

By the Committee on Finance and Taxation; and Senator Pruitt

314-1708-01

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 making provisions for dismissal of a boating
7 violation; amending s. 328.72, F.S.; increasing
8 registration fees for vessels; providing for
9 the distribution of certain vessel fees;
10 amending s. 328.76, F.S.; providing for the use
11 of vessel and dealer registration fees
12 transferred into the Marine Resources
13 Conservation Trust Fund; providing funding for
14 manatee protection; amending s. 370.06, F.S.;
15 recognizing the Railroad Retirement Board for
16 making certain disability determinations;
17 amending s. 372.105, F.S.; revising provisions
18 relating to the Lifetime Fish and Wildlife
19 Trust Fund; amending s. 372.106, F.S.;
20 conforming cross-references; amending s.
21 372.16, F.S.; increasing the permit fee for a
22 private game preserve or farm; amending s.
23 372.561, F.S.; revising provisions relating
24 issuance of recreational licenses, permits, and
25 authorization numbers to take wild animal life,
26 freshwater aquatic life, and marine life, and
27 administrative costs and reporting related
28 thereto; creating s. 372.562, F.S.; providing
29 exemptions from recreational license and permit
30 fees; amending s. 372.57, F.S.; creating a gold
31 sportsman's license for residents; revising and

1 reorganizing provisions specifying fees and
2 requirements for recreational licenses,
3 permits, and authorization numbers, including
4 hunting licenses, saltwater and freshwater
5 fishing licenses, 5-year licenses, and lifetime
6 licenses; increasing the fee for a nonresident
7 Florida turkey permit; providing for pier
8 licenses and recreational vessel licenses, and
9 fees therefor; providing for snook permits and
10 crawfish permits, and uses thereof; creating s.
11 372.5701, F.S.; prescribing requirements for
12 the deposit of saltwater license fees and
13 allocation of federal funds; creating s.
14 372.5702, F.S.; prescribing requirements for
15 the expenditure of certain funds for marine
16 research; creating s. 372.5704, F.S.; providing
17 a license program to take tarpon; amending ss.
18 372.571, 372.5712, 372.5715, 372.573, F.S.;
19 conforming cross-references; amending s.
20 372.547, F.S.; prescribing requirements for
21 subagents for the sale of certain licenses and
22 permits; creating s. 372.579, F.S.; authorizing
23 the Fish and Wildlife Conservation Commission
24 to prescribe a processing fee for certain
25 licenses and permits; amending s. 372.661,
26 F.S.; increasing fees for operating a private
27 hunting preserve; amending s. 372.711, F.S.;
28 providing for a fee for dismissing certain
29 violations of license and permit requirements;
30 amending s. 372.921, F.S.; increasing fees for
31 possession and exhibition of wildlife; amending

1 s. 372.922, F.S.; increasing certain fees for
2 the personal possession of wildlife; amending
3 s. 705.101, F.S., adding derelict vessels to
4 the definition of abandoned property; repealing
5 s. 370.0605, F.S., which provides for saltwater
6 fishing licenses; repealing s. 370.0608, F.S.,
7 which provides for deposit of saltwater license
8 fees; repealing s. 370.0609, F.S., which
9 provides for expenditure of funds for marine
10 research; repealing s. 370.0615, F.S., which
11 provides for lifetime saltwater fishing
12 licenses; repealing s. 370.062, F.S., which
13 provides for tarpon tags and fees; repealing s.
14 370.1111, F.S., which provides for snook
15 regulation; repealing s. 370.14(10) and (11),
16 F.S., which provides for crawfish regulation;
17 providing an effective date.

18

19 Be It Enacted by the Legislature of the State of Florida:

20

21 Section 1. Subsections (1) and (4) of section 327.73,
22 Florida Statutes, are amended to read:

23 327.73 Noncriminal infractions.--

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

26 (a) Section 328.46, relating to operation of
27 unregistered and unnumbered vessels.

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

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

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

- 1 (e) Section 328.54, relating to spacing of digits and
2 letters of identification number.
- 3 (f) Section 328.60, relating to military personnel and
4 registration of vessels.
- 5 (g) Section 328.72(14), relating to operation with an
6 expired registration.
- 7 (h) Section 327.33(2), relating to careless operation.
- 8 (i) Section 327.37, relating to water skiing,
9 aquaplaning, parasailing, and similar activities.
- 10 (j) Section 327.44, relating to interference with
11 navigation.
- 12 (k) Violations relating to restricted areas and speed
13 limits:
- 14 1. Established by the commission pursuant to s.
15 327.46.
- 16 2. Established by local governmental authorities
17 pursuant to s. 327.22 or s. 327.60.
- 18 3. Speed limits established pursuant to s. 370.12(2),
19 for which the civil penalty is \$100.
- 20 (l) Section 327.48, relating to regattas and races.
- 21 (m) Section 327.50(1) and (2), relating to required
22 safety equipment, lights, and shapes.
- 23 (n) Section 327.65, relating to muffling devices.
- 24 (o) Section 327.33(3)(b), relating to navigation
25 rules.
- 26 (p) Section 327.39(1), (2), (3), and (5), relating to
27 personal watercraft.
- 28 (q) Section 327.53(1), (2), and (3), relating to
29 marine sanitation.
- 30 (r) Section 327.53(4), (5), and (7), relating to
31 marine sanitation, for which the civil penalty is \$250.

1 (s) Section 327.395, relating to boater safety
2 education.

3 (t) Section 327.52(3), relating to operation of
4 overloaded or overpowered vessels.

5
6 Any person cited for a violation of any such provision shall
7 be deemed to be charged with a noncriminal infraction, shall
8 be cited for such an infraction, and shall be cited to appear
9 before the county court. The civil penalty for any such
10 infraction is \$50, except as otherwise provided in this
11 section. Any person who fails to appear or otherwise properly
12 respond to a uniform boating citation shall, in addition to
13 the charge relating to the violation of the boating laws of
14 this state, be charged with the offense of failing to respond
15 to such citation and, upon conviction, be guilty of a
16 misdemeanor of the second degree, punishable as provided in s.
17 775.082 or s. 775.083. A written warning to this effect shall
18 be provided at the time such uniform boating citation is
19 issued.

20 (4) Any person charged with a noncriminal infraction
21 under this section may:

22 (a) Pay the civil penalty, either by mail or in
23 person, within 30 days of the date of receiving the citation;
24 or,

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

27
28 If a person who is cited for a violation of s. 327.395 can
29 show proof of having a boating safety identification card
30 issued to him or her and valid at the time of the citation,
31 the clerk of the court shall dismiss the case and may assess a

1 \$5 dismissal fee. If the person cited follows either of the
2 above procedures, he or she shall be deemed to have admitted
3 the noncriminal infraction and to have waived the right to a
4 hearing on the issue of commission of the infraction. Such
5 admission shall not be used as evidence in any other
6 proceedings.

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

9 328.72 Classification; registration; fees and charges;
10 surcharge; disposition of fees; fines; marine turtle
11 stickers.--

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

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

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

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

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

29 Class 3--40 feet or more and less than 65 feet in
30 length.....97.50~~82.50~~
31 (To county).....56.85

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

7
8 The county portion of the vessel registration fee is derived
9 from recreational vessels only.

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

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

27 328.76 Marine Resources Conservation Trust Fund;
28 vessel registration funds; appropriation and distribution.--

29 (1) Except as otherwise specified and less any
30 administrative costs, all funds collected from the
31 registration of vessels through the Department of Highway

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

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

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

22 2. One dollar from each vessel registered in this
23 state must be used to fund additional research and development
24 of manatee protection and technology with the primary focus
25 for manatee-avoidance technology for watercrafts, and \$1 from
26 each vessel registered in this state shall be used for
27 additional funding for manatee population research and census
28 efforts, and manatee signs on waterways.

29 Section 4. Paragraph (a) of subsection (2) of section
30 370.06, Florida Statutes, is amended to read:

31 370.06 Licenses.--

1 (2) SALTWATER PRODUCTS LICENSE.--
2 (a) Every person, firm, or corporation that sells,
3 offers for sale, barter, or exchanges for merchandise any
4 saltwater products, or which harvests saltwater products with
5 certain gear or equipment as specified by law, must have a
6 valid saltwater products license, except that the holder of an
7 aquaculture certificate under s. 597.004 is not required to
8 purchase and possess a saltwater products license in order to
9 possess, transport, or sell marine aquaculture products. Each
10 saltwater products license allows the holder to engage in any
11 of the activities for which the license is required. The
12 license must be in the possession of the licenseholder or
13 aboard the vessel and shall be subject to inspection at any
14 time that harvesting activities for which a license is
15 required are being conducted. A restricted species endorsement
16 on the saltwater products license is required to sell to a
17 licensed wholesale dealer those species which the state, by
18 law or rule, has designated as "restricted species." This
19 endorsement may be issued only to a person who is at least 16
20 years of age, or to a firm certifying that over 25 percent of
21 its income or \$5,000 of its income, whichever is less, is
22 attributable to the sale of saltwater products pursuant to a
23 license issued under this paragraph or a similar license from
24 another state. This endorsement may also be issued to a
25 for-profit corporation if it certifies that at least \$5,000 of
26 its income is attributable to the sale of saltwater products
27 pursuant to a license issued under this paragraph or a similar
28 license from another state. However, if at least 50 percent of
29 the annual income of a person, firm, or for-profit corporation
30 is derived from charter fishing, the person, firm, or
31 for-profit corporation must certify that at least \$2,500 of

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

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

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

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

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

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

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

28

29 Any provision of this section or any other section of the
30 Florida Statutes to the contrary notwithstanding, any person
31 who owns a retail seafood market or restaurant at a fixed

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

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

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

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

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

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

31

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

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

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

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

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

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

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

21 Section 5. Paragraph (b) of subsection (2) and
22 paragraph (b) of subsection (3) of section 372.105, Florida
23 Statutes, are amended to read:

24 372.105 Lifetime Fish and Wildlife Trust Fund.--

25 (2) The principal of the fund shall be derived from
26 the following:

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

30 (3) The fund is declared to constitute a special trust
31 derived from a contractual relationship between the state and

1 the members of the public whose investments contribute to the
2 fund. In recognition of such special trust, the following
3 limitations and restrictions are placed on expenditures from
4 the funds:

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

13 Section 6. Section 372.106, Florida Statutes, is
14 amended to read:

15 372.106 Dedicated License Trust Fund.--

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

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

23 Section 7. Subsection (4) of section 372.16, Florida
24 Statutes, is amended to read:

25 372.16 Private game preserves and farms; penalty.--

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

1 violating the provisions of this section shall forfeit, to the
2 Fish and Wildlife Conservation Commission, any license or
3 permit issued under the provisions hereof; and no further
4 license or permit shall be issued to such person for a period
5 of 1 year following such conviction. Before any private game
6 preserve or farm is established, the owner or operator shall
7 secure a license from the Fish and Wildlife Conservation
8 Commission, the fee for which shall be ~~\$25~~\$5 per year.

9 Section 8. 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 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 an 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 authorizations over the telephone using
7 a credit card.

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

10 (c) The commission may select a vendor and establish a
11 fee for a statewide automated license system through
12 competitive bid procedures.

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

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

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

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

25 3. For each saltwater fishing tag or license sold,
26 including combination saltwater fishing and freshwater fishing
27 licenses, or combination saltwater fishing, freshwater
28 fishing, and hunting licenses, a tax collector may retain
29 \$1.50.

30 (b) Tax collectors shall remit license and permit
31 moneys, along with a report of funds collected and other

1 required documentation, to the commission weekly. Tax
2 collectors shall maintain records of all licenses and permits
3 that are sold, voided, stolen, or lost.

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

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

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

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

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

18 Section 9. Section 372.562, Florida Statutes, is
19 created to read:

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

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

25 (a) To be totally and permanently disabled by the
26 Railroad Retirement Board, by the United States Department of
27 Veterans Affairs or its predecessor, or by any branch of the
28 United States Armed Forces, or who holds a valid
29 identification card issued under the provisions of s. 295.17,
30 upon proof of same. Any license issued under this paragraph

31

1 after January 1, 1997, expires after 5 years and must be
2 reissued, upon request, every 5 years thereafter.

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

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

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

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

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

19 (d) Any resident fishing for recreational purposes
20 only, within her or his county of residence with live or
21 natural bait, using poles or lines not equipped with a fishing
22 line retrieval mechanism, except on a legally established fish
23 management area.

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

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

29 (g) Any person fishing who has been accepted as a
30 client for developmental disabilities services by the
31

1 Department of Children and Family Services, provided the
2 department furnishes proof thereof.

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

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

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

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

11 (l) Any person recreationally fishing from a pier
12 licensed under s. 372.57.

13 (m) Any resident who is fishing for mullet in
14 freshwater and who has a valid Florida freshwater fishing
15 license.

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

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

24 Section 10. Section 372.57, Florida Statutes, is
25 amended to read:

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

28 372.57 Recreational licenses, permits, and
29 authorization numbers; fees established.--

30 (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER
31 REQUIRED.--Except as provided in s. 372.562, no person shall

1 hunt, fish, or take fur-bearing animals within this state
2 without having first obtained a license, permit, or
3 authorization number and paying the fees set forth in this
4 chapter. Such license, permit, or authorization number shall
5 authorize the person to whom it is issued to hunt, fish, take
6 fur-bearing animals, and participate in outdoor recreational
7 activities in accordance with the laws of the state and rules
8 of the commission.

9 (2) NONTRANSFERABILITY; INFORMATION AND
10 DOCUMENTATION.--

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

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

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

31

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

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

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

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

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

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

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

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

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

22 However, a resident with a valid hunting license or a no-cost
23 license who is taking fur-bearing animals for noncommercial
24 purposes using guns or dogs only, and not traps or other
25 devices, is not required to purchase this license. Also, a
26 resident 65 years of age or older is not required to purchase
27 this license.

28 (h) Annual sportsman's license, \$66. A sportsman's
29 license authorizes the person to whom it is issued to take
30 freshwater fish and game, subject to the state and federal
31 laws, rules, and regulations, including rules of the

1 commission, in effect at the time of the taking. Other
2 authorized activities include activities authorized by a
3 management area permit, a muzzle-loading gun permit, a turkey
4 permit, a Florida waterfowl permit, and an archery permit. A
5 sportsman's license for a resident 64 years of age or older is
6 \$12.

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

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

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

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

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

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

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

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

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

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

31 However, a nonresident with a valid Florida hunting license

1 who is taking fur-bearing animals for noncommercial purposes
2 using guns or dogs only, and not traps or other devices, is
3 not required to purchase this license.

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

10 (7) VESSEL LICENSES.--

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

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

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

28 2. For any person licensed to operate any vessel
29 carrying 6 or fewer customers, wherein a fee is paid either
30 directly or indirectly or the purpose of taking or attempting
31

1 to take marine fish, \$200 per year. The license must be kept
2 aboard the vessel at all times.

3 3. A person who operates a vessel required to be
4 licensed pursuant to subparagraph 1. or subparagraph 2. may
5 obtain a license in his or her own name, and such license
6 shall be transferable and apply to any vessel operated by the
7 purchaser provided that the purchaser has paid the appropriate
8 license fee.

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

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

22 (8) SPECIFIED HUNTING, FISHING, AND RECREATIONAL
23 ACTIVITY PERMITS.--In addition to any license required under
24 this chapter, the following permits and fees for specified
25 hunting, fishing, and recreational uses and activities are
26 required:

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

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

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

3 (d) An annual snook permit for a resident or
4 nonresident to take or possess any snook from any waters of
5 the state is \$2. Revenue generated from the sale of snook
6 permits shall be used exclusively for programs to benefit the
7 snook population.

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

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

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

23 (h) A special use permit for a resident or nonresident
24 to participate in limited entry hunting or fishing activities
25 as authorized by commission rule shall not exceed \$100 per day
26 or \$250 per week. Notwithstanding any other provision of this
27 chapter, there are no exclusions, exceptions, or exemptions
28 from this permit fee. In addition to the permit fee, the
29 commission may charge each special use permit applicant a
30 nonrefundable application fee not to exceed \$10.

31

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

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

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

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

30 2. One minor dependent, 16 years of age or younger,
31 may hunt under the supervision of the permittee and is exempt

1 from the recreational user permit requirements. The spouse
2 and dependent children of a permittee are exempt from the
3 recreational user permit requirements when engaged in outdoor
4 recreational activities other than hunting and when
5 accompanied by a permittee. Notwithstanding any other
6 provisions of this chapter, no other exclusions, exceptions,
7 or exemptions from the recreational user permit fee are
8 authorized.

9 (9)(a) RESIDENT 5-YEAR HUNTING AND FISHING

10 LICENSES.--Five-year licenses are available for residents
11 only, as follows:

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

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

23 (b) Proceeds from the sale of all 5-year licenses
24 shall be deposited into the Dedicated License Trust Fund, to
25 be distributed in accordance with the provisions of s.
26 372.106.

27 (10) RESIDENT LIFETIME FRESHWATER AND SALTWATER
28 FISHING LICENSES.--

29 (a) Lifetime freshwater fishing licenses and saltwater
30 fishing licenses are available for residents only, as follows,
31 for:

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

- 1 1. Persons 4 years of age or younger, for a fee of
2 \$200.
- 3 2. Persons 5 years of age or older, but under 13 years
4 of age, for a fee of \$350.
- 5 3. Persons 13 years of age or older, for a fee of
6 \$500.
- 7 (b) The following activities are authorized by the
8 purchase of a lifetime hunting license:
- 9 1. Taking or attempting to take or possess game
10 consistent with the state and federal laws and regulations and
11 rules of the commission in effect at the time of the taking.
- 12 2. All activities authorized by a muzzle-loading gun
13 permit, a turkey permit, an archery permit, a Florida
14 waterfowl permit, and a management area permit, excluding
15 fishing.
- 16 (12) RESIDENT LIFETIME SPORTSMAN'S LICENSES.--
- 17 (a) Lifetime sportsman's licenses are available, to
18 residents only, as follows, for:
- 19 1. Persons 4 years of age or younger, for a fee of
20 \$400.
- 21 2. Persons 5 years of age or older, but under 13 years
22 of age, for a fee of \$700.
- 23 3. Persons 13 years of age or older, for a fee of
24 \$1,000.
- 25 (b) The following activities are authorized by the
26 purchase of a lifetime sportsman's license:
- 27 1. Taking or attempting to take or possess freshwater
28 or saltwater fish, and game, consistent with the state and
29 federal laws and regulations and rules of the commission in
30 effect at the time of taking.
- 31

1 2. All activities authorized by a management area
2 permit, a muzzle-loading gun permit, a turkey permit, an
3 archery permit, a Florida waterfowl permit, a snook permit,
4 and a crawfish permit.

5
6 The proceeds from the sale of all lifetime licenses authorized
7 in this section shall be deposited into the Lifetime Fish and
8 Wildlife Trust Fund, to be distributed as provided in s.
9 372.105.

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

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

30 Section 11. Section 372.5701, Florida Statutes, is
31 created to read:

1 372.5701 Deposit of saltwater license fees; allocation
2 of federal funds.--

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

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

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

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

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

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

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

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

1 license fees paid by fishers shall only be appropriated to the
2 commission.

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

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

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

17 Section 12. Section 372.5702, Florida Statutes, is
18 created to read:

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

30 Section 13. Section 372.5704, Florida Statutes, is
31 created to read:

1 372.5704 Fish and Wildlife Conservation Commission
2 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 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(4) for the issuance of
22 licenses.

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

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

31

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

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

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

26 (7) The commission shall prescribe and provide
27 suitable forms and tags necessary to carry out the provisions
28 of this section.

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

1 Section 14. Section 372.571, Florida Statutes, is
2 amended to read:

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

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

22 372.5712 Florida waterfowl permit revenues.--

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

1 revenues shall be expended for projects approved by the
2 commission, in consultation with the Waterfowl Advisory
3 Council, for the purpose of protecting and propagating
4 migratory waterfowl and for the development, restoration,
5 maintenance, and preservation of wetlands within the state.

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

8 372.5715 Florida wild turkey permit revenues.--

9 (1) The commission shall expend the revenues generated
10 from the sale of the turkey permit as provided for in s.
11 372.57(4)(e) or that pro rata portion of any license that
12 includes turkey hunting privileges as provided for in s.
13 372.57(2)(1) and (m)~~s. 372.57(2)(i) and (14)(b)~~for research
14 and management of wild turkeys.

15 Section 17. Section 372.573, Florida Statutes, is
16 amended to read:

17 372.573 Management area permit revenues.--The
18 commission shall expend the revenue generated from the sale of
19 the management area permit as provided for in s. 372.57(4)(b)
20 or that pro rata portion of any license that includes
21 management area privileges as provided for in s. 372.57(2)(1)
22 and (m)~~s. 372.57(2)(i) and (14)(b)~~for the lease, management,
23 and protection of lands for public hunting, fishing, and other
24 outdoor recreation.

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

28 372.574 Appointment of subagents for the sale of
29 hunting, fishing, and trapping licenses and permits.--

30 (1) A county tax collector who elects to sell licenses
31 and permits may appoint any person as a subagent for the sale

1 of fishing, hunting, and trapping licenses and permits that
2 the tax collector is allowed to sell. The following are
3 requirements for subagents:

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

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

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

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

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

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

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

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 ~~±0~~
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 ~~±0~~ 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. Subsection (3) of section 705.101, Florida
21 Statutes, is amended to read:

22 705.101 Definitions.--As used in this chapter:

23 (3) "Abandoned property" means all tangible personal
24 property that does not have an identifiable owner and that has
25 been disposed on public property in a wrecked, inoperative, or
26 partially dismantled condition or has no apparent intrinsic
27 value to the rightful owner. ~~However,~~ Vessels determined to be
28 derelict by the Fish and Wildlife Conservation Commission or a
29 county or municipality in accordance with the provisions of s.
30 823.11 are ~~not~~ included within this definition.

31

1 Section 25. Sections 370.0605, 370.0608, 370.0609,
2 370.0615, 370.062, and 370.1111, Florida Statutes, and
3 subsections (10) and (11) of s. 370.14, Florida Statutes, are
4 repealed.

5 Section 26. This act shall take effect July 1, 2001.

6
7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 SB 2024

- 10 1. Creates an annual resident, gold sportsman's license for
11 a fee of \$82. The gold sportsman's license authorizes the
12 person to whom it is issued to take freshwater fish,
13 saltwater fish, and game. It also includes activities
14 authorized by a management area permit, a muzzle-loading
15 gun permit, a turkey permit, a Florida water fowl permit,
16 an archery permit, a snook permit and a crawfish permit.
- 17 2. Provides that if a person who is cited for a violation of
18 s. 327.395, F.S., can show proof of having a boating
19 safety identification card issued to him or her and valid
20 at the time of the citation, the clerk of the court shall
21 dismiss the case and may assess a \$5 dismissal fee.
- 22 3. Under current law, \$1 from each vessel registered in this
23 state must be used to fund additional research and
24 development of manatee avoidance technology for
25 watercrafts, and \$1 from each vessel registered in this
26 state shall be used for additional funding for manatee
27 census efforts and manatee signs on waterways. The
28 committee substitutes expands the usage of these funds
29 for manatee protection and technology and for population
30 research.
- 31 1. Includes in the definition of "abandoned property",
vessels determined to be derelict by the Fish and
Wildlife Conservation Commission or a county or
municipality.