

By Senator Pruitt

27-763A-01

1 A bill to be entitled
2 An act relating to the Fish and Wildlife
3 Conservation Commission; amending s. 327.73,
4 F.S.; providing a civil penalty for violation
5 of certain established vessel speed limits;
6 amending s. 328.72, F.S.; increasing
7 registration fees for vessels; providing for
8 the distribution of certain vessel fees;
9 amending s. 328.76, F.S.; providing for the use
10 of vessel and dealer registration fees
11 transferred into the Marine Resources
12 Conservation Trust Fund; providing funding for
13 manatee protection; amending s. 370.06, F.S.;
14 recognizing the Railroad Retirement Board for
15 making certain disability determinations;
16 amending s. 372.0215, F.S.; eliminating
17 requirements for legislative authorization for
18 use of commission funds for certain support
19 organizations; amending s. 372.105, F.S.;
20 revising provisions relating to the Lifetime
21 Fish and Wildlife Trust Fund; amending s.
22 372.106, F.S.; conforming cross-references;
23 amending s. 372.16, F.S.; increasing the permit
24 fee for a private game preserve or farm;
25 amending s. 372.561, F.S.; prescribing
26 requirements for the issuance of certain
27 licenses to take wild animal life or aquatic
28 life; amending s. 372.57, F.S.; prescribing
29 requirements for licenses and permits to take
30 game, freshwater fish, and saltwater fish;
31 creating s. 372.5701, F.S.; prescribing

1 requirements for the deposit of saltwater
2 license fees and allocation of federal funds;
3 creating s. 372.5702, F.S.; prescribing
4 requirements for the expenditure of certain
5 funds for marine research; creating s.
6 372.5704, F.S.; providing a license program to
7 take tarpon; amending ss. 372.571, 372.5712,
8 372.5715, 372.573, F.S.; conforming
9 cross-references; amending s. 372.547, F.S.;
10 prescribing requirements for subagents for the
11 sale of certain licenses and permits; creating
12 s. 372.579, F.S.; authorizing the Fish and
13 Wildlife Conservation Commission to prescribe a
14 processing fee for certain licenses and
15 permits; amending s. 372.661, F.S.; increasing
16 fees for operating a private hunting preserve;
17 amending s. 372.711, F.S.; providing for a fee
18 for dismissing certain violations of license
19 and permit requirements; amending s. 372.921,
20 F.S.; increasing fees for possession and
21 exhibition of wildlife; amending s. 372.922,
22 F.S.; increasing certain fees for the personal
23 possession of wildlife; repealing s. 370.0605,
24 F.S., which provides for saltwater fishing
25 licenses; repealing s. 370.0608, F.S., which
26 provides for deposit of saltwater license fees;
27 repealing s. 370.0609, F.S., which provides for
28 expenditure of funds for marine research;
29 repealing s. 370.0615, F.S., which provides for
30 lifetime saltwater fishing licenses; repealing
31 s. 370.062, F.S., which provides for tarpon

1 tags and fees; repealing s. 370.1111, F.S.,
2 which provides for snook regulation; repealing
3 s. 370.14(10) and (11), F.S., which provides
4 for crawfish regulation; providing an effective
5 date.

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

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

11 327.73 Noncriminal infractions.--

12 (1) Violations of the following provisions of the
13 vessel laws of this state are noncriminal infractions:

14 (a) Section 328.46, relating to operation of
15 unregistered and unnumbered vessels.

16 (b) Section 328.48(4), relating to display of number
17 and possession of registration certificate.

18 (c) Section 328.48(5), relating to display of decal.

19 (d) Section 328.52(2), relating to display of number.

20 (e) Section 328.54, relating to spacing of digits and
21 letters of identification number.

22 (f) Section 328.60, relating to military personnel and
23 registration of vessels.

24 (g) Section 328.72(14), relating to operation with an
25 expired registration.

26 (h) Section 327.33(2), relating to careless operation.

27 (i) Section 327.37, relating to water skiing,
28 aquaplaning, parasailing, and similar activities.

29 (j) Section 327.44, relating to interference with
30 navigation.

31

1 (k) Violations relating to restricted areas and speed
2 limits:
3 1. Established by the commission pursuant to s.
4 327.46.
5 2. Established by local governmental authorities
6 pursuant to s. 327.22 or s. 327.60.
7 3. Speed limits established pursuant to s. 370.12(2),
8 for which the civil penalty is \$100.
9 (1) Section 327.48, relating to regattas and races.
10 (m) Section 327.50(1) and (2), relating to required
11 safety equipment, lights, and shapes.
12 (n) Section 327.65, relating to muffling devices.
13 (o) Section 327.33(3)(b), relating to navigation
14 rules.
15 (p) Section 327.39(1), (2), (3), and (5), relating to
16 personal watercraft.
17 (q) Section 327.53(1), (2), and (3), relating to
18 marine sanitation.
19 (r) Section 327.53(4), (5), and (7), relating to
20 marine sanitation, for which the civil penalty is \$250.
21 (s) Section 327.395, relating to boater safety
22 education.
23 (t) Section 327.52(3), relating to operation of
24 overloaded or overpowered vessels.
25
26 Any person cited for a violation of any such provision shall
27 be deemed to be charged with a noncriminal infraction, shall
28 be cited for such an infraction, and shall be cited to appear
29 before the county court. The civil penalty for any such
30 infraction is \$50, except as otherwise provided in this
31 section. Any person who fails to appear or otherwise properly

1 respond to a uniform boating citation shall, in addition to
2 the charge relating to the violation of the boating laws of
3 this state, be charged with the offense of failing to respond
4 to such citation and, upon conviction, be guilty of a
5 misdemeanor of the second degree, punishable as provided in s.
6 775.082 or s. 775.083. A written warning to this effect shall
7 be provided at the time such uniform boating citation is
8 issued.

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

11 328.72 Classification; registration; fees and charges;
12 surcharge; disposition of fees; fines; marine turtle
13 stickers.--

14 (1) VESSEL REGISTRATION FEE.--Vessels that are
15 required to be registered shall be classified for registration
16 purposes according to the following schedule, and the
17 registration certificate fee shall be in the following
18 amounts:

19 Class A-1--Less than 12 feet in length, and all canoes
20 to which propulsion motors have been attached, regardless of
21 length.....\$8.50~~\$3.50~~

22 Class A-2--12 feet or more and less than 16 feet in
23 length.....15.50~~10.50~~
24 (To county).....2.85

25 Class 1--16 feet or more and less than 26 feet in
26 length.....28.50~~18.50~~
27 (To county).....8.85

28 Class 2--26 feet or more and less than 40 feet in
29 length.....65.50~~50.50~~
30 (To county).....32.85

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1	Class 3--40 feet or more and less than 65 feet in	
2	length.....	<u>97.50</u> 82.50
3	(To county).....	56.85
4	Class 4--65 feet or more and less than 110 feet in	
5	length.....	<u>113.50</u> 98.50
6	(To county).....	68.85
7	Class 5--110 feet or more in length.....	<u>137.50</u> 122.50
8	(To county).....	86.85
9	Dealer registration certificate.....	<u>26.50</u> 16.50

10
11 The county portion of the vessel registration fee is derived
12 from recreational vessels only.

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

28 Section 3. Paragraph (e) is added to subsection (1) of
29 section 328.76, Florida Statutes, to read:

30 328.76 Marine Resources Conservation Trust Fund;
31 vessel registration funds; appropriation and distribution.--

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

13 (e)1. The following amounts shall be transferred to
14 the Marine Resources Conservation Trust Fund to fund
15 additional on-the-water law enforcement efforts of the Florida
16 Fish and Wildlife Conservation Commission:

- 17 a. \$3 from each Class A-1 vessel registration fee.
- 18 b. \$3 from each Class A-2 vessel registration fee.
- 19 c. \$8 from each Class 1 vessel registration fee.
- 20 d. \$13 from each Class 2 vessel registration fee.
- 21 e. \$13 from each Class 3 vessel registration fee.
- 22 f. \$13 from each Class 4 vessel registration fee.
- 23 g. \$13 from each Class 5 vessel registration fee.
- 24 h. \$8 from each dealer registration certificate.

25 2. One dollar from each vessel registered in this
26 state must be used to fund additional research and development
27 of manatee avoidance technology for watercraft, and one dollar
28 from each vessel registered in this state shall be used for
29 additional funding for manatee census efforts and manatee
30 signs on waterways.

31

1 Section 4. Paragraph (a) of subsection (2) of section
2 370.06, Florida Statutes, is amended to read:

3 370.06 Licenses.--

4 (2) SALTWATER PRODUCTS LICENSE.--

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

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

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

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

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

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

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

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

31

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

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

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

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

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

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

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

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

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

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

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

29
30 At least one saltwater products license bearing a restricted
31 species endorsement shall be aboard any vessel harvesting

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

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

23 Section 5. Paragraph (b) of subsection (1) of section
24 372.0215, Florida Statutes, is amended to read:

25 372.0215 Citizen support organizations; use of state
26 property; audit.--

27 (1) The Fish and Wildlife Conservation Commission may
28 authorize the establishment of citizen support organizations
29 to provide assistance, funding, and promotional support for
30 the programs of the commission. For purposes of this section,
31

1 the term "citizen support organization" means an organization
2 which:

3 (b) Is organized and operated to conduct programs and
4 activities; raise funds; request and receive grants, gifts,
5 and bequests of money; acquire, receive, hold, invest, and
6 administer in its own name securities, funds, or real or
7 personal property; and make expenditures for the benefit of
8 the commission or an individual program unit of the
9 commission; ~~except that such organization may not receive~~
10 ~~funds from the commission or the Florida Marine Research~~
11 ~~Institute by grant, gift, or contract unless specifically~~
12 ~~authorized by the Legislature.~~

13 Section 6. Paragraph (b) of subsection (2) and
14 paragraph (b) of subsection (3) of section 372.105, Florida
15 Statutes, are amended to read:

16 372.105 Lifetime Fish and Wildlife Trust Fund.--

17 (2) The principal of the fund shall be derived from
18 the following:

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

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

28 (b) The interest income received and accruing from the
29 investments of the fund shall be spent in furtherance of the
30 commission's exercise of the regulatory and executive powers
31 of the state with respect to the management, protection, and

1 conservation of wild animal life and saltwater and freshwater
2 aquatic life as set forth in s. 9, Art. IV of the State
3 Constitution and this chapter and as otherwise authorized by
4 the Legislature.

5 Section 7. Section 372.106, Florida Statutes, is
6 amended to read:

7 372.106 Dedicated License Trust Fund.--

8 (1) There is established within the Fish and Wildlife
9 Conservation Commission the Dedicated License Trust Fund. The
10 fund shall be credited with moneys collected pursuant to s.
11 ~~ss. 370.0605~~ and 372.57 for 5-year licenses and replacement
12 5-year licenses.

13 (2) The fund shall be exempt from the provisions of s.
14 215.20.

15 Section 8. Subsection (4) of section 372.16, Florida
16 Statutes, is amended to read:

17 372.16 Private game preserves and farms; penalty.--

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

1 Section 9. Section 372.561, Florida Statutes, is
2 amended to read:

3 372.561 Issuance of licenses to take wild animal life,
4 saltwater aquatic life or freshwater aquatic life; costs;
5 reporting.--

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

8 (2) The commission shall issue licenses and permits to
9 take wild animal life or freshwater aquatic life upon proof by
10 the applicant for licensure that she or he is entitled to such
11 license or permit. The commission shall establish the forms
12 for such licenses and permits. Each applicant for a license,
13 permit, or authorization shall provide the applicant's social
14 security number on the application form. Disclosure of social
15 security numbers obtained through this requirement shall be
16 limited to the purpose of administration of the Title IV-D
17 program for child support enforcement and use by the
18 commission, and as otherwise provided by law.

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

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

28 (b) Tax collectors may retain \$1 for each freshwater
29 fishing license, hunting license, or management area permit
30 sold and \$1.50 for each saltwater fishing license, combination
31 fishing license, or tag sold.

1 (c) The commission may select a vendor and establish a
2 fee for a statewide automated license issuance system through
3 a competitive-bid procedure.

4 (5)(a) Hunting and fishing licenses and permits shall
5 be issued, without fee, to any resident who is certified:

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

14 2. To be ~~totally~~ disabled by the United States Social
15 Security Administration upon proof of the same. Any license
16 issued under this provision after October 1, 1999, expires
17 after 2 years and must be reissued, upon proof of
18 certification as provided in this subsection, every 2 years
19 thereafter.

20 (b) Notwithstanding any other provisions of this
21 section, any person who has received after July 1, 1997, and
22 before July 1, 2000, a valid disability license issued under
23 this subsection, retains the rights vested thereunder until
24 the license has expired.

25 (6)(a) Tax collectors shall remit license and permit
26 moneys, along with a report of funds collected and other
27 required documentation, to the commission weekly ~~within 7 days~~
28 ~~following the last business day of the week in which the fees~~
29 ~~were received by the tax collector.~~ The tax collector shall
30 maintain records of all such licenses and permits which are
31 sold, voided, stolen, or lost. The tax collector is

1 responsible to the commission for the fee for all licenses and
2 permits sold and for the value of all licenses and permits
3 reported as lost. The tax collector shall report stolen
4 licenses and permits to the appropriate law enforcement
5 agency. The tax collector shall submit a written report and a
6 copy of the law enforcement agency's report to the commission
7 within 5 days after discovering the theft.

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

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

17 ~~(7) Within 30 days after the submission of the annual~~
18 ~~audit report, each county tax collector shall provide the~~
19 ~~commission with a written audit report on unissued, sold, and~~
20 ~~voided licenses, permits, and stamps with a certified~~
21 ~~reconciliation statement prepared by a certified public~~
22 ~~accountant. Concurrent with the submission of the~~
23 ~~certification, the county tax collector shall remit to the~~
24 ~~commission the monetary value of all licenses, permits, and~~
25 ~~stamps that are unaccounted for. Each tax collector is also~~
26 ~~responsible for fees for all licenses, permits, and stamps~~
27 ~~distributed by him or her to subagents, sold by him or her, or~~
28 ~~reported by him or her as lost.~~

29 Section 10. Section 372.57, Florida Statutes, is
30 amended to read:

31

1 372.57 Licenses and permits; exemptions; fees.--No
2 person, except as provided herein, shall take game, freshwater
3 fish, saltwater fish, or fur-bearing animals within this state
4 without having first obtained a license, permit, or
5 authorization and paid the fees hereinafter set forth, unless
6 such license is issued without fee as provided in s. 372.561.
7 A person may not operate a vessel for which a fee is paid
8 either directly or indirectly for the purpose of taking,
9 attempting to take, or possessing any saltwater fish for
10 noncommercial purposes unless he or she has obtained a license
11 for for each vessel for that purpose and has paid the license
12 fee imposed under this section for that vessel.Such license,
13 permit, or authorization shall authorize the person to whom it
14 is issued to take game, freshwater fish, saltwater fish, or
15 fur-bearing animals in accordance with law and commission
16 rules. Such license, permit, or authorization is not
17 transferable. Each license or permit must bear on its face in
18 indelible ink the name of the person to whom it is issued and
19 other information requested by the commission, and, if the
20 license is issued to the owner, operator, or custodian of a
21 vessel for which a fee is paid directly or indirectly for the
22 purpose of taking or attempting to take or possess saltwater
23 fish for noncommercial purposes, the vessel registration
24 number or federal documentation number must be included. Such
25 license, permit, or authorization issued by the commission or
26 any agent must be in the personal possession of the person to
27 whom issued while taking game, freshwater fish, saltwater
28 fish, or fur-bearing animals. The failure of such person to
29 exhibit such license, permit, or authorization to the
30 commission or its wildlife officers, when such person is found
31 taking game, freshwater fish, saltwater fish, or fur-bearing

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

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

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

20 (b) Any person hunting or fishing in the person's
21 county of residence on the person's homestead or the homestead
22 of the person's spouse or minor child, or any minor child
23 hunting or fishing on the homestead of her or his parent.

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

27 (d) Any resident when fishing with live or natural
28 bait, using poles or lines which are not equipped with a
29 fishing line retrieval mechanism, and fishing for
30 noncommercial purposes in the county of her or his residence,
31 except on legally established fish management areas. This

1 paragraph, as amended by chapter 76-156, Laws of Florida, may
2 be cited as the "Dempsey J. Barron, W. D. Childers, and Joe
3 Kershaw Cane Pole Tax Repeal Act of 1976."

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

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

9 (g) Any person fishing who has been accepted as a
10 client for developmental services by the Department of
11 Children and Family Services, which department shall furnish
12 such person proof thereof.

13 (h) Any Florida resident fishing in saltwater from
14 land or from a structure fixed to the land.

15 (i) Any person fishing from a vessel that is licensed
16 under subsection (2).

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

19 (k) Any person fishing from a pier for the purpose of
20 taking or attempting to take or possess saltwater fish for
21 noncommercial purposes licensed under subsection (2).

22 (l) Any person fishing for the purpose of taking or
23 attempting to take or possess saltwater fish for noncommercial
24 purposes from a vessel that is licensed under subsection (2).

25 (m) Any Florida resident who is fishing for mullet in
26 freshwater and has a valid Florida freshwater fishing license.

27 (n) Any Florida resident fishing for a saltwater
28 species in freshwater from land or from a structure fixed to
29 land.

30 (o)~~(h)~~ Any resident 65 years of age or older who has
31 in her or his possession proof of age and residency. A free

1 license may be obtained from any tax collector's office upon
2 proof of age and residency.

3 (2) For residents and nonresidents, the license and
4 fees for noncommercial fishing in freshwater and saltwater and
5 for hunting and trapping in this state, and the activity
6 authorized thereby, are as follows:

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

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

12 (c) A fishing license for a nonresident to take
13 saltwater fish in this state for 1 day is \$7.50.

14 (d)~~(e)~~ A fishing license for a nonresident to take
15 freshwater fish or saltwater fish in this state is \$30 each.

16 (e)~~(d)~~ A combination freshwater fishing and hunting
17 license for a resident to take freshwater fish and game in
18 this state is \$22.

19 (f) A combination freshwater fishing and saltwater
20 fishing license for a resident to take freshwater fish and
21 saltwater fish in this state is \$24.

22 (g) A combination freshwater fishing, saltwater
23 fishing, and hunting license for a resident to take freshwater
24 fish, saltwater fish, and game in this state is \$34.

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

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

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

31

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

3 ~~(i) A combination license for a resident to hunt and~~
4 ~~to take freshwater fish and saltwater fish is \$34 for a 1-year~~
5 ~~license.~~

6 (l)~~(j)~~ A permanent hunting and freshwater fishing
7 license for a resident 64 years of age or older is \$12.

8 (m)~~(k)~~ A sportsman's license for a resident is \$66.

9 The sportsman's license authorizes the holder to take
10 freshwater fish and game, subject to state and federal laws,
11 rules, and regulations, including rules of the commission, in
12 effect at the time of taking, and authorizes the same
13 activities authorized by a management area permit, a
14 muzzle-loading gun permit, a turkey permit, a Florida
15 waterfowl permit, and an archery permit. A nonresident may
16 not purchase a sportsman's license.

17 (n) A vessel license for a person who operates a
18 vessel that is licensed to carry more than 10 customers and
19 for which a fee is paid, either directly or indirectly, for
20 the purpose of taking and attempting to take saltwater fish,
21 is \$800. The license must be kept aboard the vessel at all
22 times.

23 (o) A vessel license for a person who operates a
24 vessel that is licensed to carry no more than 10 customers, or
25 for a person who is licensed to operate a vessel carrying six
26 or fewer customers, for which a fee is paid, either directly
27 or indirectly, for the purpose of taking or attempting to take
28 saltwater fish is \$400; however, for a person who is licensed
29 to operate a vessel carrying six or fewer customers but who
30 operates a vessel carrying four or fewer customers, for which
31 a fee is paid, either directly or indirectly, for such

1 purposes, the license fee is \$200. The license must be kept
2 aboard the vessel at all times.

3 (p) A person who operates a vessel required to be
4 licensed under paragraph (n) or paragraph (o) may obtain a
5 license in his or her own name, and the license is
6 transferrable and applicable to any vessel operated by the
7 purchaser if the purchaser has paid the appropriate license
8 fee.

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

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

23 (s) A pier license for any pier fixed to the land for
24 the purpose of taking or attempting to take saltwater fish
25 therefrom, is \$500. The license may be purchased at the option
26 of the owner, operator, or custodian of such pier. The
27 purchaser of the license must make the license available for
28 inspection at all times.

29 (3) A resident or nonresident taking fur-bearing
30 animals by the use of guns or dogs only and not by the use of
31 traps or other devices, and not for commercial purposes, who

1 has purchased the license provided for hunting in this
2 section, received a no-cost license, or is exempt from the
3 license requirements of this chapter is not required to
4 purchase the license provided in paragraph~~(2)(k)(2)(h)~~. A
5 resident who is age 65 or older is not required to purchase
6 the license provided in paragraph~~(2)(k)(2)(h)~~.

7 (4) In addition to any license required by this
8 chapter, the following permits and fees for certain hunting,
9 fishing, and recreational uses, and the activities authorized
10 thereby, are:

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

13 (b)1. Management area permits to hunt, freshwater
14 fish, or otherwise use for outdoor recreational purposes, land
15 owned, leased, or managed by the commission or the State of
16 Florida for the use and benefit of the commission, up to \$25
17 annually. Permits, and fees thereof, for short-term use of
18 land which is owned, leased, or managed by the commission may
19 be established by rule of the commission for any activity on
20 such lands. Such permits and fees may be in lieu of or in
21 addition to the annual management area permit. Other than for
22 hunting or freshwater fishing, the provisions of this
23 paragraph shall not apply on any lands not owned by the
24 commission, unless the commission shall have obtained the
25 written consent of the owner or primary custodian of such
26 lands.

27 2. A recreational user permit fee to hunt, freshwater
28 fish, or otherwise use for outdoor recreational purposes, land
29 leased by the commission from private nongovernmental owners,
30 except for those lands located directly north of the
31 Apalachicola National Forest, east of the Ochlockonee River

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

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

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

27 (e) A Florida turkey permit to take wild turkeys
28 within this state is \$5 for a resident and \$100 for a
29 nonresident.

30 (f) A special use permit for limited entry hunting or
31 fishing, where such hunting or fishing is authorized by

1 commission rule, shall be up to \$100 per day but shall not
2 exceed \$250 per week. Notwithstanding any other provision of
3 this chapter, there are no exclusions, exceptions, or
4 exemptions from this fee. In addition to the fee, the
5 commission may charge each applicant for a special use permit
6 a nonrefundable application fee of up to \$10.

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

11 (h) A crawfish permit to take or possess any crawfish
12 for recreational purposes from any water of the state is \$2.
13 Moneys generated from these permits shall be used exclusively
14 for programs to benefit crawfish populations.

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

17 (5) The commission is authorized to reduce the fees
18 for licenses and permits under this section for residents of
19 those states with which the commission has entered into
20 reciprocal agreements with respect to such fees.

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

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

4 (7) A resident lifetime sportsman's license authorizes
5 the holder to engage in the following noncommercial
6 activities:

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

11 (b) All activities authorized by a management area
12 permit, a muzzle-loading gun permit, a turkey permit, an
13 archery permit, a Florida waterfowl permit, a snook permit,
14 and a crawfish permit.

15 (8) The fee for a resident lifetime sportsman's
16 license is:

17 (a) 4 years of age or younger.....\$400

18 (b) 5-12 years of age.....\$700

19 (c) 13 years of age or older.....\$1,000

20 (9) A resident lifetime hunting license authorizes the
21 holder to engage in the following noncommercial activities:

22 (a) To take or attempt to take or possess game
23 consistent with state and federal regulations and rules of the
24 commission in effect at the time of taking.

25 (b) All activities authorized by a management area
26 permit, excluding fishing, a muzzle-loading gun permit, a
27 turkey permit, an archery permit, and a Florida waterfowl
28 permit.

29 (10) The fee for a resident lifetime hunting license
30 shall be:

31 (a) 4 years of age or younger.....\$200

1 (b) 5-12 years of age.....\$350
2 (c) 13 years of age or older.....\$500
3 (11) A resident lifetime freshwater fishing license
4 authorizes the holder to engage in the following noncommercial
5 activities:
6 (a) To take or attempt to take or possess freshwater
7 fish consistent with state and federal regulations and rules
8 of the commission in effect at the time of taking.
9 (b) All activities authorized by a management area
10 permit, excluding hunting.
11 (12) The fee for a resident lifetime freshwater
12 fishing license shall be:
13 (a) 4 years of age or younger.....\$125
14 (b) 5-12 years of age.....\$225
15 (c) 13 years of age or older.....\$300
16 (13) A resident lifetime saltwater fishing license
17 authorizes the holder to engage in the following noncommercial
18 activities:
19 (a) To take or attempt to take or possess saltwater
20 fish consistent with state and federal regulations and rules
21 of the commission.
22 (b) All activities authorized by a snook permit and a
23 crawfish permit.
24 (14) The fee for a resident lifetime saltwater fishing
25 license is:
26 (a) 4 years of age or younger.....\$125
27 (b) 5-12 years of age.....\$225
28 (c) 13 years of age or older.....\$300
29 ~~(13) Fees collected pursuant to s. 370.0605(2) for~~
30 ~~5-year saltwater fishing licenses, fees collected pursuant to~~
31 ~~s. 370.0605(6)(e) for replacement 5-year and lifetime~~

1 ~~licenses, fees collected pursuant to s. 370.0615 for lifetime~~
2 ~~saltwater fishing licenses, and 30 percent of the fee for the~~
3 ~~lifetime sportsman's license shall be transferred within 30~~
4 ~~days following the last day of the month in which the license~~
5 ~~fees were received by the commission to the Marine Resources~~
6 ~~Conservation Trust Fund.~~

7 (15)~~(14)~~ The following 5-year licenses are authorized:

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

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

21 (c) A 5-year saltwater fishing license for a resident
22 to take or attempt to take or possess saltwater fish in this
23 state for 5 consecutive years is \$60 and authorizes the holder
24 to engage in noncommercial activities to take or attempt to
25 take or possess saltwater fish consistent with state and
26 federal regulations and rules of the commission in effect at
27 the time of taking.

28 (16)~~(15)~~ Proceeds from the sale of 5-year licenses as
29 provided in this chapter shall be deposited into the Dedicated
30 License Trust Fund. One-fifth of the total proceeds derived
31 from the sale of 5-year freshwater fishing licenses, hunting

1 licenses, replacement 5-year freshwater fishing licenses and
2 hunting licenses, and all interest derived therefrom shall be
3 available for appropriation annually in the State Game Trust
4 Fund. One-fifth of the total proceeds derived from the sale of
5 5-year saltwater fishing licenses, replacement 5-year
6 saltwater fishing licenses, and all interest derived therefrom
7 is available for appropriation in the Marine Resources
8 Conservation Trust Fund.

9 (17) Notwithstanding other provisions of this chapter,
10 the commission may sell fishing-rod licenses. The fishing-rod
11 license for a resident or nonresident and the fee therefor
12 shall be adopted by commission rule and shall not exceed \$200
13 per license. The fishing-rod license allows a person to fish
14 with a rod to which the license is attached, within the state,
15 without the necessity of any other license or permit required
16 by this chapter, except permits or tags required by paragraphs
17 (4)(g) and (h) or s. 372.5704. Each license must be
18 permanently attached to the rod. Damaged rods with licenses or
19 damaged licenses must be returned to the commission for
20 issuance of a replacement license. The cost of a replacement
21 license is \$5 for each replacement license. The commission, by
22 rule, may limit the counties from which the licenses may be
23 obtained, may limit the waterbodies upon which the permitted
24 rods may be used, and may limit the licenses for commercial or
25 recreational uses based upon economic and administrative
26 limitations.

27 Section 11. Section 372.5701, Florida Statutes, is
28 created to read:

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

31

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

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

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

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

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

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

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

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

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

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

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

15 Section 12. Section 372.5702, Florida Statutes, is
16 created to read:

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

28 Section 13. Section 372.5704, Florida Statutes, is
29 created to read:

30 372.5704 Fish and Wildlife Conservation Commission
31 license program for tarpon; fees; penalties.--

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

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

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

29 (4) No individual shall take, kill, or possess any
30 fish of the species megalops atlantica, commonly known as
31 tarpon, unless such individual has purchased a tarpon tag and

1 securely attached it through the lower jaw of the fish. Said
2 individual shall within 5 days after the landing of the fish
3 submit a form to the commission which indicates the length,
4 weight, and physical condition of the tarpon when caught; the
5 date and location of where the fish was caught; and any other
6 pertinent information which may be required by the commission.
7 The commission may refuse to issue new tags to individuals or
8 guides who fail to provide the required information.

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

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

23 (7) The commission shall prescribe and provide
24 suitable forms and tags necessary to carry out the provisions
25 of this section.

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

29 Section 14. Section 372.571, Florida Statutes, is
30 amended to read:

31

1 372.571 Expiration of licenses and permits.--Each
2 license or permit issued under this chapter must be dated when
3 issued. Each license or permit issued under this chapter
4 remains valid for 12 months after the date of issuance, except
5 for a lifetime license issued pursuant to s. 372.57 which is
6 valid from the date of issuance until the death of the
7 individual to whom the license is issued unless otherwise
8 revoked in accordance with s. 372.99, or a 5-year license
9 issued pursuant to s. 372.57 which is valid for 5 consecutive
10 years from the date of purchase unless otherwise revoked in
11 accordance with s. 372.99 or a license issued pursuant to s.
12 372.57(2)(b), (c), or (j) or (4)(b) or (f)~~or (g)~~, which is
13 valid for the period specified on the license. A resident
14 lifetime license or a resident 5-year license that has been
15 purchased by a resident of this state and who subsequently
16 resides in another state shall be honored for activities
17 authorized by that license.

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

20 372.5712 Florida waterfowl permit revenues.--

21 (1) The commission shall expend the revenues generated
22 from the sale of the Florida waterfowl permit as provided in
23 s. 372.57(4)(a) or that pro rata portion of any license that
24 includes waterfowl hunting privileges, as provided in s.
25 372.57(2)(m)~~s. 372.57(2)(i) and (14)(b)~~ as follows: A
26 maximum of 5 percent of the gross revenues shall be expended
27 for administrative costs; a maximum of 25 percent of the gross
28 revenues shall be expended for waterfowl research approved by
29 the commission; and a maximum of 70 percent of the gross
30 revenues shall be expended for projects approved by the
31 commission, in consultation with the Waterfowl Advisory

1 Council, for the purpose of protecting and propagating
2 migratory waterfowl and for the development, restoration,
3 maintenance, and preservation of wetlands within the state.

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

6 372.5715 Florida wild turkey permit revenues.--

7 (1) The commission shall expend the revenues generated
8 from the sale of the turkey permit as provided for in s.
9 372.57(4)(e) or that pro rata portion of any license that
10 includes turkey hunting privileges as provided for in s.
11 372.57(2)(m)~~s. 372.57(2)(i) and (14)(b)~~ for research and
12 management of wild turkeys.

13 Section 17. Section 372.573, Florida Statutes, is
14 amended to read:

15 372.573 Management area permit revenues.--The
16 commission shall expend the revenue generated from the sale of
17 the management area permit as provided for in s. 372.57(4)(b)
18 or that pro rata portion of any license that includes
19 management area privileges as provided for in s. 372.57(2)(m)
20 ~~s. 372.57(2)(i) and (14)(b)~~ for the lease, management, and
21 protection of lands for public hunting, fishing, and other
22 outdoor recreation.

23 Section 18. Paragraph (h) of subsection (1) and
24 paragraph (i) of subsection (2) of section 372.574, Florida
25 Statutes, are amended to read:

26 372.574 Appointment of subagents for the sale of
27 hunting, fishing, and trapping licenses and permits.--

28 (1) A county tax collector who elects to sell licenses
29 and permits may appoint any person as a subagent for the sale
30 of fishing, hunting, and trapping licenses and permits that
31

1 the tax collector is allowed to sell. The following are
2 requirements for subagents:

3 (h) A subagent shall submit payment for and report the
4 sale of licenses and permits to the tax collector weekly ~~as~~
5 ~~prescribed by the tax collector but no less frequently than~~
6 ~~monthly.~~

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

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

18 Section 19. Section 372.579, Florida Statutes, is
19 created to read:

20 372.579 Processing applications for licenses and
21 permits.--The commission may by rule adopt a processing fee,
22 not to exceed \$100, for each license or permit required by
23 Title 68 of the Florida Administrative Code. The commission
24 shall annually report actions taken under this section to the
25 President of the Senate and the Speaker of the House of
26 Representatives.

27 Section 20. Section 372.661, Florida Statutes, is
28 amended to read:

29 372.661 Private hunting preserve, license;
30 exception.--

31

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

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

25 Section 21. Subsection (8) is added to section
26 372.711, Florida Statutes, to read:

27 372.711 Noncriminal infractions.--

28 (8) A person who is charged with a violation of the
29 license or permit requirements of s. 372.57 may not be
30 convicted if, prior to or at the time of his or her court or
31 hearing appearance, the person produces in court or to the

1 clerk of the court in which the charge is pending the required
2 license or permit that was issued to him or her and valid at
3 the time of his or her arrest. The clerk of the court is
4 authorized to dismiss such case at any time before the
5 defendant's appearance in court. The clerk of the court may
6 assess a fee of \$5 for dismissing the case under this
7 subsection.

8 Section 22. Subsections (1), (2), and (4) of section
9 372.921, Florida Statutes, are amended to read:

10 372.921 Exhibition of wildlife.--

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

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

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

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

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

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

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

31

1 Section 23. Subsections (2) and (3) of section
2 372.922, Florida Statutes, are amended to read:

3 372.922 Personal possession of wildlife.--

4 (2) The classifications of types of wildlife and fees
5 to be paid for the issuance of permits shall be as follows:

6 (a) Class I--Wildlife which, because of its nature,
7 habits, or status, shall not be possessed as a personal pet.

8 (b) Class II--Wildlife considered to present a real or
9 potential threat to human safety, the sum of \$100 per annum.

10 (c) Class III--Wildlife as specified by rule of the
11 commission, the sum of \$25 per annum.

12 (3) The commission shall promulgate regulations
13 defining Class I Class II, and Class III ~~and II~~ types of
14 wildlife. The commission shall also establish regulations and
15 requirements necessary to ensure that permits are granted only
16 to persons qualified to possess and care properly for wildlife
17 and that permitted wildlife possessed as personal pets will be
18 maintained in sanitary surroundings and appropriate
19 neighborhoods.

20 Section 24. Sections 370.0605, 370.0608, 370.0609,
21 370.0615, 370.062, and 370.1111, Florida Statutes, and
22 subsections (10) and (11) of s. 370.14, Florida Statutes, are
23 repealed.

24 Section 25. This act shall take effect July 1, 2001.

25
26 *****

27 SENATE SUMMARY

28 Amends and repeals various sections of ch. 370 and 372,
29 F.S., revising licenses and fees for the recreational
30 taking of freshwater fish, saltwater fish, and game. (See
31 bill for details.)