

By Senator Pruitt

312-305B-02

1 A bill to be entitled
2 An act relating to funding for the Fish and
3 Wildlife Conservation Commission; amending s.
4 327.395, F.S.; providing requirements for
5 boating safety identification cards; amending
6 s. 327.73, F.S.; providing for dismissal of
7 violations of boating safety identification
8 card possession requirements under certain
9 conditions; providing a fee; amending s.
10 328.72, F.S.; specifying source of the county
11 portion of vessel registration fees; providing
12 for the return of certain vessel registration
13 fees to the vessel owner's county of Florida
14 residence; amending s. 328.76, F.S.; clarifying
15 provisions relating to distribution and uses of
16 funds in the Marine Resources Conservation
17 Trust Fund; amending s. 370.0603, F.S.;
18 providing for the deposit of fees into the
19 Marine Resources Conservation Trust Fund;
20 renumbering and amending ss. 370.0608,
21 370.0609, 370.062, F.S.; providing for the
22 deposit of licenses and fees into the Marine
23 Resources Conservation Trust Fund; revising
24 purposes for which licenses and fees may be
25 used; providing for the expenditure of funds
26 through grants and contracts to specified
27 research institutions; modifying date for tax
28 collector's return of unissued tags; deleting
29 provisions relating to transfer of tag fees to
30 the Marine Resources Conservation Trust Fund
31 within a specified period; amending s. 370.063,

1 F.S.; conforming a cross-reference; amending s.
2 370.25, F.S.; authorizing the commission to
3 accept title to certain vessels on behalf of
4 the state for use in the artificial reef
5 program; authorizing the commission to adopt
6 rules to develop criteria for implementing the
7 transfer of certain vessel titles to the state;
8 authorizing state universities to receive
9 grants and other financial and technical
10 assistance from the commission for the siting
11 and development of artificial reefs; amending
12 s. 372.001, F.S.; revising and reorganization
13 definitions; providing a definition of Florida
14 bass; amending s. 372.105, F.S.; revising
15 provisions relating to sources and uses of
16 funds in the Lifetime Fish and Wildlife Trust
17 Fund; amending s. 372.106, F.S.; specifying
18 distribution of certain funds in the Dedicated
19 License Trust Fund; amending s. 372.16, F.S.;
20 increasing the license fee for private game
21 preserves and farms; creating s. 372.555, F.S.;
22 authorizing the commission to sell licenses and
23 permits by electronic media; amending s.
24 372.561, F.S.; revising provisions relating to
25 issuance of recreational licenses, permits, and
26 authorization numbers to take wild animal life,
27 freshwater aquatic life, and marine life, and
28 administrative costs and reporting related
29 thereto; creating s. 372.562, F.S.; providing
30 exemptions from recreational license and permit
31 fees and requirements; amending s. 372.57,

1 F.S.; revising and reorganizing provisions
2 specifying fees and requirements for
3 recreational licenses, permits, and
4 authorization numbers, including hunting
5 licenses, saltwater and freshwater fishing
6 licenses, 5-year licenses, and lifetime
7 licenses; creating an annual gold sportsman's
8 license; increasing the fee for a nonresident
9 Florida turkey permit; providing for pier
10 licenses and recreational vessel licenses, and
11 fees therefor; providing for snook permits and
12 crawfish permits, and uses thereof; creating s.
13 372.5716, F.S.; providing for the use of
14 revenues from Florida bass permits; amending
15 ss. 372.571, 372.5712, 372.5715, 372.5717,
16 372.573, 372.65, F.S.; correcting
17 cross-references; deleting obsolete language;
18 amending s. 372.574, F.S.; revising subagent
19 duties and reporting requirements; amending s.
20 372.661, F.S.; increasing the license fee for a
21 private hunting preserve; amending s. 372.711,
22 F.S.; providing for dismissal of violations of
23 license or permit possession requirements,
24 under certain conditions; providing a fee;
25 reenacting s. 372.83(1)(h), F.S.; reenacting a
26 provision referencing penalties for violations
27 of hunting, fishing, and trapping license
28 requirements; amending s. 372.87, F.S.;
29 increasing fees for possessing or exhibiting
30 poisonous or venomous reptiles; amending s.
31 372.921, F.S.; including amphibians in

1 provisions relating to exhibition of wildlife;
2 increasing permit fees; providing rulemaking
3 authority; amending s. 372.922, F.S.; requiring
4 a permit for personal possession of wildlife by
5 an exhibitor or seller; providing a fee
6 exemption; amending s. 705.101, F.S.; including
7 derelict vessels within the definition of
8 "abandoned property"; amending ss. 212.06,
9 215.20, F.S.; correcting cross-references;
10 encouraging the release and feeding of certain
11 quail; repealing s. 370.0605, F.S., relating to
12 saltwater fishing licenses and fees; repealing
13 s. 370.0615, F.S., relating to lifetime
14 saltwater fishing licenses; repealing s.
15 370.1111, F.S., relating to snook fishing
16 permits; repealing s. 370.14(10) and (11),
17 F.S., relating to recreational crawfish taking
18 permits and issuance of a crawfish stamp;
19 repealing s. 372.05(4), F.S., relating to
20 duties of the executive director; repealing s.
21 372.06, F.S., relating to meetings of the
22 commission; providing an effective date.

23

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

25

26 Section 1. Subsection (1) of section 327.395, Florida
27 Statutes, is amended to read:

28 327.395 Boating safety identification cards.--

29 (1) ~~Until October 1, 2001,~~A person born after
30 September 30, 1980, ~~and on or after October 1, 2001,~~ a person
31 ~~21 years of age or younger~~ may not operate a vessel powered by

1 a motor of 10 horsepower or greater unless such person has in
2 his or her possession aboard the vessel photographic
3 identification and a boater safety identification card issued
4 by the commission which shows that he or she has:

5 (a) Completed a commission-approved boater education
6 course that meets the minimum 8-hour instruction requirement
7 established by the National Association of State Boating Law
8 Administrators;

9 (b) Passed a course equivalency examination approved
10 by the commission; or

11 (c) Passed a temporary certificate examination
12 developed or approved by the commission.

13 Section 2. Subsection (4) of section 327.73, Florida
14 Statutes, is amended to read:

15 327.73 Noncriminal infractions.--

16 (4) Any person charged with a noncriminal infraction
17 under this section may:

18 (a) Pay the civil penalty, either by mail or in
19 person, within 30 days of the date of receiving the citation;
20 or,

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

23
24 If the person cited follows either of the above procedures, he
25 or she shall be deemed to have admitted the noncriminal
26 infraction and to have waived the right to a hearing on the
27 issue of commission of the infraction. Such admission shall
28 not be used as evidence in any other proceedings. If a person
29 who is cited for a violation of s. 327.395 can show a boating
30 safety identification card issued to him or her and valid at
31

1 the time of the citation, the clerk of the court may dismiss
2 the case and may assess a \$5 dismissal fee.

3 Section 3. Subsections (1) and (15) of section 328.72,
4 Florida Statutes, are amended to read:

5 328.72 Classification; registration; fees and charges;
6 surcharge; disposition of fees; fines; marine turtle
7 stickers.--

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

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

16 Class A-2--12 feet or more and less than 16 feet in
17 length.....10.50
18 (To county).....2.85

19 Class 1--16 feet or more and less than 26 feet in
20 length.....18.50
21 (To county).....8.85

22 Class 2--26 feet or more and less than 40 feet in
23 length.....50.50
24 (To county).....32.85

25 Class 3--40 feet or more and less than 65 feet in
26 length.....82.50
27 (To county).....56.85

28 Class 4--65 feet or more and less than 110 feet in
29 length.....98.50
30 (To county).....68.85

31 Class 5--110 feet or more in length.....122.50

1 (To county).....86.85
2 Dealer registration certificate.....16.50
3

4 The county portion of the vessel registration fee is derived
5 from recreational vessels only.

6 (15) DISTRIBUTION OF FEES.--Except for the first \$1,
7 which shall be remitted to the state for deposit into the Save
8 the Manatee Trust Fund created within the Fish and Wildlife
9 Conservation Commission, moneys designated for the use of the
10 counties, as specified in subsection (1), shall be distributed
11 by the tax collector to the board of county commissioners for
12 use as provided in this section. Such moneys to be returned to
13 the counties are for the sole purposes of providing
14 recreational channel marking and public launching facilities
15 and other boating-related activities, for removal of vessels
16 and floating structures deemed a hazard to public safety and
17 health for failure to comply with s. 327.53, and for manatee
18 and marine mammal protection and recovery.

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

21 328.76 Marine Resources Conservation Trust Fund;
22 vessel registration funds; appropriation and distribution.--

23 (1) Except as otherwise specified in this subsection
24 and less \$1.4 million for any administrative costs which shall
25 be deposited in the Highway Safety Operating Trust Fund, in
26 each fiscal year beginning on or after July 1, 2001, all funds
27 collected from the registration of vessels through the
28 Department of Highway Safety and Motor Vehicles and the tax
29 collectors of the state, except for those funds designated as
30 the county portion ~~for the use of the counties~~ pursuant to s.
31 328.72(1), shall be deposited in the Marine Resources

1 Conservation Trust Fund for recreational channel marking;
2 public launching facilities; law enforcement and quality
3 control programs; aquatic weed control; manatee protection,
4 recovery, rescue, rehabilitation, and release; and marine
5 mammal protection and recovery. The funds collected pursuant
6 to s. 328.72(1) shall be transferred as follows:

7 (a) In each fiscal year, an amount equal to \$1.50 for
8 each commercial and recreational vessel registered in this
9 state shall be transferred by the Department of Highway Safety
10 and Motor Vehicles to the Save the Manatee Trust Fund and
11 shall be used only for the purposes specified in s. 370.12(4).

12 (b) An amount equal to \$2 ~~Two dollars~~ from each
13 recreational noncommercial vessel registration fee, except
14 that for class A-1 vessels, shall be transferred by the
15 Department of Highway Safety and Motor Vehicles to the
16 Invasive Plant Control Trust Fund in the Department of
17 Environmental Protection for aquatic weed research and
18 control.

19 (c) An amount equal to 40 ~~Forty~~ percent of the
20 registration fees from commercial vessels shall be transferred
21 by the Department of Highway Safety and Motor Vehicles to the
22 Invasive Plant Control Trust Fund in the Department of
23 Environmental Protection for aquatic plant research and
24 control.

25 (d) An amount equal to 40 ~~Forty~~ percent of the
26 registration fees from commercial vessels shall be transferred
27 by the Department of Highway Safety and Motor Vehicles, on a
28 monthly basis, to the General Inspection Trust Fund of the
29 Department of Agriculture and Consumer Services. These funds
30 shall be used for shellfish and aquaculture law enforcement
31 and quality control programs.

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

3 370.0603 Marine Resources Conservation Trust Fund;
4 purposes.--

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

7 (c) All fees collected pursuant to ss. ~~370.062,~~
8 370.063, and 370.142, and 372.5704.

9 (d) All fines and penalties pursuant to s. 370.021.

10 (e) Other revenues as provided by law.

11 Section 6. Section 370.0608, Florida Statutes, is
12 renumbered as section 372.5701, Florida Statutes, and amended
13 to read:

14 372.5701 ~~370.0608~~ Deposit of license fees; allocation
15 of federal funds.--

16 (1)(a) Except as otherwise provided in ss. 372.105 and
17 372.106, all saltwater license and permit fees collected
18 pursuant to s. 372.57 ~~All license fees collected pursuant to~~
19 ~~s. 370.0605~~ shall be deposited into the Marine Resources
20 Conservation Trust Fund, to be used as follows:

21 ~~(a) Not more than 5 percent of the total fees~~
22 ~~collected shall be used to carry out the responsibilities of~~
23 ~~the Fish and Wildlife Conservation Commission and to provide~~
24 ~~for the award of funds to marine research institutions in this~~
25 ~~state for the purposes of enabling such institutions to~~
26 ~~conduct worthy marine research projects.~~

27 ~~(b) Not less than 2.5 percent of the total fees~~
28 ~~collected shall be used for aquatic education purposes.~~

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

31

1 ~~1.a.~~ Not more than 7.5 ~~5~~ percent of the total fees
2 collected, for administration of the licensing program and for
3 information and education.

4 ~~2.b.~~ Not less ~~more~~ than 30 percent of the total fees
5 collected, for law enforcement.

6 ~~3.c.~~ Not less than 32.5 ~~27.5~~ percent of the total fees
7 collected, for marine research and management.

8 ~~4.d.~~ Not less than 30 percent of the total fees
9 collected, for fishery enhancement, including, but not limited
10 to, fishery statistics development, artificial reefs, and fish
11 hatcheries.

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

25 (2) Funds available from the Wallop-Breaux Aquatic
26 Resources Trust Fund shall be distributed by the commission
27 between the Division of Freshwater Fisheries and the Division
28 of Marine Fisheries in proportion to the numbers of resident
29 fresh and saltwater anglers as determined by the most current
30 data on license sales. Unless otherwise provided by federal
31

1 law, the commission, at a minimum, shall provide the
2 following:

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

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

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

17 Section 7. Section 370.0609, Florida Statutes, is
18 renumbered as section 372.5702, Florida Statutes, and amended
19 to read:

20 372.5702 ~~370.0609~~ Expenditure of funds.--Any moneys
21 available pursuant to s. 372.5701 ~~370.0608~~(1)(c)1.c. may ~~shall~~
22 be expended by the Fish and Wildlife Conservation Commission
23 within Florida through grants and contracts for research with
24 research institutions including but not limited to: Florida
25 Sea Grant; Florida Marine Resources Council; Harbour Branch
26 Oceanographic Institute; Technological Research and
27 Development Authority; Florida Marine Research Institute of
28 the Fish and Wildlife Conservation Commission; ~~Indian River~~
29 ~~Region Research Institute;~~Mote Marine Laboratory; Marine
30 Resources Development Foundation; Florida Institute of
31

1 Oceanography; ~~and~~ Rosentiel School of Marine and Atmospheric
2 Science; and Smithsonian Marine Station at Ft. Pierce.

3 Section 8. Section 370.062, Florida Statutes, is
4 renumbered as section 372.5704, Florida Statutes, and
5 subsections (1) and (9) of that section are amended to read:

6 372.5704 ~~370.062~~ Fish and Wildlife Conservation
7 Commission license program for tarpon; fees; penalties.--

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

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

1 Section 9. Subsection (3) of section 370.063, Florida
2 Statutes, is amended to read:

3 370.063 Special recreational crawfish license.--There
4 is created a special recreational crawfish license, to be
5 issued to qualified persons as provided by this section for
6 the recreational harvest of crawfish (spiny lobster) beginning
7 August 5, 1994.

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

12 Section 10. Subsections (1) and (3) of section 370.25,
13 Florida Statutes, are amended to read:

14 370.25 Artificial reef program; grants and financial
15 and technical assistance to local governments.--

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

31

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

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

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

12 372.001 Definitions.--In construing these statutes,
13 when applied to saltwater and freshwater fish, shellfish,
14 crustacea, sponges, wild birds, and wild animals, where the
15 context permits, the word, phrase, or term:

16 (1) "Authorization" means a number issued by the Fish
17 and Wildlife Conservation Commission, or its authorized agent,
18 which serves in lieu of a license or permit and affords the
19 privilege purchased for a specified period of time.

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

23 (3) "Commission" means the Fish and Wildlife
24 Conservation Commission.

25 (4) "Common carrier" includes any person, firm, or
26 corporation that undertakes for hire, as a regular business,
27 the transportation of persons or commodities from place to
28 place, offering its services to all who may choose to employ
29 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 Fish and Wildlife Conservation Commission and the board of
9 county commissioners of the county in which such waters lie
10 under agreement between the commission and an owner with
11 approval by the board of county commissioners or under
12 agreement with the board of county commissioners for use of
13 public waters in the county in which 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" includes 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
24 content, or to such point or points as may be fixed by the
25 Fish and Wildlife Conservation Commission, by and with the
26 consent of the board of county commissioners of the county or
27 counties to be affected by such order. The Steinhatchee River
28 is considered fresh water from its source to mouth.

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

31

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 when 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 in
12 which the laws of Florida for the preservation of fish and
13 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 to take, attempt to take, pursue,
24 hunt, molest, capture, or kill any wildlife or freshwater
25 fish, their nests or eggs, by any means, whether or not such
26 actions result in obtaining possession of such wildlife or
27 freshwater fish or their nests or eggs.

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

31

1 Section 12. Paragraph (b) of subsection (2) and
2 subsection (3) of section 372.105, Florida Statutes, are
3 amended to read:

4 372.105 Lifetime Fish and Wildlife Trust Fund.--

5 (2) The principal of the fund shall be derived from
6 the following:

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

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

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

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

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

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

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

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

17 Section 13. Section 372.106, Florida Statutes, is
18 amended to read:

19 372.106 Dedicated License Trust Fund.--

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

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

29 (b) One-fifth of the total proceeds from the sale of
30 5-year saltwater fishing licenses and replacement licenses,
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1 and all interest derived therefrom, shall be appropriated
2 annually to the Marine Resources Conservation Trust Fund.

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

5 Section 14. Subsections (1) and (4) of section 372.16,
6 Florida Statutes, are amended to read:

7 372.16 Private game preserves and farms; penalty.--

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

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

1 ~~the Fish and Wildlife Conservation Commission, the fee for~~
2 ~~which shall be \$5 per year.~~

3 Section 15. Section 372.555, Florida Statutes, is
4 created to read:

5 372.555 Vendor fees; competitive bid
6 authorization.--Using competitive bid procedures, the Fish and
7 Wildlife Conservation Commission may establish the following:

8 (1) A process and vendor fee for credit-card purchases
9 of licenses, permits, and authorization numbers over the
10 telephone.

11 (2) A process and vendor fee for the electronic sale
12 of licenses, permits, and authorization numbers.

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

15 Section 16. Section 372.561, Florida Statutes, is
16 amended to read:

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

19 372.561 Recreational licenses, permits, and
20 authorization numbers to take wild animal life, freshwater
21 aquatic life, and marine life; issuance; costs; reporting.--

22 (1) This section applies to all recreational licenses
23 and permits and to any authorization numbers issued by the
24 commission through the electronic sale of recreational
25 licenses or permits.

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

28 (3) The commission shall issue a license, permit, or
29 authorization number to take wild animal life, freshwater
30 aquatic life, or marine life when an applicant provides proof
31 that she or he is entitled to such license, permit, or

1 authorization number. Each applicant for a recreational
2 license, permit, or authorization number shall provide her or
3 his social security number on the application form.
4 Disclosure of social security numbers obtained through this
5 requirement shall be limited to the purposes of administration
6 of the Title IV-D program for child support enforcement, use
7 by the commission, and as otherwise provided by law.

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

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

15 (6)(a)1. For each hunting or freshwater fishing
16 license sold and for each sportsman's or gold sportsman's
17 license sold, a tax collector may retain \$1.

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

20 3. For each saltwater fishing tag or license sold,
21 including combination saltwater fishing and freshwater fishing
22 licenses, or combination saltwater fishing, freshwater
23 fishing, and hunting licenses, a tax collector may retain
24 \$1.50.

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

28 (c) Tax collectors shall maintain records of all
29 licenses and permits that are sold, voided, stolen, or lost.

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

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

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

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

12 (7) The commission is authorized to adopt rules
13 pursuant to ss. 120.536(1) and 120.54 necessary to administer
14 this section.

15 Section 17. Section 372.562, Florida Statutes, is
16 created to read:

17 372.562 Recreational licenses and permits; exemptions
18 from fees and requirements.--

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

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

30 (b) To be disabled by the United States Social
31 Security Administration, upon proof of same. Any license

1 issued under this paragraph after October 1, 1999, expires
2 after 2 years and must be reissued, upon proof of
3 certification of disability, every 2 years thereafter.

4
5 A disability license issued after July 1, 1997, and before
6 July 1, 2000, retains the rights vested thereunder until the
7 license has expired.

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

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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 fresh
14 water and who has a valid Florida freshwater fishing license.

15 (n) Any resident fishing for a saltwater species in
16 fresh water from land or from a structure fixed to land.

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

23 Section 18. Section 372.57, Florida Statutes, is
24 amended to read:

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

27 372.57 Recreational licenses, permits, and
28 authorization numbers; fees established.--

29 (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER
30 REQUIRED.--Except as provided in s. 372.562, no person shall
31 hunt, fish, or take fur-bearing animals within this state

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

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

10 (a) Licenses, permits, and authorization numbers
11 issued under this chapter are not transferable. Each license
12 and permit must bear on its face in indelible ink the name of
13 the person to whom it is issued and other information as
14 deemed necessary by the commission. Licenses issued to the
15 owner, operator, or custodian of a vessel that directly or
16 indirectly collects fees for taking or attempting to take or
17 possess saltwater fish for noncommercial purposes must include
18 the vessel registration number or federal documentation
19 number. Annual licenses must be dated when issued and shall
20 remain valid for 12 months.

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

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

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, \$71, except that an
29 annual sportsman's license for a resident 64 years of age or
30 older is \$12. A sportsman's license authorizes the person to
31 whom it is issued to take freshwater fish and game, subject to

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

6 (i) Annual gold sportsman's license, \$87. The gold
7 sportsman's license authorizes the person to whom it is issued
8 to take freshwater fish, saltwater fish, and game, subject to
9 the state and federal laws, rules, and regulations, including
10 rules of the commission, in effect at the time of taking.

11 Other authorized activities include activities authorized by a
12 bass permit, a management area permit, a muzzle-loading gun
13 permit, a turkey permit, a Florida waterfowl permit, an
14 archery permit, a snook permit, and a crawfish permit.

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

18 (a) Freshwater fishing license to take freshwater fish
19 for 3 days, \$10.

20 (b) Freshwater fishing license to take freshwater fish
21 for 7 consecutive days, \$20.

22 (c) Saltwater fishing license to take saltwater fish
23 for 3 days, \$10.

24 (d) Saltwater fishing license to take saltwater fish
25 for 7 consecutive days, \$20.

26 (e) Annual freshwater fishing license, \$32.

27 (f) Annual saltwater fishing license, \$32.

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

30 (h) Annual hunting license to take game, \$150.

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1 (i) Annual license to take fur-bearing animals, \$25.
2 However, a resident or nonresident with a valid Florida
3 hunting license who is taking fur-bearing animals for
4 noncommercial purposes using guns or dogs only, and not traps
5 or other devices, is not required to purchase this license.

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

12 (7) VESSEL LICENSES.--

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1 (i) A special use permit for a resident or nonresident
2 to participate in limited entry hunting or fishing activities
3 as authorized by commission rule shall not exceed \$100 per day
4 or \$250 per week. Notwithstanding any other provision of this
5 chapter, there are no exclusions, exceptions, or exemptions
6 from this permit fee. In addition to the permit fee, the
7 commission may charge each special use permit applicant a
8 nonrefundable application fee not to exceed \$10.

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

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

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

23 (k)1. A recreational user permit is required to hunt
24 on, fish on, or otherwise use for outdoor recreational
25 purposes land leased by the commission from private
26 nongovernmental owners, except for those lands located
27 directly north of the Apalachicola National Forest, east of
28 the Ochlockonee River until the point the river meets the dam
29 forming Lake Talquin, and south of the closest federal
30 highway. The fee for a recreational user permit shall be
31 based upon the economic compensation desired by the landowner,

1 game population levels, desired hunter density, and
2 administrative costs. The permit fee shall be set by
3 commission rule on a per-acre basis. The recreational user
4 permit fee, less administrative costs of up to \$25 per permit,
5 shall be remitted to the landowner as provided in the lease
6 agreement for each area.

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

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

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

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

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1 3. The commission is authorized to sell the hunting,
2 fishing, and recreational activity permits authorized in
3 subsection (8) for a 5-year period to match the purchase of
4 5-year fishing and hunting licenses. The fee for each permit
5 issued under this paragraph is five times the annual cost
6 established in subsection (8).

7 (b) Proceeds from the sale of all 5-year licenses and
8 permits shall be deposited into the Dedicated License Trust
9 Fund, to be distributed in accordance with the provisions of
10 s. 372.106.

11 (10) RESIDENT LIFETIME FRESHWATER AND SALTWATER
12 FISHING LICENSES.--

13 (a) Lifetime freshwater fishing licenses and saltwater
14 fishing licenses are available for residents only, as follows,
15 for:

16 1. Persons 4 years of age or younger, for a fee of
17 \$125 for each type of license.

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

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

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

24 1. Taking, or attempting to take or possess,
25 freshwater fish consistent with the state and federal laws and
26 regulations and rules of the commission in effect at the time
27 of the taking.

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

30 3. All activities authorized by a bass permit.

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

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

7 2. All activities authorized by a snook permit and a
8 crawfish permit.

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

14 (11) RESIDENT LIFETIME HUNTING LICENSES.--

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

17 1. Persons 4 years of age or younger, for a fee of
18 \$200.

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

21 3. Persons 13 years of age or older, for a fee of
22 \$500.

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

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

28 2. All activities authorized by a muzzle-loading gun
29 permit, a turkey permit, an archery permit, a Florida
30 waterfowl permit, and a management area permit, excluding
31 fishing.

1 (12) RESIDENT LIFETIME SPORTSMAN'S LICENSES.--
2 (a) Lifetime sportsman's licenses are available, to
3 residents only, as follows, for:
4 1. Persons 4 years of age or younger, for a fee of
5 \$400.
6 2. Persons 5 years of age or older, but under 13 years
7 of age, for a fee of \$700.
8 3. Persons 13 years of age or older, for a fee of
9 \$1,000.
10 (b) The following activities are authorized by the
11 purchase of a lifetime sportsman's license:
12 1. Taking, or attempting to take or possess,
13 freshwater and saltwater fish, and game, consistent with the
14 state and federal laws and regulations and rules of the
15 commission in effect at the time of taking.
16 2. All activities authorized by a management area
17 permit, a muzzle-loading gun permit, a turkey permit, an
18 archery permit, a Florida waterfowl permit, a bass permit, a
19 snook permit, and a crawfish permit.
20
21 The proceeds from the sale of all lifetime licenses authorized
22 in this section shall be deposited into the Lifetime Fish and
23 Wildlife Trust Fund, to be distributed as provided in s.
24 372.105.
25 (13) RECIPROCAL FEE AGREEMENTS.--The commission is
26 authorized to reduce the fees for licenses and permits under
27 this section for residents of those states with which the
28 commission has entered into reciprocal agreements with respect
29 to such fees.
30 (14) FREE FISHING DAYS.--The commission may designate
31 by rule no more than 2 consecutive or nonconsecutive days in

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

14 Section 19. Section 372.571, Florida Statutes, is
15 amended to read:

16 372.571 Expiration of licenses and permits.--Each
17 license or permit issued under this chapter must be dated when
18 issued. Each license or permit issued under this chapter
19 remains valid for 12 months after the date of issuance, except
20 for a lifetime license issued pursuant to s. 372.57 which is
21 valid from the date of issuance until the death of the
22 individual to whom the license is issued unless otherwise
23 revoked in accordance with s. 372.99, or a 5-year license
24 issued pursuant to s. 372.57 which is valid for 5 consecutive
25 years from the date of purchase unless otherwise revoked in
26 accordance with s. 372.99 or a license issued pursuant to s.
27 372.57(5)(a), (b), (c), (d), or (g) or (8)(i) or (j)2.(2)(b)
28 ~~or (g)~~, which is valid for the period specified on the
29 license. A resident lifetime license or a resident 5-year
30 license that has been purchased by a resident of this state
31

1 and who subsequently resides in another state shall be honored
2 for activities authorized by that license.

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

5 372.5712 Florida waterfowl permit revenues.--

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

20 Section 21. Subsection (1) of section 372.5715,
21 Florida Statutes, is amended to read:

22 372.5715 Florida wild turkey permit revenues.--

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

29 Section 22. Section 372.5716, Florida Statutes, is
30 created to read:

31

1 372.5716 Florida bass permit revenues.--The purpose of
2 this section is to protect Florida's unique subspecies of
3 largemouth bass through expanded research and management and
4 to improve Florida bass populations in the state. Revenues
5 generated from the sale of the Florida bass permit authorized
6 in s. 372.57(8)(k), or the pro rata share of any license that
7 includes Florida bass fishing privileges as provided for in
8 ss. 372.57(4)(h) and (i), (9)(a)3., (10)(b) and (12)(b)2.,
9 must be used exclusively for the construction, maintenance,
10 and operation of the Florida Bass Center at the Richloam
11 Hatchery in Sumter County, including programs to benefit
12 research and management of Florida bass, with special emphasis
13 on the subspecies of largemouth bass unique to Florida. The
14 commission shall prepare an annual report documenting the
15 expenditure of revenue generated by the sale of Florida bass
16 permits, which shall be submitted to the appropriate House and
17 Senate fiscal and substantive legislative committees.

18 Section 23. Subsection (7) of section 372.5717,
19 Florida Statutes, is amended to read:

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

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

25 Section 24. Section 372.573, Florida Statutes, is
26 amended to read:

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

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

4 Section 25. Paragraph (h) of subsection (1) and
5 paragraphs (e) and (i) of subsection (2) of section 372.574,
6 Florida Statutes, are amended to read:

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

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

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

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

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

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

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

9 Section 26. Paragraph (a) of subsection (1) and
10 subsection (2) of section 372.65, Florida Statutes, are
11 amended to read:

12 372.65 Freshwater fish dealer's license.--

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

30 (a) The fee for a resident commercial fishing license,
31 which permits a resident to take freshwater fish or frogs by

1 any lawful method prescribed by the commission and to sell
2 such fish or frogs, shall be \$25. The license provided for in
3 this paragraph shall also allow noncommercial fishing as
4 provided by law and commission rules, and the license in s.
5 372.57(4)(2)(a) shall not be required.

6 ~~(2) The provisions of ss. 372.561 and 372.571, except~~
7 ~~those provisions relating to issuance without fee to certain~~
8 ~~classes of persons, shall apply to licenses issued under this~~
9 ~~section.~~

10 Section 27. Section 372.661, Florida Statutes, is
11 amended to read:

12 372.661 Private hunting preserve licenses; fees,
13 license; exception.--

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

27 (2) A commercial hunting preserve license, which shall
28 exempt patrons of licensed preserves from the license and
29 permit requirements of s. 372.57(4)(c), (d), (f), (h), and
30 (i); (5)(g) and (h); (8)(a), (b), (c), (f), and (g); (9)(a)2.;
31 (11); and (12)~~licensure requirements of s. 372.57(2)(e), (f),~~

1 ~~(g), and (i), (4)(a), (c), (d), and (e), (7), (9), and (14)(b)~~
2 while hunting on the licensed preserve property, shall be
3 \$500. Such commercial hunting preserve license shall be
4 available only to those private hunting preserves licensed
5 pursuant to this section which are operated exclusively for
6 commercial purposes, which are open to the public, and for
7 which a uniform fee is charged to patrons for hunting
8 privileges.

9 Section 28. Subsection (8) is added to section
10 372.711, Florida Statutes, to read:

11 372.711 Noncriminal infractions.--

12 (8) A person who is cited for a violation of the
13 provisions of s. 372.57 which require the possession of a
14 license or permit may not be convicted if, prior to or at the
15 time of his or her court or hearing appearance, the person
16 produces in court or to the clerk of the court in which the
17 charge is pending the required license or permit that was
18 issued to him or her and valid at the time of his or her
19 citation. The clerk of the court is authorized to dismiss
20 each such case at any time before, or at the time of, the
21 defendant's appearance in court. The clerk of the court may
22 assess a fee of \$5 for dismissing the case under this
23 subsection.

24 Section 29. Paragraph (h) of subsection (1) of section
25 372.83, Florida Statutes, is reenacted to read:

26 372.83 Noncriminal infractions; criminal penalties;
27 suspension and revocation of licenses and permits.--

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

31

1 (h) Section 372.57, relating to hunting, fishing, and
2 trapping licenses.

3
4 A person who fails to pay the civil penalty specified in s.
5 372.711 within 30 days after being cited for a noncriminal
6 infraction or to appear before the court pursuant to that
7 section is guilty of a misdemeanor of the second degree,
8 punishable as provided in s. 775.082 or s. 775.083.

9 Section 30. Section 372.87, Florida Statutes, is
10 amended to read:

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

30 Section 31. Subsections (1), (2), and (4) of section
31 372.921, Florida Statutes, are amended, subsection (9) is

1 renumbered as subsection (10), and a new subsection (9) is
2 added to that section, to read:

3 372.921 Exhibition of wildlife.--

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

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

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

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

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

27
28 The fees prescribed by this subsection ~~section~~ shall be
29 submitted to the ~~Fish and Wildlife Conservation~~ commission
30 with the application for permit required by subsection (1) and
31 shall be deposited in the State Game Fund.

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

24 (9) The commission may adopt rules pursuant to ss.
25 120.536(1) and 120.54 to administer this section, including,
26 but not limited to, rules defining Class I, Class II, and
27 Class III types of wildlife.

28 Section 32. Subsection (5) of section 372.922, Florida
29 Statutes, is amended to read:

30 372.922 Personal possession of wildlife.--
31

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

6 Section 33. Subsection (3) of section 705.101, Florida
7 Statutes, is amended to read:

8 705.101 Definitions.--As used in this chapter:

9 (3) "Abandoned property" means all tangible personal
10 property that does not have an identifiable owner and that has
11 been disposed on public property in a wrecked, inoperative, or
12 partially dismantled condition or has no apparent intrinsic
13 value to the rightful owner. ~~However, Vessels determined to be~~
14 derelict by the Fish and Wildlife Conservation Commission or a
15 county or municipality in accordance with the provisions of s.
16 823.11 are ~~not~~ included within this definition.

17 Section 34. Paragraph (b) of subsection (8) of section
18 212.06, Florida Statutes, is amended to read:

19 212.06 Sales, storage, use tax; collectible from
20 dealers; "dealer" defined; dealers to collect from purchasers;
21 legislative intent as to scope of tax.--

22 (8)

23 (b) The presumption that tangible personal property
24 used in another state, territory of the United States, or the
25 District of Columbia for 6 months or longer before being
26 imported into this state was not purchased for use in this
27 state does not apply to any boat for which a saltwater fishing
28 license fee is required to be paid pursuant to s. 372.57(7)
29 ~~370.0605(2)(b)1., 2., or 3.~~, either directly or indirectly,
30 for the purpose of taking, attempting to take, or possessing
31 any marine fish for noncommercial purposes. Use tax shall

1 apply and be due on such a boat as provided in this paragraph,
2 and proof of payment of such tax must be presented prior to
3 the first such licensure of the boat, registration of the boat
4 pursuant to chapter 328, and titling of the boat pursuant to
5 chapter 328. A boat that is first licensed within 1 year after
6 purchase shall be subject to use tax on the full amount of the
7 purchase price; a boat that is first licensed in the second
8 year after purchase shall be subject to use tax on 90 percent
9 of the purchase price; a boat that is first licensed in the
10 third year after purchase shall be subject to use tax on 80
11 percent of the purchase price; a boat that is first licensed
12 in the fourth year after purchase shall be subject to use tax
13 on 70 percent of the purchase price; a boat that is first
14 licensed in the fifth year after purchase shall be subject to
15 use tax on 60 percent of the purchase price; and a boat that
16 is first licensed in the sixth year after purchase, or later,
17 shall be subject to use tax on 50 percent of the purchase
18 price. If the purchaser fails to provide the purchase invoice
19 on such boat, the fair market value of the boat at the time of
20 importation into this state shall be used to compute the tax.

21 Section 35. Paragraph (1) of subsection (4) of section
22 215.20, Florida Statutes, is amended to read:

23 215.20 Certain income and certain trust funds to
24 contribute to the General Revenue Fund.--

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

29 (1) The Marine Resources Conservation Trust Fund
30 created by s. 370.0603 ~~s. 370.0608~~, with the exception of
31

1 those fees collected for recreational saltwater fishing
2 licenses as provided in s. 372.57 ~~s. 370.0605~~.

3
4 The enumeration of the foregoing moneys or trust funds shall
5 not prohibit the applicability thereto of s. 215.24 should the
6 Governor determine that for the reasons mentioned in s. 215.24
7 the money or trust funds should be exempt herefrom, as it is
8 the purpose of this law to exempt income from its force and
9 effect when, by the operation of this law, federal matching
10 funds or contributions or private grants to any trust fund
11 would be lost to the state.

12 Section 36. Sections 370.0605, 370.0615, and 370.1111,
13 subsections (10) and (11) of section 370.14, subsection (4) of
14 section 372.05, and section 372.06, Florida Statutes, are
15 repealed.

16 Section 37. This act shall take effect July 1, 2002.

17

18 *****

19 SENATE SUMMARY

20 Amends and repeals various sections of ch. 370 and ch.
21 372, F.S., revising licenses and fees for the
22 recreational taking of freshwater fish, saltwater fish,
23 and game. Revises penalties. (See bill for details.)

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