIME SPORTSMAN'S LICENSES.--  
22 (a) Lifetime sportsman's licenses are available, to  
23 residents only, as follows, for:

24 1. Persons 4 years of age or younger, for a fee of  
25 \$400.

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

28 3. Persons 13 years of age or older, for a fee of  
29 \$1,000.

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

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

5           2. All activities authorized by a management area  
6 permit, a muzzle-loading gun permit, a turkey permit, an  
7 archery permit, a Florida waterfowl permit, a snook permit,  
8 and a crawfish permit.

9  
10 The proceeds from the sale of all lifetime licenses authorized  
11 in this section shall be deposited into the Lifetime Fish and  
12 Wildlife Trust Fund, to be distributed as provided in s.  
13 372.105.

14           (13) RECIPROCAL FEE AGREEMENTS.--The commission is  
15 authorized to reduce the fees for licenses and permits under  
16 this section for residents of those states with which the  
17 commission has entered into reciprocal agreements with respect  
18 to such fees.

19           (14) FREE FISHING DAYS.--The commission may designate  
20 by rule no more than 2 consecutive or nonconsecutive days in  
21 each year as free freshwater fishing days and no more than 2  
22 consecutive or nonconsecutive days in each year as free  
23 saltwater fishing days. Notwithstanding any other provision  
24 of this chapter, any person may take freshwater fish for  
25 noncommercial purposes on a free freshwater fishing day and  
26 may take saltwater fish for noncommercial purposes on a free  
27 saltwater fishing day, without obtaining or possessing a  
28 license or paying a license fee as prescribed in this section.  
29 A person who takes freshwater or saltwater fish on a free  
30 fishing day without obtaining a license or paying a fee must  
31 comply with all laws, rules, and regulations governing the

1 holders of a fishing license and all other conditions and  
2 limitations regulating the taking of freshwater or saltwater  
3 fish as are imposed by law or rule.

4 Section 15. Section 372.571, Florida Statutes, is  
5 amended to read:

6 372.571 Expiration of licenses and permits.--Each  
7 license or permit issued under this chapter must be dated when  
8 issued. Each license or permit issued under this chapter  
9 remains valid for 12 months after the date of issuance, except  
10 for a lifetime license issued pursuant to s. 372.57 which is  
11 valid from the date of issuance until the death of the  
12 individual to whom the license is issued unless otherwise  
13 revoked in accordance with s. 372.99, or a 5-year license  
14 issued pursuant to s. 372.57 which is valid for 5 consecutive  
15 years from the date of purchase unless otherwise revoked in  
16 accordance with s. 372.99 or a license issued pursuant to s.  
17 372.57(5)(a), (b), (c), or (g) or (8)(h) or (i)2.(2)(b) or  
18 ~~(g)~~, which is valid for the period specified on the license.  
19 A resident lifetime license or a resident 5-year license that  
20 has been purchased by a resident of this state and who  
21 subsequently resides in another state shall be honored for  
22 activities authorized by that license.

23 Section 16. Subsection (1) of section 372.5712,  
24 Florida Statutes, is amended to read:

25 372.5712 Florida waterfowl permit revenues.--

26 (1) The commission shall expend the revenues generated  
27 from the sale of the Florida waterfowl permit as provided in  
28 s. 372.57(8)(4)(a) or that pro rata portion of any license  
29 that includes waterfowl hunting privileges, as provided in s.  
30 372.57(4)(h) and(2)(i) ~~and (14)(b)~~ as follows: A maximum of  
31 5 percent of the gross revenues shall be expended for

1 administrative costs; a maximum of 25 percent of the gross  
2 revenues shall be expended for waterfowl research approved by  
3 the commission; and a maximum of 70 percent of the gross  
4 revenues shall be expended for projects approved by the  
5 commission, in consultation with the Waterfowl Advisory  
6 Council, for the purpose of protecting and propagating  
7 migratory waterfowl and for the development, restoration,  
8 maintenance, and preservation of wetlands within the state.

9 Section 17. Subsection (1) of section 372.5715,  
10 Florida Statutes, is amended to read:

11 372.5715 Florida wild turkey permit revenues.--

12 (1) The commission shall expend the revenues generated  
13 from the sale of the turkey permit as provided for in s.  
14 372.57(8)(b) and (c)~~(4)(e)~~ or that pro rata portion of any  
15 license that includes turkey hunting privileges as provided  
16 for in s. 372.57(4)(h) and (2)(i) ~~and (14)(b)~~ for research and  
17 management of wild turkeys.

18 Section 18. Subsection (7) of section 372.5717,  
19 Florida Statutes, is amended to read:

20 372.5717 Hunter safety course; requirements;  
21 penalty.--

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

25 Section 19. Section 372.573, Florida Statutes, is  
26 amended to read:

27 372.573 Management area permit revenues.--The  
28 commission shall expend the revenue generated from the sale of  
29 the management area permit as provided for in s. 372.57(8)(i)  
30 ~~(4)(b)~~ or that pro rata portion of any license that includes  
31 management area privileges as provided for in s. 372.57(4)(h)



1 ~~and~~(2)(i) ~~and~~ (14)(b)for the lease, management, and  
2 protection of lands for public hunting, fishing, and other  
3 outdoor recreation.

4 Section 20. Paragraph (h) of subsection (1) and  
5 paragraphs (e) and (i) of subsection (2) of section 372.574,  
6 Florida Statutes, are amended to read:

7 372.574 Appointment of subagents for the sale of  
8 hunting, fishing, and trapping licenses and permits.--

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

14 (h) A subagent shall weekly submit payment for and  
15 report the sale of licenses and permits to the tax collector  
16 ~~as prescribed by the tax collector but no less frequently than~~  
17 ~~monthly.~~

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

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

1 ~~fee for electronic license sales may be established by~~  
2 ~~competitive bid procedures that are overseen by the Fish and~~  
3 ~~Wildlife Conservation Commission.~~

4 ~~(i) By July 15 of each year, each subagent shall~~  
5 ~~submit to the commission all unissued stamps for the previous~~  
6 ~~year along with a written audit report, on forms prescribed or~~  
7 ~~approved by the commission, on the numbers of the unissued~~  
8 ~~stamps.~~

9 Section 21. Section 372.579, Florida Statutes, is  
10 created to read:

11 372.579 Processing applications for licenses and  
12 permits.--

13 (1) The commission is authorized to impose a  
14 processing fee not to exceed \$100 for each license or permit  
15 required by Title 68 of the Florida Administrative Code. The  
16 commission shall annually report actions taken under this  
17 section to the President of the Senate, the Speaker of the  
18 House of Representatives, and the appropriate substantive and  
19 fiscal committees of the Legislature.

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

23 Section 22. Paragraph (a) of subsection (1) and  
24 subsection (2) of section 372.65, Florida Statutes, are  
25 amended to read:

26 372.65 Freshwater fish dealer's license.--

27 (1) No person shall engage in the business of taking  
28 for sale or selling any frogs or freshwater fish, including  
29 live bait, of any species or size, or importing any exotic or  
30 nonindigenous fish, until such person has obtained a license  
31 and paid the fee therefor as set forth herein. The license

1 issued shall be in the possession of the person to whom issued  
2 while such person is engaging in the business of taking for  
3 sale or selling freshwater fish or frogs, is not transferable,  
4 shall bear on its face in indelible ink the name of the person  
5 to whom it is issued, and shall be affixed to a license  
6 identification card issued by the commission. Such license is  
7 not valid unless it bears the name of the person to whom it is  
8 issued and is so affixed. The failure of such person to  
9 exhibit such license to the commission or any of its wildlife  
10 officers when such person is found engaging in such business  
11 is a violation of law. The license fees and activities  
12 permitted under particular licenses are as follows:

13 (a) The fee for a resident commercial fishing license,  
14 which permits a resident to take freshwater fish or frogs by  
15 any lawful method prescribed by the commission and to sell  
16 such fish or frogs, shall be \$25. The license provided for in  
17 this paragraph shall also allow noncommercial fishing as  
18 provided by law and commission rules, and the license in s.  
19 372.57(4)~~(2)~~(a) shall not be required.

20 ~~(2) The provisions of ss. 372.561 and 372.571, except~~  
21 ~~those provisions relating to issuance without fee to certain~~  
22 ~~classes of persons, shall apply to licenses issued under this~~  
23 ~~section.~~

24 Section 23. Section 372.661, Florida Statutes, is  
25 amended to read:

26 372.661 Private hunting preserve licenses; fees  
27 license; exception.--

28 (1) Any person who operates a private hunting preserve  
29 commercially or otherwise shall be required to pay a license  
30 fee of \$50~~\$25~~ for each such preserve; provided, however, that  
31 during the open season established for wild game of any

1 species a private individual may take artificially propagated  
2 game of such species up to the bag limit prescribed for the  
3 particular species without being required to pay the license  
4 fee required by this section; provided further that if any  
5 such individual shall charge a fee for taking such game she or  
6 he shall be required to pay the license fee required by this  
7 section and to comply with the rules ~~and regulations~~ of the  
8 ~~Fish and Wildlife Conservation~~ commission relative to the  
9 operation of private hunting preserves.

10 (2) A commercial hunting preserve license, which shall  
11 exempt patrons of licensed preserves from the license and  
12 permit requirements of s. 372.57(4)(c), (d), (f), (h), and  
13 (i); (5)(f) and (g); (8)(a), (b), (c), (f), and (g); (9)(a)2.;  
14 (11); and (12)~~licensure requirements of s. 372.57(2)(e), (f),~~  
15 ~~(g), and (i), (4)(a), (c), (d), and (e), (7), (9), and (14)(b)~~  
16 while hunting on the licensed preserve property, shall be  
17 \$500. Such commercial hunting preserve license shall be  
18 available only to those private hunting preserves licensed  
19 pursuant to this section which are operated exclusively for  
20 commercial purposes, which are open to the public, and for  
21 which a uniform fee is charged to patrons for hunting  
22 privileges.

23 Section 24. Subsection (8) is added to section  
24 372.711, Florida Statutes, to read:

25 372.711 Noncriminal infractions.--

26 (8) A person who is cited for a violation of the  
27 provisions of s. 372.57 that require the possession of a  
28 license or permit may not be convicted if, prior to or at the  
29 time of his or her court or hearing appearance, the person  
30 produces in court or to the clerk of the court in which the  
31 charge is pending the required license or permit that was

1 issued to him or her and valid at the time of his or her  
2 citation. The clerk of the court is authorized to dismiss  
3 each such case at any time before, or at the time of, the  
4 defendant's appearance in court. The clerk of the court may  
5 assess a fee of \$5 for dismissing the case under this  
6 subsection.

7 Section 25. Paragraph (h) of subsection (1) of section  
8 372.83, Florida Statutes, is reenacted to read:

9 372.83 Noncriminal infractions; criminal penalties;  
10 suspension and revocation of licenses and permits.--

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

14 (h) Section 372.57, relating to hunting, fishing, and  
15 trapping licenses.

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

22 Section 26. Subsections (1), (2), and (4) of section  
23 372.921, Florida Statutes, are amended, subsection (9) is  
24 renumbered as subsection (10), and a new subsection (9) is  
25 added to said section, to read:

26 372.921 Exhibition of wildlife.--

27 (1) In order to provide humane treatment and sanitary  
28 surroundings for wild animals kept in captivity, no person,  
29 firm, corporation, or association shall have, or be in  
30 possession of, in captivity for the purpose of public display  
31 with or without charge or for public sale any wildlife,

1 specifically birds, mammals, amphibians, and reptiles, whether  
2 indigenous to Florida or not, without having first secured a  
3 permit from the Fish and Wildlife Conservation Commission  
4 authorizing such person, firm, or corporation to have in its  
5 possession in captivity the species and number of wildlife  
6 specified within such permit; however, this section does not  
7 apply to any wildlife not protected by law and the rules  
8 ~~regulations~~ of the ~~Fish and Wildlife Conservation~~ commission.

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

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

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

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

19  
20 The fees prescribed by this subsection ~~section~~ shall be  
21 submitted to the ~~Fish and Wildlife Conservation~~ commission  
22 with the application for permit required by subsection (1) and  
23 shall be deposited in the State Game Fund.

24 (4) Permits issued pursuant to this section and places  
25 where wildlife is kept or held in captivity shall be subject  
26 to inspection by officers of the ~~Fish and Wildlife~~  
27 ~~Conservation~~ commission at all times. The commission shall  
28 have the power to release or confiscate any specimens of any  
29 wildlife, specifically birds, mammals, amphibians, or  
30 reptiles, whether indigenous to the state or not, when it is  
31 found that conditions under which they are being confined are

1 unsanitary, or unsafe to the public in any manner, or that the  
2 species of wildlife are being maltreated, mistreated, or  
3 neglected or kept in any manner contrary to the provisions of  
4 chapter 828, any such permit to the contrary notwithstanding.  
5 Before any such wildlife is confiscated or released under the  
6 authority of this section, the owner thereof shall have been  
7 advised in writing of the existence of such unsatisfactory  
8 conditions; the owner shall have been given 30 days in which  
9 to correct such conditions; the owner shall have failed to  
10 correct such conditions; the owner shall have had an  
11 opportunity for a proceeding pursuant to chapter 120; and the  
12 commission shall have ordered such confiscation or release  
13 after careful consideration of all evidence in the particular  
14 case in question. The final order of the commission shall  
15 constitute final agency action.

16 (9) The commission is authorized to adopt rules  
17 pursuant to ss. 120.536(1) and 120.54 to implement this  
18 section, including, but not limited to, rules defining Class  
19 I, Class II, and Class III types of wildlife.

20 Section 27. Subsection (5) of section 372.922, Florida  
21 Statutes, is amended to read:

22 372.922 Personal possession of wildlife.--

23 (5) Any person, firm, corporation, or association  
24 exhibiting or selling wildlife and being duly permitted as  
25 provided by s. 372.921 shall be exempt from the fee  
26 requirement to receive ~~obtain~~ a permit under ~~the provisions of~~  
27 this section.

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

30 705.101 Definitions.--As used in this chapter:  
31

1           (3) "Abandoned property" means all tangible personal  
2 property that does not have an identifiable owner and that has  
3 been disposed on public property in a wrecked, inoperative, or  
4 partially dismantled condition or has no apparent intrinsic  
5 value to the rightful owner. ~~However,~~ Vessels determined to be  
6 derelict by the Fish and Wildlife Conservation Commission or a  
7 county or municipality in accordance with the provisions of s.  
8 823.11 are ~~not~~ included within this definition.

9           Section 29. Paragraph (b) of subsection (8) of section  
10 212.06, Florida Statutes, is amended to read:

11           212.06 Sales, storage, use tax; collectible from  
12 dealers; "dealer" defined; dealers to collect from purchasers;  
13 legislative intent as to scope of tax.--

14           (8)

15           (b) The presumption that tangible personal property  
16 used in another state, territory of the United States, or the  
17 District of Columbia for 6 months or longer before being  
18 imported into this state was not purchased for use in this  
19 state does not apply to any boat for which a saltwater fishing  
20 license fee is required to be paid pursuant to s. 372.57(7)  
21 ~~370.0605(2)(b)1., 2., or 3.~~, either directly or indirectly,  
22 for the purpose of taking, attempting to take, or possessing  
23 any marine fish for noncommercial purposes. Use tax shall  
24 apply and be due on such a boat as provided in this paragraph,  
25 and proof of payment of such tax must be presented prior to  
26 the first such licensure of the boat, registration of the boat  
27 pursuant to chapter 328, and titling of the boat pursuant to  
28 chapter 328. A boat that is first licensed within 1 year after  
29 purchase shall be subject to use tax on the full amount of the  
30 purchase price; a boat that is first licensed in the second  
31 year after purchase shall be subject to use tax on 90 percent



1 of the purchase price; a boat that is first licensed in the  
2 third year after purchase shall be subject to use tax on 80  
3 percent of the purchase price; a boat that is first licensed  
4 in the fourth year after purchase shall be subject to use tax  
5 on 70 percent of the purchase price; a boat that is first  
6 licensed in the fifth year after purchase shall be subject to  
7 use tax on 60 percent of the purchase price; and a boat that  
8 is first licensed in the sixth year after purchase, or later,  
9 shall be subject to use tax on 50 percent of the purchase  
10 price. If the purchaser fails to provide the purchase invoice  
11 on such boat, the fair market value of the boat at the time of  
12 importation into this state shall be used to compute the tax.

13 Section 30. Paragraph (1) of subsection (4) of section  
14 215.20, Florida Statutes, is amended to read:

15 215.20 Certain income and certain trust funds to  
16 contribute to the General Revenue Fund.--

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

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

25  
26 The enumeration of the foregoing moneys or trust funds shall  
27 not prohibit the applicability thereto of s. 215.24 should the  
28 Governor determine that for the reasons mentioned in s. 215.24  
29 the money or trust funds should be exempt herefrom, as it is  
30 the purpose of this law to exempt income from its force and  
31 effect when, by the operation of this law, federal matching

1 funds or contributions or private grants to any trust fund  
2 would be lost to the state.

3 Section 31. Sections 370.0605, 370.0615, and 370.1111,  
4 and subsections (10) and (11) of section 370.14, Florida  
5 Statutes, are repealed.

6 Section 32. (1) For fiscal year 2001-2002, there is  
7 hereby appropriated \$6 million to be transferred from the  
8 General Revenue Fund to the Marine Resources Conservation  
9 Trust Fund within the Fish and Wildlife Conservation  
10 Commission. For fiscal year 2001-2002, there is hereby  
11 appropriated \$6 million from the Marine Resources Conservation  
12 Trust Fund to the Fish and Wildlife Conservation Commission to  
13 fund the costs of 38 additional on-the-water law enforcement  
14 positions and 4 support staff. There are hereby authorized 42  
15 full-time-equivalent positions in the Fish and Wildlife  
16 Conservation Commission.

17 (2) Beginning in fiscal year 2002-2003, and annually  
18 thereafter, there is appropriated \$3.7 million to be  
19 transferred from the General Revenue Fund to the Marine  
20 Resources Conservation Trust Fund within the Fish and Wildlife  
21 Conservation Commission. Beginning in fiscal year 2002-2003,  
22 and annually thereafter, there is appropriated \$3.7 million  
23 from the Marine Resources Conservation Trust Fund to the Fish  
24 and Wildlife Conservation Commission as continued funding for  
25 the positions established in subsection (1).

26 Section 33. This act shall take effect July 1, 2001.  
27  
28  
29  
30  
31