

By Representative Baxley

1 A bill to be entitled
2 An act relating to the Fish and Wildlife
3 Conservation Commission; amending s. 327.395,
4 F.S.; revising age requirements for persons who
5 must possess a boating safety identification
6 card prior to operating certain vessels;
7 amending s. 327.73, F.S.; authorizing dismissal
8 of certain violations for failure to possess a
9 boating safety identification card; authorizing
10 a dismissal fee in certain circumstances;
11 amending s. 370.25, F.S.; authorizing state
12 universities to receive financial and technical
13 assistance from the commission for the siting
14 and development of artificial reefs;
15 authorizing the commission to accept title to
16 certain vessels on behalf of the state for use
17 in the artificial reef program and to adopt
18 rules regarding the transfer of such titles;
19 amending s. 372.001, F.S.; revising and
20 reorganizing definitions; creating s. 372.002,
21 F.S.; providing legislative intent regarding
22 the right to hunt, fish, and take game in the
23 state; amending s. 372.105, F.S.; revising
24 provisions relating to sources and uses of
25 funds in the Lifetime Fish and Wildlife Trust
26 Fund; amending s. 372.106, F.S.; specifying
27 distribution of certain funds in the Dedicated
28 License Trust Fund; amending s. 372.16, F.S.;
29 increasing the license fee for private game
30 preserves and farms; creating s. 372.551, F.S.;
31 authorizing the commission to establish

1 processes and vendor fees for the sale of
2 licenses and permits and the issuance of
3 authorization numbers, and for creation of a
4 statewide automated licensing system; requiring
5 the use of competitive bidding procedures;
6 amending s. 372.561, F.S.; revising provisions
7 relating to issuance of recreational licenses,
8 permits, and authorization numbers to take wild
9 animal life, freshwater aquatic life, and
10 marine life, and administrative costs and
11 reporting requirements related thereto;
12 creating s. 372.562, F.S.; providing exemptions
13 from recreational license and permit fees and
14 requirements; amending s. 372.57, F.S.;
15 revising and reorganizing provisions specifying
16 fees and requirements for recreational
17 licenses, permits, and authorization numbers,
18 including hunting licenses, saltwater and
19 freshwater fishing licenses, 5-year licenses,
20 and lifetime licenses; creating an annual gold
21 sportsman's license; creating a nonresident
22 3-day freshwater fishing license; increasing
23 the fees for nonresident freshwater and
24 saltwater fishing licenses; increasing the fee
25 for a nonresident Florida turkey permit;
26 creating an annual Florida bass permit, and
27 providing a fee therefor; providing for pier
28 licenses and recreational vessel licenses, and
29 providing fees therefor; providing for snook
30 permits and crawfish permits; providing permit
31 fees and providing for the use of revenues

1 therefrom; renumbering and amending s.
2 370.0608, F.S.; providing for the deposit of
3 saltwater licenses and fees into the Marine
4 Resources Conservation Trust Fund; revising
5 purposes for which licenses and fees may be
6 used; renumbering and amending s. 370.0609,
7 F.S.; providing for the expenditure of funds
8 through grants and contracts to specified
9 research institutes; renumbering and amending
10 s. 370.062, F.S., relating to issuance of
11 license tags for harvesting tarpon; modifying
12 date for tax collector's return of unissued
13 tags; deleting provisions relating to transfer
14 of tag fees to the Marine Resources
15 Conservation Trust Fund within a specified
16 period; creating s. 372.5716, F.S.; specifying
17 use of bass permit revenues; requiring an
18 annual report; amending s. 372.574, F.S.;
19 conforming subagent duties and reporting
20 requirements; amending s. 372.661, F.S.;
21 increasing the license fee for operation of a
22 private hunting preserve; correcting a cross
23 reference; amending s. 372.711, F.S.; providing
24 for dismissal of violations of license or
25 permit possession requirements under certain
26 conditions; authorizing a dismissal fee under
27 certain conditions; reenacting ss. 372.711(1)
28 and 372.83(1)(h), F.S.; reenacting provisions
29 referencing penalties for violations of
30 hunting, fishing, and trapping license and
31 permit requirements; amending s. 372.87, F.S.;

1 increasing a license or permit fee for keeping,
2 possessing, or exhibiting poisonous or venomous
3 reptiles; amending s. 372.921, F.S.; including
4 amphibians in provisions relating to exhibition
5 of wildlife; increasing existing permit fees
6 and providing a new permit fee; providing
7 rulemaking authority; providing a penalty;
8 amending s. 372.922, F.S.; clarifying
9 classifications of types of wildlife; requiring
10 a permit for personal possession; providing a
11 fee exemption for personal possession of
12 wildlife by an exhibitor or seller; amending s.
13 705.101, F.S.; including derelict vessels
14 within the definition of "abandoned property";
15 amending ss. 212.06, 215.20, 370.0603, 370.063,
16 372.571, 372.5712, 372.5715, 372.5717, 372.573,
17 372.65, 372.7015, 372.7016, and 810.09, F.S.;
18 correcting cross references; deleting obsolete
19 language; repealing s. 370.0605, F.S., relating
20 to saltwater fishing licenses and fees;
21 repealing s. 370.0615, F.S., relating to
22 lifetime saltwater fishing licenses; repealing
23 s. 370.1111, F.S., relating to snook fishing
24 permits; repealing s. 370.14 (10) and (11),
25 F.S., relating to recreational crawfish taking
26 permits and issuance of a crawfish stamp;
27 repealing s. 372.05(4), F.S., relating to
28 duties of the executive director of the
29 commission; repealing s. 372.06, F.S., relating
30 to meetings of the commission; providing an
31 effective date.

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

2

3 Section 1. Paragraph (b) of subsection (8) of section
4 212.06, Florida Statutes, is amended to read:

5 212.06 Sales, storage, use tax; collectible from
6 dealers; "dealer" defined; dealers to collect from purchasers;
7 legislative intent as to scope of tax.--

8 (8)

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

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

8 Section 2. Paragraph (1) of subsection (4) of section
9 215.20, Florida Statutes, is amended to read:

10 215.20 Certain income and certain trust funds to
11 contribute to the General Revenue Fund.--

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

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

20 Section 3. Section (1) of section 327.395, Florida
21 Statutes, is amended to read:

22 327.395 Boating safety identification cards.--

23 (1) ~~Until October 1, 2001,~~A person born after
24 September 30, 1980, ~~and on or after October 1, 2001,~~ a person
25 ~~21 years of age or younger~~ may not operate a vessel powered by
26 a motor of 10 horsepower or greater unless such person has in
27 his or her possession aboard the vessel photographic
28 identification and a boater safety identification card issued
29 by the commission which shows that he or she has:

30 (a) Completed a commission-approved boater education
31 course that meets the minimum 8-hour instruction requirement

1 established by the National Association of State Boating Law
2 Administrators;

3 (b) Passed a course equivalency examination approved
4 by the commission; or

5 (c) Passed a temporary certificate examination
6 developed or approved by the commission.

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

9 327.73 Noncriminal infractions.--

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

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

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

17
18 If the person cited follows either of the above procedures, he
19 or she shall be deemed to have admitted the noncriminal
20 infraction and to have waived the right to a hearing on the
21 issue of commission of the infraction. Such admission shall
22 not be used as evidence in any other proceedings. If a person
23 who is cited for a violation of s. 327.395 can show a boating
24 safety identification card issued to that person and valid at
25 the time of the citation, the clerk of the court may dismiss
26 the case and may assess a \$5 dismissal fee.

27 Section 5. Paragraph (c) of subsection (2) of section
28 370.0603, Florida Statutes, is amended to read:

29 370.0603 Marine Resources Conservation Trust Fund;
30 purposes.--

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

3 (c) All fees collected pursuant to ss. ~~370.062,~~
4 370.063, and 370.142, and 372.5704.

5 Section 6. Subsection (3) of section 370.063, Florida
6 Statutes, is amended to read:

7 370.063 Special recreational crawfish license.--There
8 is created a special recreational crawfish license, to be
9 issued to qualified persons as provided by this section for
10 the recreational harvest of crawfish (spiny lobster) beginning
11 August 5, 1994.

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

16 Section 7. Subsections (1) and (3) of section 370.25,
17 Florida Statutes, are amended to read:

18 370.25 Artificial reef program; grants and financial
19 and technical assistance to local governments.--

20 (1) An artificial reef program is created within the
21 ~~Fish and Wildlife Conservation~~ commission to enhance saltwater
22 opportunities and to promote proper management of fisheries
23 resources associated with artificial reefs for the public
24 interest. Under the program, the commission may provide grants
25 and financial and technical assistance to coastal local
26 governments, state universities, and nonprofit corporations
27 qualified under s. 501(c)(3) of the Internal Revenue Code for
28 the siting and development of artificial reefs as well as for
29 monitoring and evaluating their recreational, economic, and
30 biological effectiveness. The commission is authorized to
31 accept title, on behalf of the state, to vessels for use in

1 the artificial reef program as offshore artificial reefs.The
2 program may be funded from state, federal, and private
3 contributions.

4 (3) The commission may adopt by rule criteria for
5 siting, constructing, managing, and evaluating the
6 effectiveness of artificial reefs placed in state or adjacent
7 federal waters and criteria implementing the transfer of
8 vessel titles to the state for use as an offshore artificial
9 reef, ~~consistent with this section.~~

10 Section 8. Section 372.001, Florida Statutes, is
11 amended to read:

12 (Substantial rewording of section. See
13 s. 372.001, F.S., for present text.)

14 372.001 Definitions.--In construing these statutes,
15 when applied to saltwater and freshwater fish, shellfish,
16 crustacea, sponges, wild birds, and wild animals, where the
17 context permits, the word, phrase, or term:

18 (1) "Authorization number" means a number issued by
19 the commission, or its authorized agent, which serves in lieu
20 of a license or permit and affords the privilege purchased for
21 a specified period of time.

22 (2) "Closed season" means that portion of the year
23 during which the laws of Florida forbid the taking of
24 particular species of game or varieties of fish.

25 (3) "Commission" means the Fish and Wildlife
26 Conservation Commission.

27 (4) "Common carrier" includes any person, firm, or
28 corporation which undertakes for hire, as a regular business,
29 the transportation of persons or commodities from place to
30 place, offering its services to all who may choose to employ
31 it and pay its charges.

1 (5) "Fish and game" includes all fresh and saltwater
2 fish, shellfish, crustacea, sponges, wild birds, and wild
3 animals.

4 (6) "Fish management area" means a pond, lake, or
5 other water within a county, or within several counties,
6 designated to improve fishing for public use, and established
7 and specifically circumscribed for authorized management by
8 the commission and the board of county commissioners of the
9 county in which such waters lie, under agreement between the
10 commission and an owner with approval by the board of county
11 commissioners or under agreement with the board of county
12 commissioners for use of public waters in the county in which
13 such waters lie.

14 (7) "Fish pond" means a body of water that does not
15 occur naturally and that has been constructed and is
16 maintained primarily for the purpose of fishing.

17 (8) "Florida bass" means any bass in the genus
18 Micropterus.

19 (9) "Fresh water," except where otherwise provided by
20 law, includes all lakes, rivers, canals, and other waterways
21 of Florida, to such point or points where the fresh and salt
22 waters commingle to such an extent as to become unpalatable
23 and unfit for human consumption because of the saline content,
24 or to such point or points as may be fixed by order of the
25 commission by and with the consent of the board of county
26 commissioners of the county or counties to be affected by such
27 order. The Steinhatchee River shall be considered fresh water
28 from its source to mouth.

29 (10) "Freshwater fish" includes all classes of pisces
30 that are indigenous to fresh water.

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1 (11) "Fur-bearing animals" includes muskrat, mink,
2 raccoon, otter, civet cat, skunk, red and gray fox, and
3 opossum.

4 (12) "Game" means deer, bear, squirrel, rabbits, and,
5 where designated by commission rules, wild hogs, ducks, geese,
6 rails, coots, gallinules, snipe, woodcock, wild turkeys,
7 grouse, pheasants, quail, and doves.

8 (13) "Nongame" includes all species and populations of
9 indigenous wild vertebrates and invertebrates in the state
10 that are not defined as game.

11 (14) "Open season" means that portion of the year
12 during which the laws of Florida for the preservation of fish
13 and game permit the taking of particular species of game or
14 varieties of fish.

15 (15) "Private hunting preserve" includes any area set
16 aside by a private individual or concern on which artificially
17 propagated game or birds are taken.

18 (16) "Resident" means:

19 (a) Any person who has continually resided in this
20 state for 6 months; or

21 (b) Any member of the United States Armed Forces who
22 is stationed in this state.

23 (17) "Take" means taking, attempting to take,
24 pursuing, hunting, molesting, capturing, or killing any
25 wildlife or freshwater fish, their nests or eggs, by any
26 means, whether or not such actions result in obtaining
27 possession of such wildlife or freshwater fish or their nests
28 or eggs.

29 (18) "Transport" includes shipping, transporting,
30 carrying, importing, exporting, or receiving or delivering for
31 shipment, transportation, carriage, or export.

1 Section 9. Section 372.002, Florida Statutes, is
2 created to read:

3 372.002 Right to hunt and fish.--The Legislature
4 recognizes that hunting, fishing, and the taking of game are a
5 valued part of the cultural heritage of Florida and should be
6 forever preserved for Floridians. The Legislature further
7 recognizes that these activities play an important part in the
8 state's economy and in the conservation, preservation, and
9 management of the state's natural areas and resources.
10 Therefore, the Legislature intends that the citizens of
11 Florida have a right to hunt, fish, and take game, subject to
12 the regulations and restrictions prescribed by general law and
13 by s. 9, Art. IV of the State Constitution.

14 Section 10. Paragraph (b) of subsection (2) and
15 subsection (3) of section 372.105, Florida Statutes, are
16 amended to read:

17 372.105 Lifetime Fish and Wildlife Trust Fund.--

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

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

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

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

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1 (b) The interest income received and accruing from the
2 investments of proceeds from the sale of lifetime freshwater
3 fishing licenses and lifetime hunting licenses ~~the fund~~ shall
4 be spent in furtherance of the commission's ~~exercise of the~~
5 ~~regulatory and executive powers of the state with respect to~~
6 ~~the~~ management, protection, and conservation of wild animal
7 life and freshwater aquatic life as set forth in s. 9, Art. IV
8 of the State Constitution and this chapter and as otherwise
9 authorized by the Legislature.

10 (c) The interest income received and accruing from the
11 investments of proceeds from the sale of lifetime saltwater
12 fishing licenses shall be expended for marine law enforcement,
13 marine research, and marine fishery enhancement.

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

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

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

30 Section 11. Section 372.106, Florida Statutes, is
31 amended to read:

1 372.106 Dedicated License Trust Fund.--
2 (1) There is established within the Fish and Wildlife
3 Conservation Commission the Dedicated License Trust Fund. The
4 fund shall be credited with moneys collected pursuant to s.
5 ~~ss. 370.0605~~ and 372.57 for 5-year licenses and permits and
6 replacement 5-year licenses.
7 (2)(a) One-fifth of the total proceeds from the sale
8 of 5-year hunting and freshwater fishing licenses, permits,
9 and replacement licenses, and all interest derived therefrom,
10 shall be appropriated annually to the State Game Trust Fund.
11 (b) One-fifth of the total proceeds from the sale of
12 5-year saltwater fishing licenses, permits, and replacement
13 licenses, and all interest derived therefrom, shall be
14 appropriated annually to the Marine Resources Conservation
15 Trust Fund.
16 (3)(2) The fund shall be exempt from the provisions of
17 s. 215.20.
18 Section 12. Subsections (1) and (4) of section 372.16,
19 Florida Statutes, are amended to read:
20 372.16 Private game preserves and farms; penalty.--
21 (1) Any person owning land in this state may, ~~after~~
22 ~~having secured a license therefor from the Fish and Wildlife~~
23 ~~Conservation Commission,~~ establish, maintain, and operate
24 within the boundaries thereof, a private preserve and farm,
25 not exceeding an area of 640 acres, for the protection,
26 preservation, propagation, rearing, and production of game
27 birds and animals for private and commercial purposes,
28 provided that no two game preserves shall join each other or
29 be connected. Before any private game preserve or farm is
30 established, the owner or operator shall secure a license from
31 the commission, the fee for which is \$25 per year.

1 (4) Any person violating ~~the provisions of this~~
2 section ~~shall~~ for the first offense commits ~~be guilty of~~ a
3 misdemeanor of the second degree, punishable as provided in s.
4 775.082 or s. 775.083, and for a second or subsequent offense
5 commits ~~shall be guilty of~~ a misdemeanor of the first degree,
6 punishable as provided in s. 775.082 or s. 775.083. Any
7 person convicted of violating ~~the provisions of this section~~
8 shall forfeit, to the ~~Fish and Wildlife Conservation~~
9 commission, any license or permit issued under this section
10 ~~the provisions hereof~~; and no further license or permit shall
11 be issued to such person for a period of 1 year following such
12 conviction. ~~Before any private game preserve or farm is~~
13 ~~established, the owner or operator shall secure a license from~~
14 ~~the Fish and Wildlife Conservation Commission, the fee for~~
15 ~~which shall be \$5 per year.~~

16 Section 13. Section 372.551, Florida Statutes, is
17 created to read:

18 372.551 Competitive bidding for certain sale of
19 licenses and permits and the issuance of authorization
20 numbers.--The commission is authorized to establish the
21 following, using competitive bidding procedures:

22 (1) A process and a vendor fee for the sale of
23 licenses and permits, and the issuance of authorization
24 numbers, over the telephone.

25 (2) A process and a vendor fee for the electronic sale
26 of licenses and permits and for the electronic issuance of
27 authorization numbers.

28 (3) A process and a vendor fee to establish a
29 statewide automated license system.

30 Section 14. Section 372.561, Florida Statutes, is
31 amended to read:

1 (Substantial rewording of section. See
2 s. 372.561, F.S., for present text.)
3 372.561 Recreational licenses, permits, and
4 authorization numbers to take wild animal life, freshwater
5 aquatic life, and marine life; issuance; costs; reporting.--
6 (1) This section applies to all recreational licenses
7 and permits and to any authorization numbers issued by the
8 commission for the use of such recreational licenses or
9 permits.
10 (2) The commission shall establish forms for the
11 issuance of recreational licenses and permits.
12 (3) The commission shall issue a license, permit, or
13 authorization number to take wild animal life, freshwater
14 aquatic life, or marine life when an applicant provides proof
15 that she or he is entitled to such license, permit, or
16 authorization number. Each applicant for a recreational
17 license, permit, or authorization number shall provide her or
18 his social security number on the application form.
19 Disclosure of social security numbers obtained through this
20 requirement shall be limited to the purposes of administration
21 of the Title IV-D program for child support enforcement, use
22 by the commission, and as otherwise provided by law.
23 (4) Licenses and permits to take wild animal life,
24 freshwater aquatic life, or marine life may be sold by the
25 commission, by any tax collector in the state, or by any
26 subagent authorized under s. 372.574.
27 (5) In addition to any license or permit fee, the sum
28 of \$1.50 shall be charged for each license or management area
29 permit to cover the cost of issuing such license or permit.
30
31

1 (6)(a)1. For each type of hunting or freshwater
2 fishing license sold and for each type of sportsman's license
3 sold, a tax collector may retain \$1.
4 2. For each management area permit sold, a tax
5 collector may retain \$1.
6 3. For each type of saltwater fishing tag or license
7 sold, including combination saltwater fishing and freshwater
8 fishing licenses, or combination saltwater fishing, freshwater
9 fishing, and hunting licenses, a tax collector may retain
10 \$1.50.
11 (b) Tax collectors shall remit license and permit
12 moneys, along with a report of funds collected and other
13 required documentation, to the commission weekly.
14 (c) Tax collectors shall maintain records of all
15 licenses and permits sold, voided, stolen, or lost.
16 1. The tax collector is responsible to the commission
17 for the fees for all licenses and permits sold and for the
18 value of all licenses and permits reported as lost.
19 2. The tax collector shall report stolen licenses and
20 permits to the appropriate law enforcement agency.
21 3. The tax collector shall submit a written report and
22 a copy of the law enforcement agency's report to the
23 commission within 5 days after discovering a theft.
24 4. The tax collector is responsible for the fees for
25 all licenses and permits sold or lost by a subagent appointed
26 pursuant to s. 372.574.
27 (7) The commission is authorized to adopt rules
28 pursuant to ss. 120.536(1) and 120.54 to implement the
29 provisions of this section.
30 Section 15. Section 372.562, Florida Statutes, is
31 created to read:

1 372.562 Recreational licenses and permits; exemptions
2 from fees and requirements.--

3 (1) Hunting, freshwater fishing, and saltwater fishing
4 licenses and permits shall be issued without fee to any
5 resident who is certified or determined:

6 (a) To be totally and permanently disabled for
7 purposes of workers' compensation under chapter 440 as
8 verified by an order of a judge of compensation claims or
9 written confirmation by the carrier providing workers'
10 compensation benefits, or to be totally and permanently
11 disabled by the Railroad Retirement Board, by the United
12 States Department of Veterans Affairs or its predecessor, or
13 by any branch of the United States Armed Forces, or who holds
14 a valid identification card issued under the provisions of s.
15 295.17, upon proof of same. Any license issued under this
16 paragraph after January 1, 1997, expires after 5 years and
17 must be reissued, upon request, every 5 years thereafter.

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

23
24 A disability license issued after July 1, 1997, and before
25 July 1, 2000, retains the rights vested thereunder until the
26 license has expired.

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

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

31

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

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

8 (d) Any resident fishing for recreational purposes
9 only, within her or his county of residence with live or
10 natural bait, using poles or lines not equipped with a fishing
11 line retrieval mechanism, except on a legally established fish
12 management area.

13 (e) Any person fishing in a fish pond of 20 acres or
14 less that is located entirely within the private property of
15 the fish pond owner.

16 (f) Any person fishing in a fish pond that is licensed
17 in accordance with s. 372.5705.

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

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

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

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

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

30 (l) Any person fishing for recreational purposes from
31 a pier licensed under s. 372.57.

1 (m) Any resident fishing for a saltwater species in
2 fresh water from land or from a structure fixed to land.

3 (n) Any resident fishing for mullet in fresh water who
4 has a valid Florida freshwater fishing license.

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

11 Section 16. Section 372.57, Florida Statutes, is
12 amended to read:

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

15 372.57 Recreational licenses, permits, and
16 authorization numbers; fees established.--

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

27 (2) NONTRANSFERABILITY; INFORMATION AND
28 DOCUMENTATION.--

29 (a) Licenses, permits, and authorization numbers
30 issued under this chapter are not transferable. Each license
31 and permit must bear on its face in indelible ink the name of

1 the person to whom it is issued and other information as
2 deemed necessary by the commission. Licenses issued to the
3 owner, operator, or custodian of a vessel that directly or
4 indirectly collects fees for taking or attempting to take or
5 possess saltwater fish for noncommercial purposes must include
6 the vessel registration number or federal documentation
7 number.

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

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

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

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

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

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

- 1 (c) Annual hunting license to take game, \$11.
2 (d) Annual combination hunting and freshwater fishing
3 license, \$22.
4 (e) Annual combination freshwater fishing and
5 saltwater fishing license, \$24.
6 (f) Annual combination hunting, freshwater fishing,
7 and saltwater fishing license, \$34.
8 (g) Annual license to take fur-bearing animals, \$25.
9 However, a resident with a valid hunting license or a no-cost
10 license who is taking fur-bearing animals for noncommercial
11 purposes using guns or dogs only, and not traps or other
12 devices, is not required to purchase this license. Also, a
13 resident 65 years of age or older is not required to purchase
14 this license.
15 (h) Annual sportsman's license, \$71, except that an
16 annual sportsman's license for a resident 64 years of age or
17 older is \$12. A sportsman's license authorizes the person to
18 whom it is issued to take game and freshwater fish, subject to
19 the state and federal laws, rules, and regulations, including
20 rules of the commission, in effect at the time of the taking.
21 Other authorized activities include activities authorized by a
22 management area permit, a muzzle-loading gun permit, a turkey
23 permit, a Florida waterfowl permit, a bass permit, and an
24 archery permit.
25 (i) Annual gold sportsman's license, \$87. The gold
26 sportsman's license authorizes the person to whom it is issued
27 to take freshwater fish, saltwater fish, and game, subject to
28 the state and federal laws, rules, and regulations, including
29 rules of the commission, in effect at the time of taking.
30 Other authorized activities include activities authorized by a
31 management area permit, a muzzle-loading gun permit, a turkey

1 permit, a Florida waterfowl permit, an archery permit, a bass
2 permit, a snook permit, and a crawfish permit.
3 (5) NONRESIDENT HUNTING AND FISHING LICENSES.--The
4 licenses and fees for nonresidents participating in hunting
5 and fishing activities in the state are as follows:
6 (a) Freshwater fishing license to take freshwater fish
7 for 3 consecutive days, \$10.
8 (b) Freshwater fishing license to take freshwater fish
9 for 7 consecutive days, \$20.
10 (c) Saltwater fishing license to take saltwater fish
11 for 3 consecutive days, \$10.
12 (d) Saltwater fishing license to take saltwater fish
13 for 7 consecutive days, \$20.
14 (e) Annual freshwater fishing license, \$32.
15 (f) Annual saltwater fishing license, \$32.
16 (g) Hunting license to take game for 10 consecutive
17 days, \$25.
18 (h) Annual hunting license to take game, \$150.
19 (i) Annual license to take fur-bearing animals, \$25.
20 However, a nonresident with a valid Florida hunting license
21 who is taking fur-bearing animals for noncommercial purposes
22 using guns or dogs only, and not traps or other devices, is
23 not required to purchase this license.
24 (6) PIER LICENSE.--A pier license for any pier fixed
25 to land for the purpose of taking or attempting to take
26 saltwater fish is \$500 per year. The pier license may be
27 purchased at the option of the owner, operator, or custodian
28 of such pier and must be available for inspection at all
29 times.
30 (7) VESSEL LICENSES.--
31

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

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

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

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

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

30 (d) A license for a recreational vessel not for hire
31 and for which no fee is paid, either directly or indirectly,

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

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

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

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

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

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

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

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

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

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

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

13 (h) An annual Florida bass permit for a resident or
14 nonresident to take or possess all species of Florida bass
15 from any waters of the state is \$5.

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

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

29 2. Permit fees for short-term use of land that is
30 owned, leased, or managed by the commission may be established
31 by rule of the commission for activities on such lands. Such

1 permits may be in lieu of, or in addition to, the annual
2 management area permit authorized in subparagraph 1.

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

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

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

1 (9)(a) RESIDENT 5-YEAR HUNTING AND FISHING
2 LICENSES.--Five-year licenses are available for residents
3 only, as follows:
4 1. A 5-year freshwater fishing or saltwater fishing
5 license is \$60 for each type of license and authorizes the
6 person to whom the license is issued to take or attempt to
7 take or possess freshwater fish or saltwater fish consistent
8 with the state and federal laws and regulations and rules of
9 the commission in effect at the time of taking.
10 2. A 5-year hunting license is \$55 and authorizes the
11 person to whom it is issued to take or attempt to take or
12 possess game consistent with the state and federal laws and
13 regulations and rules of the commission in effect at the time
14 of taking.
15 3. The commission is authorized to sell the hunting,
16 fishing, and recreational activity permits authorized in
17 subsection (8) for a 5-year period to match the purchase of
18 5-year fishing and hunting licenses. The fee for each permit
19 issued under this paragraph shall be five times the annual
20 cost established in subsection (8).
21 (b) Proceeds from the sale of all 5-year licenses and
22 permits shall be deposited into the Dedicated License Trust
23 Fund, to be distributed in accordance with the provisions of
24 s. 372.106.
25 (10) RESIDENT LIFETIME FRESHWATER OR SALTWATER FISHING
26 LICENSES.--
27 (a) Lifetime freshwater fishing licenses or saltwater
28 fishing licenses are available for residents only, as follows,
29 for:
30 1. Persons 4 years of age or younger, for a fee of
31 \$125.

- 1 2. Persons 5 years of age or older, but under 13 years
2 of age, for a fee of \$225.
- 3 3. Persons 13 years of age or older, for a fee of
4 \$300.
- 5 (b) The following activities are authorized by the
6 purchase of a lifetime freshwater fishing license:
- 7 1. Taking, or attempting to take or possess,
8 freshwater fish consistent with the state and federal laws and
9 regulations and rules of the commission in effect at the time
10 of the taking.
- 11 2. All activities authorized by a management area
12 permit, excluding hunting.
- 13 3. All activities authorized by a Florida bass permit.
- 14 (c) The following activities are authorized by the
15 purchase of a lifetime saltwater fishing license:
- 16 1. Taking, or attempting to take or possess, saltwater
17 fish consistent with the state and federal laws and
18 regulations and rules of the commission in effect at the time
19 of the taking.
- 20 2. All activities authorized by a snook permit and a
21 crawfish permit.
- 22 3. All activities for which an additional license,
23 permit, or fee is required to take or attempt to take or
24 possess saltwater fish, which additional license, permit, or
25 fee was imposed subsequent to the date of the purchase of the
26 lifetime saltwater fishing license.
- 27 (11) RESIDENT LIFETIME HUNTING LICENSES.--
- 28 (a) Lifetime hunting licenses are available to
29 residents only, as follows, for:
- 30 1. Persons 4 years of age or younger, for a fee of
31 \$200.

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

1 archery permit, a Florida waterfowl permit, a Florida bass
2 permit, a snook permit, and a crawfish permit.

3 (13) PROCEEDS FROM THE SALE OF LIFETIME LICENSES.--The
4 proceeds from the sale of all lifetime licenses authorized in
5 this section shall be deposited into the Lifetime Fish and
6 Wildlife Trust Fund, to be distributed as provided in s.
7 372.105.

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

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

29 Section 17. Section 370.0608, Florida Statutes, is
30 renumbered as section 372.5701, Florida Statutes, and amended
31 to read:

1 372.5701 ~~370.0608~~ Deposit of license fees; allocation
2 of federal funds.--

3 (1) Except as provided in ss. 372.105 and 372.106, all
4 saltwater license and permit fees collected pursuant to s.
5 372.57 ~~All license fees collected pursuant to s. 370.0605~~
6 shall be deposited into the Marine Resources Conservation
7 Trust Fund, to be used as follows:

8 (a) Not more than 7.5 percent of the total fees
9 collected shall be used for administration of the licensing
10 program and for information and education. ~~Not more than 5~~
11 ~~percent of the total fees collected shall be used to carry out~~
12 ~~the responsibilities of the Fish and Wildlife Conservation~~
13 ~~Commission and to provide for the award of funds to marine~~
14 ~~research institutions in this state for the purposes of~~
15 ~~enabling such institutions to conduct worthy marine research~~
16 ~~projects.~~

17 (b) Not less than 30 percent of the total fees
18 collected shall be used for law enforcement. ~~Not less than 2.5~~
19 ~~percent of the total fees collected shall be used for aquatic~~
20 ~~education purposes.~~

21 (c) Not less than 32.5 percent of the total fees
22 collected shall be used for marine research and management.

23 1. ~~The remainder of such fees shall be used by the~~
24 ~~department for the following program functions:~~

25 a. ~~Not more than 5 percent of the total fees~~
26 ~~collected, for administration of the licensing program and for~~
27 ~~information and education.~~

28 b. ~~Not more than 30 percent of the total fees~~
29 ~~collected, for law enforcement.~~

30 c. ~~Not less than 27.5 percent of the total fees~~
31 ~~collected, for marine research.~~

1 (d)~~d.~~ Not less than 30 percent of the total fees
2 collected, for fishery enhancement, including, but not limited
3 to, fishery statistics development, artificial reefs, and fish
4 hatcheries.

5 (2)~~2.~~ The Legislature shall annually appropriate to
6 the commission from the General Revenue Fund for the
7 activities and programs specified in subsection (1)
8 ~~subparagraph 1.~~ at least the same amount of money as was
9 appropriated to the Department of Environmental Protection
10 from the General Revenue Fund for such activities and programs
11 for fiscal year 1988-1989, and the amounts appropriated to the
12 commission for such activities and programs from the Marine
13 Resources Conservation Trust Fund shall be in addition to the
14 amount appropriated to the commission for such activities and
15 programs from the General Revenue Fund. The proceeds from
16 recreational saltwater fishing license fees paid by fishers
17 shall only be appropriated to the commission.

18 (3)~~(2)~~ Funds available from the Wallop-Breaux Aquatic
19 Resources Trust Fund shall be distributed by the commission
20 between the Division of Freshwater Fisheries and the Division
21 of Marine Fisheries in proportion to the numbers of resident
22 fresh and saltwater anglers as determined by the most current
23 data on license sales. Unless otherwise provided by federal
24 law, the commission, at a minimum, shall provide the
25 following:

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

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

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

9 Section 18. Section 370.0609, Florida Statutes, is
10 renumbered as section 372.5702, Florida Statutes, and amended
11 to read:

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

25 Section 19. Section 370.062, Florida Statutes, is
26 renumbered as section 372.5704, Florida Statutes, and
27 subsections (1) and (9) of said section are amended to read:

28 372.5704 ~~370.062~~ Fish and Wildlife Conservation
29 Commission license program for tarpon; fees; penalties.--

30 (1) The ~~Fish and Wildlife Conservation~~ commission
31 shall establish a license program for the purpose of issuing

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

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

23 Section 20. Section 372.571, Florida Statutes, is
24 amended to read:

25 372.571 Expiration of licenses and permits.--Each
26 license or permit issued under this chapter must be dated when
27 issued. Each license or permit issued under this chapter
28 remains valid for 12 months after the date of issuance, except
29 for a lifetime license issued pursuant to s. 372.57 which is
30 valid from the date of issuance until the death of the
31 individual to whom the license is issued unless otherwise

1 revoked in accordance with s. 372.99, or a 5-year license
2 issued pursuant to s. 372.57 which is valid for 5 consecutive
3 years from the date of purchase unless otherwise revoked in
4 accordance with s. 372.99, or a license issued pursuant to s.
5 372.57(5)(a), (b), (c), (d), or (g) or (8)(i) or (j)2. ~~(2)(b)~~
6 ~~or (g)~~, which is valid for the period specified on the
7 license. A resident lifetime license or a resident 5-year
8 license that has been purchased by a resident of this state
9 and who subsequently resides in another state shall be honored
10 for activities authorized by that license.

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

13 372.5712 Florida waterfowl permit revenues.--

14 (1) The commission shall expend the revenues generated
15 from the sale of the Florida waterfowl permit as provided in
16 s. 372.57(8)~~(4)~~(a) or that pro rata portion of any license
17 that includes waterfowl hunting privileges, as provided in s.
18 372.57(4)(h) and (i) and (9)(a)3.~~(2)(k)~~ and ~~(14)(b)~~ as
19 follows: A maximum of 5 percent of the gross revenues shall
20 be expended for administrative costs; a maximum of 25 percent
21 of the gross revenues shall be expended for waterfowl research
22 approved by the commission; and a maximum of 70 percent of the
23 gross revenues shall be expended for projects approved by the
24 commission, in consultation with the Waterfowl Advisory
25 Council, for the purpose of protecting and propagating
26 migratory waterfowl and for the development, restoration,
27 maintenance, and preservation of wetlands within the state.

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

30 372.5715 Florida wild turkey permit revenues.--

31

1 (1) The commission shall expend the revenues generated
2 from the sale of the turkey permit as provided for in s.
3 372.57(8)(b) and ~~(c)(4)(e)~~ or that pro rata portion of any
4 license that includes turkey hunting privileges as provided
5 for in s. 372.57(4)(h) and ~~(i)(2)(k) and (14)(b)~~ for research
6 and management of wild turkeys.

7 Section 23. Section 372.5716, Florida Statutes, is
8 created to read:

9 372.5716 Use of Florida bass permit revenues;
10 report.--The intent of this section is to protect Florida bass
11 through expanded research and management and to improve the
12 populations of Florida bass in the state. Revenues generated
13 from the sale of the annual Florida bass permit authorized in
14 s. 372.57(8)(h), or that pro rata portion of any license that
15 includes Florida bass fishing privileges as provided for in s.
16 372.57(4)(h)and (i) and (9)(a)3., shall be deposited into the
17 State Game Trust Fund and used exclusively for construction,
18 maintenance, and operation of the Florida Bass Center at the
19 Richloam Hatchery in Sumter County, including programs to
20 benefit research and management of Florida bass, with special
21 emphasis on the subspecies of largemouth bass unique to
22 Florida. The commission shall prepare an annual report
23 documenting the expenditure of revenues generated by the sale
24 of Florida bass permits, to be submitted to the appropriate
25 fiscal and substantive committees of the House of
26 Representatives and the Senate.

27 Section 24. Subsection (7) of section 372.5717,
28 Florida Statutes, is amended to read:

29 372.5717 Hunter safety course; requirements;
30 penalty.--

31

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

4 Section 25. Section 372.573, Florida Statutes, is
5 amended to read:

6 372.573 Management area permit revenues.--The
7 commission shall expend the revenue generated from the sale of
8 the management area permit as provided for in s. 372.57(8)(j)
9 ~~(4)(b)~~ or that pro rata portion of any license that includes
10 management area privileges as provided for in s. 372.57(4)(h)
11 and (i)(2)(i) and (14)(b) for the lease, management, and
12 protection of lands for public hunting, fishing, and other
13 outdoor recreation.

14 Section 26. Paragraph (h) of subsection (1) and
15 paragraphs (e) and (i) of subsection (2) of section 372.574,
16 Florida Statutes, are amended to read:

17 372.574 Appointment of subagents for the sale of
18 hunting, fishing, and trapping licenses and permits.--

19 (1) A county tax collector who elects to sell licenses
20 and permits may appoint any person as a subagent for the sale
21 of fishing, hunting, and trapping licenses and permits that
22 the tax collector is allowed to sell. The following are
23 requirements for subagents:

24 (h) A subagent shall weekly submit payment for and
25 report the sale of licenses and permits ~~to the tax collector~~
26 ~~as prescribed by the tax collector but no less frequently than~~
27 ~~monthly~~.

28 (2) If a tax collector elects not to appoint
29 subagents, the commission may appoint subagents within that
30 county. Subagents shall serve at the pleasure of the
31 commission. The commission may establish, by rule, procedures

1 for selection of subagents. The following are requirements
2 for subagents so appointed:

3 (e) A subagent may charge and receive as his or her
4 compensation 50 cents for each license or permit sold. This
5 charge is in addition to the sum required by law to be
6 collected for the sale and issuance of each license or permit.
7 ~~In addition, no later than July 1, 1997, a subagent fee for~~
8 ~~the sale of licenses over the telephone by credit card shall~~
9 ~~be established by competitive bid procedures which are~~
10 ~~overseen by the Fish and Wildlife Conservation Commission. A~~
11 ~~fee for electronic license sales may be established by~~
12 ~~competitive-bid procedures that are overseen by the Fish and~~
13 ~~Wildlife Conservation Commission.~~

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 27. Paragraph (a) of subsection (1) and
20 subsection (2) of section 372.65, Florida Statutes, are
21 amended to read:

22 372.65 Freshwater fish dealer's license.--

23 (1) No person shall engage in the business of taking
24 for sale or selling any frogs or freshwater fish, including
25 live bait, of any species or size, or importing any exotic or
26 nonindigenous fish, until such person has obtained a license
27 and paid the fee therefor as set forth herein. The license
28 issued shall be in the possession of the person to whom issued
29 while such person is engaging in the business of taking for
30 sale or selling freshwater fish or frogs, is not transferable,
31 shall bear on its face in indelible ink the name of the person

1 to whom it is issued, and shall be affixed to a license
2 identification card issued by the commission. Such license is
3 not valid unless it bears the name of the person to whom it is
4 issued and is so affixed. The failure of such person to
5 exhibit such license to the commission or any of its wildlife
6 officers when such person is found engaging in such business
7 is a violation of law. The license fees and activities
8 permitted under particular licenses are as follows:

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

16 ~~(2) The provisions of ss. 372.561 and 372.571, except~~
17 ~~those provisions relating to issuance without fee to certain~~
18 ~~classes of persons, shall apply to licenses issued under this~~
19 ~~section.~~

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

22 372.661 Private hunting preserve license fees,
23 ~~license~~; exception.--

24 (1) Any person who operates a private hunting preserve
25 commercially or otherwise shall be required to pay a license
26 fee of ~~\$50~~\$25 for each such preserve; provided, however, that
27 during the open season established for wild game of any
28 species a private individual may take artificially propagated
29 game of such species up to the bag limit prescribed for the
30 particular species without being required to pay the license
31 fee required by this section; provided further that if any

1 such individual shall charge a fee for taking such game she or
2 he shall be required to pay the license fee required by this
3 section and to comply with the rules ~~and regulations~~ of the
4 ~~Fish and Wildlife Conservation~~ commission relative to the
5 operation of private hunting preserves.

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

18 Section 29. Section 372.7015, Florida Statutes, as
19 amended by section 14 of chapter 2001-122, Laws of Florida, is
20 amended to read:

21 372.7015 Illegal killing, taking, possessing, or
22 selling wildlife or game; fines; disposition of fines.--In
23 addition to any other penalty provided by law, any person who
24 violates the criminal provisions of this chapter and rules
25 adopted pursuant to this chapter by illegally killing, taking,
26 possessing, or selling game or fur-bearing animals as defined
27 in s. 372.001(11) or (12)~~(3) or (4)~~in or out of season while
28 violating chapter 810 shall pay a fine of \$250 for each such
29 violation, plus court costs and any restitution ordered by the
30 court. All fines collected under this section shall be
31 remitted by the clerk of the court to the Department of

1 Revenue to be deposited into the Fish and Wildlife
2 Conservation Commission's State Game Trust Fund.

3 Section 30. Paragraph (a) of subsection (2) of section
4 372.7016, Florida Statutes, is amended to read:

5 372.7016 Voluntary Authorized Hunter Identification
6 Program.--

7 (2) Any person hunting on private land enrolled in the
8 Voluntary Authorized Hunter Identification Program shall have
9 readily available on the land at all times when hunting on the
10 property written authorization from the owner or his or her
11 authorized representative to be on the land for the purpose of
12 hunting. The written authorization shall be presented on
13 demand to any law enforcement officer, the owner, or the
14 authorized agent of the owner.

15 (a) For purposes of this section, the term "hunting"
16 means to be engaged in or reasonably equipped to engage in the
17 pursuit or taking by any means of any animal described in s.
18 372.001(11) or (12)~~(3) or (4)~~, and the term "written
19 authorization" means a card, letter, or other written
20 instrument which shall include, but need not be limited to,
21 the name of the person or entity owning the property, the name
22 and signature of the person granting the authorization, a
23 description by township, range, section, partial section, or
24 other geographical description of the land to which the
25 authorization applies, and a statement of the time period
26 during which the authorization is valid.

27 Section 31. Subsection (1) of section 372.711, Florida
28 Statutes, is reenacted and subsection (8) is added to said
29 section, to read:

30 372.711 Noncriminal infractions.--

31

1 (1) Any person cited for committing a noncriminal
2 infraction specified in s. 372.83 shall be cited to appear
3 before the county court. The civil penalty for any
4 noncriminal infraction involving the license and permit
5 requirements of s. 372.57 is \$50, in addition to the cost of
6 the amount of the license or permit involved in the
7 infraction, except as otherwise provided in this section. The
8 civil penalty for any other noncriminal infraction is \$50,
9 except as otherwise provided in this section.

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

20 Section 32. Paragraph (h) of subsection (1) of section
21 372.83, Florida Statutes, is reenacted to read:

22 372.83 Noncriminal infractions; criminal penalties;
23 suspension and revocation of licenses and permits.--

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

27 (h) Section 372.57, relating to hunting, fishing, and
28 trapping licenses.

29
30 A person who fails to pay the civil penalty specified in s.
31 372.711 within 30 days after being cited for a noncriminal

1 infraction or to appear before the court pursuant to that
2 section is guilty of a misdemeanor of the second degree,
3 punishable as provided in s. 775.082 or s. 775.083.

4 Section 33. Section 372.87, Florida Statutes, is
5 amended to read:

6 372.87 License fee; renewal, revocation.--~~The Fish and~~
7 ~~Wildlife Conservation~~ commission is hereby authorized and
8 empowered to issue a license or permit for the keeping,
9 possessing, or exhibiting of poisonous or venomous reptiles,
10 upon payment of an annual fee of \$25~~\$5~~ and upon assurance
11 that all of the provisions of ss. 372.86-372.91 and such other
12 reasonable rules and regulations as said commission may
13 prescribe will be fully complied with in all respects. Such
14 permit may be revoked by the ~~Fish and Wildlife Conservation~~
15 commission upon violation of any of the provisions of ss.
16 372.86-372.91 or upon violation of any of the rules and
17 regulations prescribed by said commission relating to the
18 keeping, possessing, and exhibiting of any poisonous and
19 venomous reptiles. Such permits or licenses shall be for an
20 annual period to be prescribed by the said commission and
21 shall be renewable from year to year upon the payment of said
22 \$25~~\$5~~ fee and shall be subject to the same conditions,
23 limitations, and restrictions as herein set forth.

24 Section 34. Subsections (1), (2), and (4) of section
25 372.921, Florida Statutes, are amended, subsection (9) is
26 renumbered as subsection (10), and a new subsection (9) is
27 added to said section, to read:

28 372.921 Exhibition of wildlife.--

29 (1) In order to provide humane treatment and sanitary
30 surroundings for wild animals kept in captivity, no person,
31 firm, corporation, or association shall have, or be in

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

11 (2) The fees to be paid for the issuance of permits
12 for the exhibition of wildlife required by subsection (1)
13 shall be as follows:

14 (a) For not more than 25 Class I or Class II ~~±0~~
15 individual specimens in the aggregate of all species, the sum
16 of \$100 ~~\$5~~ per annum.

17 (b) For over 25 Class I or Class II ~~±0~~ individual
18 specimens in the aggregate of all species, the sum of \$250 ~~\$25~~
19 per annum.

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

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

27 (4) Permits issued pursuant to this section and places
28 where wildlife is kept or held in captivity shall be subject
29 to inspection by officers of the ~~Fish and Wildlife~~
30 ~~Conservation~~ commission at all times. The commission shall
31 have the power to release or confiscate any specimens of any

1 wildlife, specifically birds, mammals, amphibians, or
2 reptiles, whether indigenous to the state or not, when it is
3 found that conditions under which they are being confined are
4 unsanitary, or unsafe to the public in any manner, or that the
5 species of wildlife are being maltreated, mistreated, or
6 neglected or kept in any manner contrary to the provisions of
7 chapter 828, any such permit to the contrary notwithstanding.
8 Before any such wildlife is confiscated or released under the
9 authority of this section, the owner thereof shall have been
10 advised in writing of the existence of such unsatisfactory
11 conditions; the owner shall have been given 30 days in which
12 to correct such conditions; the owner shall have failed to
13 correct such conditions; the owner shall have had an
14 opportunity for a proceeding pursuant to chapter 120; and the
15 commission shall have ordered such confiscation or release
16 after careful consideration of all evidence in the particular
17 case in question. The final order of the commission shall
18 constitute final agency action.

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

22 (10)~~(9)~~ A violation of this section is punishable as
23 provided by s. 372.83.

24 Section 35. Subsections (2), (3), and (5) of section
25 372.922, Florida Statutes, are amended to read:

26 372.922 Personal possession of wildlife.--

27 (2) The classifications of types of wildlife and fees
28 to be paid for ~~the issuance of permits~~ for the personal
29 possession of wildlife shall be as follows:

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

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

3 (c) Class III--All other wildlife not included in
4 Class I or Class II, for which a no-cost permit must be
5 obtained from the commission.

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

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

19 Section 36. Subsection (3) of section 705.101, Florida
20 Statutes, is amended to read:

21 705.101 Definitions.--As used in this chapter:

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

30 Section 37. Paragraph (g) of subsection (2) of section
31 810.09, Florida Statutes, is amended to read:

