

By the Committee on Finance and Taxation; and Senator Pruitt

314-1305-02

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; amending s. 370.0603, F.S.;
10 providing for the deposit of fees into the
11 Marine Resources Conservation Trust Fund;
12 renumbering and amending ss. 370.0608,
13 370.0609, 370.062, F.S.; providing for the
14 deposit of licenses and fees into the Marine
15 Resources Conservation Trust Fund; revising
16 purposes for which licenses and fees may be
17 used; providing for the expenditure of funds
18 through grants and contracts to specified
19 research institutions; modifying date for tax
20 collector's return of unissued tags; deleting
21 provisions relating to transfer of tag fees to
22 the Marine Resources Conservation Trust Fund
23 within a specified period; amending s. 370.063,
24 F.S.; conforming a cross-reference; amending s.
25 370.25, F.S.; authorizing the commission to
26 accept title to certain vessels on behalf of
27 the state for use in the artificial reef
28 program; authorizing the commission to adopt
29 rules to develop criteria for implementing the
30 transfer of certain vessel titles to the state;
31 authorizing state universities to receive

1 grants and other financial and technical
2 assistance from the commission for the siting
3 and development of artificial reefs; amending
4 s. 372.001, F.S.; revising and reorganization
5 definitions; providing a definition of Florida
6 bass; amending s. 372.105, F.S.; revising
7 provisions relating to sources and uses of
8 funds in the Lifetime Fish and Wildlife Trust
9 Fund; amending s. 372.106, F.S.; specifying
10 distribution of certain funds in the Dedicated
11 License Trust Fund; amending s. 372.16, F.S.;
12 increasing the license fee for private game
13 preserves and farms; creating s. 372.555, F.S.;
14 authorizing the commission to sell licenses and
15 permits by electronic media; amending s.
16 372.561, F.S.; revising provisions relating to
17 issuance of recreational licenses, permits, and
18 authorization numbers to take wild animal life,
19 freshwater aquatic life, and marine life, and
20 administrative costs and reporting related
21 thereto; creating s. 372.562, F.S.; providing
22 exemptions from recreational license and permit
23 fees and requirements; amending s. 372.57,
24 F.S.; revising and reorganizing provisions
25 specifying fees and requirements for
26 recreational licenses, permits, and
27 authorization numbers, including hunting
28 licenses, saltwater and freshwater fishing
29 licenses, 5-year licenses, and lifetime
30 licenses; creating an annual gold sportsman's
31 license; increasing the fee for a nonresident

1 Florida turkey permit; providing for pier
2 licenses and recreational vessel licenses, and
3 fees therefor; providing for snook permits and
4 crawfish permits, and uses thereof; creating s.
5 372.5716, F.S.; providing for the use of
6 revenues from Florida bass permits; amending
7 ss. 372.571, 372.5712, 372.5715, 372.5717,
8 372.573, 372.65, F.S.; correcting
9 cross-references; deleting obsolete language;
10 amending s. 372.574, F.S.; revising subagent
11 duties and reporting requirements; amending s.
12 372.661, F.S.; increasing the license fee for a
13 private hunting preserve; amending s. 372.711,
14 F.S.; providing for dismissal of violations of
15 license or permit possession requirements,
16 under certain conditions; providing a fee;
17 reenacting s. 372.83(1)(h), F.S.; reenacting a
18 provision referencing penalties for violations
19 of hunting, fishing, and trapping license
20 requirements; amending s. 372.87, F.S.;
21 increasing fees for possessing or exhibiting
22 poisonous or venomous reptiles; amending s.
23 372.921, F.S.; including amphibians in
24 provisions relating to exhibition of wildlife;
25 increasing permit fees; providing rulemaking
26 authority; amending s. 372.922, F.S.; requiring
27 a permit for personal possession of wildlife by
28 an exhibitor or seller; providing a fee
29 exemption; amending s. 705.101, F.S.; including
30 derelict vessels within the definition of
31 "abandoned property"; amending ss. 212.06,

1 215.20, F.S.; correcting cross-references;
2 repealing s. 370.0605, F.S., relating to
3 saltwater fishing licenses and fees; repealing
4 s. 370.0615, F.S., relating to lifetime
5 saltwater fishing licenses; repealing s.
6 370.1111, F.S., relating to snook fishing
7 permits; repealing s. 370.14(10) and (11),
8 F.S., relating to recreational crawfish taking
9 permits and issuance of a crawfish stamp;
10 repealing s. 372.05(4), F.S., relating to
11 duties of the executive director; repealing s.
12 372.06, F.S., relating to meetings of the
13 commission; providing an effective date.
14

15 Be It Enacted by the Legislature of the State of Florida:
16

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

19 327.395 Boating safety identification cards.--

20 (1) ~~Until October 1, 2001,~~A person born after
21 September 30, 1980, ~~and on or after October 1, 2001,~~ a person
22 ~~21 years of age or younger~~ may not operate a vessel powered by
23 a motor of 10 horsepower or greater unless such person has in
24 his or her possession aboard the vessel photographic
25 identification and a boater safety identification card issued
26 by the commission which shows that he or she has:

27 (a) Completed a commission-approved boater education
28 course that meets the minimum 8-hour instruction requirement
29 established by the National Association of State Boating Law
30 Administrators;
31

1 (b) Passed a course equivalency examination approved
2 by the commission; or

3 (c) Passed a temporary certificate examination
4 developed or approved by the commission.

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

7 327.73 Noncriminal infractions.--

8 (4) Any person charged with a noncriminal infraction
9 under this section may:

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

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

15
16 If the person cited follows either of the above procedures, he
17 or she shall be deemed to have admitted the noncriminal
18 infraction and to have waived the right to a hearing on the
19 issue of commission of the infraction. Such admission shall
20 not be used as evidence in any other proceedings. If a person
21 who is cited for a violation of s. 327.395 can show a boating
22 safety identification card issued to him or her and valid at
23 the time of the citation, the clerk of the court may dismiss
24 the case and may assess a \$5 dismissal fee.

25 Section 3. Paragraph (c) of subsection (2) of section
26 370.0603, Florida Statutes, is amended to read:

27 370.0603 Marine Resources Conservation Trust Fund;
28 purposes.--

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

31

1 (c) All fees collected pursuant to ss. ~~370.062,~~
2 370.063, ~~and~~ 370.142, and 372.5704.

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

4 (e) Other revenues as provided by law.

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

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

10 (1)(a) Except as otherwise provided in ss. 372.105 and
11 372.106, all saltwater license and permit fees collected
12 pursuant to s. 372.57 ~~All license fees collected pursuant to~~
13 ~~s. 370.0605~~ shall be deposited into the Marine Resources
14 Conservation Trust Fund, to be used as follows:

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

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

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

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

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

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

1 4.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 **(b)2.** The Legislature shall annually appropriate to
6 the commission from the General Revenue Fund for the
7 activities and programs specified in paragraph (a)
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 (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 5. 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)(a)3. ~~may~~
14 ~~370.0608(1)(c)1.c.~~ shall be expended by the Fish and Wildlife
15 Conservation Commission within Florida through grants and
16 contracts for research with research institutions including
17 but not limited to: Florida Sea Grant; Florida Marine
18 Resources Council; Harbour Branch Oceanographic Institute;
19 Technological Research and Development Authority; Florida
20 Marine Research Institute of the Fish and Wildlife
21 Conservation Commission; ~~Indian River Region Research~~
22 ~~Institute;~~Mote Marine Laboratory; Marine Resources
23 Development Foundation; Florida Institute of Oceanography; ~~and~~
24 Rosentiel School of Marine and Atmospheric Science; and
25 Smithsonian Marine Station at Ft. Pierce.

26 Section 6. Section 370.062, Florida Statutes, is
27 renumbered as section 372.5704, Florida Statutes, and
28 subsections (1) and (9) of that section are amended to read:

29 372.5704 ~~370.062~~ Fish and Wildlife Conservation
30 Commission license program for tarpon; fees; penalties.--
31

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

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

25 Section 7. Subsection (3) of section 370.063, Florida
26 Statutes, is amended to read:

27 370.063 Special recreational crawfish license.--There
28 is created a special recreational crawfish license, to be
29 issued to qualified persons as provided by this section for
30 the recreational harvest of crawfish (*spiny lobster*) beginning
31 August 5, 1994.

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

5 Section 8. Subsections (1) and (3) of section 370.25,
6 Florida Statutes, are amended to read:

7 370.25 Artificial reef program; grants and financial
8 and technical assistance to local governments.--

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

24 (3) The commission may adopt by rule criteria
25 consistent with this section for siting, constructing,
26 managing, and evaluating the effectiveness of artificial reefs
27 placed in state or adjacent federal waters and criteria
28 administering the transfer of vessel titles to the state for
29 use as offshore artificial reefs, ~~consistent with this~~
30 ~~section.~~

31

1 Section 9. Section 372.001, Florida Statutes, is
2 amended to read:

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

5 372.001 Definitions.--In construing these statutes,
6 when applied to saltwater and freshwater fish, shellfish,
7 crustacea, sponges, wild birds, and wild animals, where the
8 context permits, the word, phrase, or term:

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

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

16 (3) "Commission" means the Fish and Wildlife
17 Conservation Commission.

18 (4) "Common carrier" includes any person, firm, or
19 corporation that undertakes for hire, as a regular business,
20 the transportation of persons or commodities from place to
21 place, offering its services to all who may choose to employ
22 it and pay its charges.

23 (5) "Fish and game" includes all fresh and saltwater
24 fish, shellfish, crustacea, sponges, wild birds, and wild
25 animals.

26 (6) "Fish management area" means a pond, lake, or
27 other water within a county, or within several counties,
28 designated to improve fishing for public use and established
29 and specifically circumscribed for authorized management by
30 the Fish and Wildlife Conservation Commission and the board of
31 county commissioners of the county in which such waters lie

1 under agreement between the commission and an owner with
2 approval by the board of county commissioners or under
3 agreement with the board of county commissioners for use of
4 public waters in the county in which such waters lie.

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

8 (8) "Florida Bass" includes all bass in the genus
9 Micropterus.

10 (9) "Fresh water," except where otherwise provided by
11 law, includes all lakes, rivers, canals, and other waterways
12 of Florida, to such point or points where the fresh and salt
13 waters commingle to such an extent as to become unpalatable
14 and unfit for human consumption, because of the saline
15 content, or to such point or points as may be fixed by the
16 Fish and Wildlife Conservation Commission, by and with the
17 consent of the board of county commissioners of the county or
18 counties to be affected by such order. The Steinhatchee River
19 is considered fresh water from its source to mouth.

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

22 (11) "Fur-bearing animals" includes muskrat, mink,
23 raccoon, otter, civet cat, skunk, red and gray fox, and
24 opossum.

25 (12) "Game" means deer, bear, squirrel, rabbits, and,
26 when designated by commission rules, wild hogs, ducks, geese,
27 rails, coots, gallinules, snipe, woodcock, wild turkeys,
28 grouse, pheasants, quail, and doves.

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

1 (14) "Open season" means that portion of the year in
2 which the laws of Florida for the preservation of fish and
3 game permit the taking of particular species of game or
4 varieties of fish.

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

8 (16) "Resident" means:

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

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

13 (17) "Take" means to take, attempt to take, pursue,
14 hunt, molest, capture, or kill any wildlife or freshwater
15 fish, their nests or eggs, by any means, whether or not such
16 actions result in obtaining possession of such wildlife or
17 freshwater fish or their nests or eggs.

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

21 Section 10. Paragraph (b) of subsection (2) and
22 subsection (3) of section 372.105, Florida Statutes, are
23 amended to read:

24 372.105 Lifetime Fish and Wildlife Trust Fund.--

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

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

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

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

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

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

16 (c) The interest income received and accruing from the
17 investments of proceeds from the sale of lifetime saltwater
18 fishing licenses shall be expended for marine law enforcement,
19 marine research, and marine fishery enhancement.

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

30 (e)~~(d)~~ Any limitations or restrictions specified by
31 the donors on the uses of the interest income derived from

1 gifts, grants, and voluntary contributions shall be respected
2 but shall not be binding.

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

5 Section 11. Section 372.106, Florida Statutes, is
6 amended to read:

7 372.106 Dedicated License Trust Fund.--

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

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

17 (b) One-fifth of the total proceeds from the sale of
18 5-year saltwater fishing licenses and replacement licenses,
19 and all interest derived therefrom, shall be appropriated
20 annually to the Marine Resources Conservation Trust Fund.

21 (3)~~(2)~~ The fund shall be exempt from the provisions of
22 s. 215.20.

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

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

26 (1) Any person owning land in this state may, ~~after~~
27 ~~having secured a license therefor from the Fish and Wildlife~~
28 ~~Conservation Commission,~~ establish, maintain, and operate
29 within the boundaries thereof, a private preserve and farm,
30 not exceeding an area of 640 acres, for the protection,
31 preservation, propagation, rearing, and production of game

1 birds and animals for private and commercial purposes,
2 provided that no two game preserves shall join each other or
3 be connected. Before any private game preserve or farm is
4 established, the owner or operator shall secure a license from
5 the commission, the fee for which is \$25 per year.

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

21 Section 13. Section 372.555, Florida Statutes, is
22 created to read:

23 372.555 Vendor fees; competitive bid
24 authorization.--Using competitive bid procedures, the Fish and
25 Wildlife Conservation Commission may establish the following:

26 (1) A process and vendor fee for the sale of licenses
27 and permits over the telephone.

28 (2) A process and vendor fee for the electronic sale
29 of licenses and permits.

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

1 Section 14. Section 372.561, Florida Statutes, is
2 amended to read:

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

5 372.561 Recreational licenses, permits, and
6 authorization numbers to take wild animal life, freshwater
7 aquatic life, and marine life; issuance; costs; reporting.--

8 (1) This section applies to all recreational licenses
9 and permits and to any authorization numbers issued by the
10 commission for the use of recreational licenses or permits.

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

13 (3) The commission shall issue a license, permit, or
14 authorization number to take wild animal life, freshwater
15 aquatic life, or marine life when an applicant provides proof
16 that she or he is entitled to such license, permit, or
17 authorization number. Each applicant for a recreational
18 license, permit, or authorization number shall provide her or
19 his social security number on the application form.

20 Disclosure of social security numbers obtained through this
21 requirement shall be limited to the purposes of administration
22 of the Title IV-D program for child support enforcement, use
23 by the commission, and as otherwise provided by law.

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

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

31

1 (6)(a)1. For each hunting or freshwater fishing
2 license sold and for each sportsman's or gold sportsman's
3 license 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 saltwater fishing tag or license sold,
7 including combination saltwater fishing and freshwater fishing
8 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 that are 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 necessary to administer
29 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:

7 1. By the Railroad Retirement Board, by the United
8 States Department of Veterans Affairs or its predecessor, or
9 by any branch of the United States Armed Forces, or who holds
10 a valid identification card issued under the provisions of s.
11 295.17, upon proof of same.

12 2. For purposes of workers' compensation under chapter
13 440 as verified by an order of a judge of compensation claims
14 or written confirmation by the carrier providing workers'
15 compensation benefits.

16
17 Any license issued under this paragraph after January 1, 1997,
18 expires after 5 years and must be reissued, upon request,
19 every 5 years thereafter.

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

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

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

31

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

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

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

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

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

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

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

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

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

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

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

1 (l) Any person recreationally fishing from a pier
2 licensed under s. 372.57.

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

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

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

13 Section 16. Section 372.57, Florida Statutes, is
14 amended to read:

15 (Substantial rewording of section. See
16 s. 372.57, F.S., for present text.)
17 372.57 Recreational licenses, permits, and
18 authorization numbers; fees established.--

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

29 (2) NONTRANSFERABILITY; INFORMATION AND
30 DOCUMENTATION.--

31

1 (a) Licenses, permits, and authorization numbers
2 issued under this chapter are not transferable. Each license
3 and permit must bear on its face in indelible ink the name of
4 the person to whom it is issued and other information as
5 deemed necessary by the commission. Licenses issued to the
6 owner, operator, or custodian of a vessel that directly or
7 indirectly collects fees for taking or attempting to take or
8 possess saltwater fish for noncommercial purposes must include
9 the vessel registration number or federal documentation
10 number.

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

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

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

30
31

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

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

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

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

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

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

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

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

14 However, a resident with a valid hunting license or a no-cost
15 license who is taking fur-bearing animals for noncommercial
16 purposes using guns or dogs only, and not traps or other
17 devices, is not required to purchase this license. Also, a
18 resident 65 years of age or older is not required to purchase
19 this license.

20 (h) Annual sportsman's license, \$71, except that an
21 annual sportsman's license for a resident 64 years of age or
22 older is \$12. A sportsman's license authorizes the person to
23 whom it is issued to take freshwater fish and game, subject to
24 the state and federal laws, rules, and regulations, including
25 rules of the commission, in effect at the time of the taking.
26 Other authorized activities include activities authorized by a
27 bass permit, a management area permit, a muzzle-loading gun
28 permit, a turkey permit, a Florida waterfowl permit, and an
29 archery permit.

30 (i) Annual gold sportsman's license, \$87. The gold
31 sportsman's license authorizes the person to whom it is issued

1 to take freshwater fish, saltwater fish, and game, subject to
2 the state and federal laws, rules, and regulations, including
3 rules of the commission, in effect at the time of taking.

4 Other authorized activities include activities authorized by a
5 bass permit, a management area permit, a muzzle-loading gun
6 permit, a turkey permit, a Florida waterfowl permit, an
7 archery permit, a snook permit, and a crawfish permit.

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

11 (a) Freshwater fishing license to take freshwater fish
12 for 3 consecutive days, \$10.

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

15 (c) Saltwater fishing license to take saltwater fish
16 for 3 consecutive days, \$10.

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

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

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

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

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

24 (i) Annual license to take fur-bearing animals, \$25.

25 However, a resident or nonresident with a valid Florida
26 hunting license who is taking fur-bearing animals for
27 noncommercial purposes using guns or dogs only, and not traps
28 or other devices, is not required to purchase this license.

29 (6) PIER LICENSE.--A pier license for any pier fixed
30 to land for the purpose of taking or attempting to take
31 saltwater fish is \$500 per year. The pier license may be

1 purchased at the option of the owner, operator, or custodian
2 of such pier and must be available for inspection at all
3 times.

4 (7) VESSEL LICENSES.--

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

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

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

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

28 3. A person who operates a vessel required to be
29 licensed pursuant to paragraph (b) or paragraph (c) may obtain
30 a license in his or her own name, and such license shall be
31 transferable and apply to any vessel operated by the

1 purchaser, provided that the purchaser has paid the
2 appropriate license fee.

3 (d) A license for a recreational vessel not for hire
4 and for which no fee is paid, either directly or indirectly,
5 by guests for the purpose of taking or attempting to take
6 saltwater fish for recreational purposes is \$2,000 per year.
7 The license may be purchased at the option of the vessel owner
8 and must be kept aboard the vessel at all times. A log of
9 species taken and the date the species were taken shall be
10 maintained and a copy of the log filed with the commission at
11 the time of renewal of the license.

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

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

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

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

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

28 (d) An annual snook permit for a resident or
29 nonresident to take or possess any snook from any waters of
30 the state is \$2. Revenue generated from the sale of snook
31

1 permits shall be used exclusively for programs to benefit the
2 snook population.

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

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

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

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

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

29 (j)1. A management area permit for a resident or
30 nonresident to hunt on, fish on, or otherwise use for outdoor
31 recreational purposes land owned, leased, or managed by the

1 commission, or by the state for the use and benefit of the
2 commission, shall not exceed \$25 per year.

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

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

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

27 2. One minor dependent, 16 years of age or younger,
28 may hunt under the supervision of the permittee and is exempt
29 from the recreational user permit requirements. The spouse
30 and dependent children of a permittee are exempt from the
31 recreational user permit requirements when engaged in outdoor

1 recreational activities other than hunting and when
2 accompanied by a permittee. Notwithstanding any other
3 provision of this chapter, no other exclusions, exceptions, or
4 exemptions from the recreational user permit fee are
5 authorized.

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

7 LICENSES.--Five-year licenses are available for residents
8 only, as follows:

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

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

20 3. The commission is authorized to sell the hunting,
21 fishing, and recreational activity permits authorized in
22 subsection (8) for a 5-year period to match the purchase of
23 5-year fishing and hunting licenses. The fee for each permit
24 issued under this paragraph is five times the annual cost
25 established in subsection (8).

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

30 (10) RESIDENT LIFETIME FRESHWATER AND SALTWATER
31 FISHING LICENSES.--

1 (a) Lifetime freshwater fishing licenses and saltwater
2 fishing licenses are available for residents only, as follows,
3 for:

4 1. Persons 4 years of age or younger, for a fee of
5 \$125 for each type of license.

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

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

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

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

16 2. All activities authorized by a management area
17 permit, excluding hunting.

18 3. All activities authorized by a bass permit.

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

21 1. Taking, or attempting to take or possess, saltwater
22 fish consistent with the state and federal laws and
23 regulations and rules of the commission in effect at the time
24 of the taking.

25 2. All activities authorized by a snook permit and a
26 crawfish permit.

27 3. All activities for which an additional license,
28 permit, or fee is required to take or attempt to take or
29 possess saltwater fish, which additional license, permit, or
30 fee was imposed subsequent to the date of the purchase of the
31 lifetime saltwater fishing license.

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

1 state and federal laws and regulations and rules of the
2 commission in effect at the time of taking.

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

7
8 The proceeds from the sale of all lifetime licenses authorized
9 in this section shall be deposited into the Lifetime Fish and
10 Wildlife Trust Fund, to be distributed as provided in s.
11 372.105.

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

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

1 Section 17. Section 372.571, Florida Statutes, is
2 amended to read:

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

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

22 372.5712 Florida waterfowl permit revenues.--
23 (1) The commission shall expend the revenues generated
24 from the sale of the Florida waterfowl permit as provided in
25 s. 372.57(8)(4)(a) or that pro rata portion of any license
26 that includes waterfowl hunting privileges, as provided in s.
27 372.57(4)(h) and (i) and (9)(a)3.s. 372.57(2)(k) and (14)(b)
28 as follows: A maximum of 5 percent of the gross revenues
29 shall be expended for administrative costs; a maximum of 25
30 percent of the gross revenues shall be expended for waterfowl
31 research approved by the commission; and a maximum of 70

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

7 Section 19. Subsection (1) of section 372.5715,
8 Florida Statutes, is amended to read:

9 372.5715 Florida wild turkey permit revenues.--

10 (1) The commission shall expend the revenues generated
11 from the sale of the turkey permit as provided for in s.
12 372.57(8)(b) and (c)~~s. 372.57(4)(e)~~ or that pro rata portion
13 of any license that includes turkey hunting privileges as
14 provided for in s. 372.57(4)(h) and (i) and (9)(a)3.~~s.~~
15 ~~372.57(2)(k) and (14)(b)~~ for research and management of wild
16 turkeys.

17 Section 20. Section 372.5716, Florida Statutes, is
18 created to read:

19 372.5716 Florida bass permit revenues.--The purpose of
20 this section is to protect Florida's unique subspecies of
21 largemouth bass through expanded research and management and
22 to improve Florida bass populations in the state. Revenues
23 generated from the sale of the Florida bass permit authorized
24 in s. 372.57(8)(h), or the pro rata share of any license that
25 includes Florida bass fishing privileges as provided for in s.
26 372.57(4)(h) and (i), and (9)(a)3., must be used exclusively
27 for the construction, maintenance, and operation of the
28 Florida Bass Center at the Richloam Hatchery in Sumter County,
29 including programs to benefit research and management of
30 Florida bass, with special emphasis on the subspecies of
31 largemouth bass unique to Florida. The commission shall

1 prepare an annual report documenting the expenditure of
2 revenue generated by the sale of Florida bass permits, which
3 shall be submitted to the appropriate House and Senate fiscal
4 and substantive legislative committees.

5 Section 21. Subsection (7) of section 372.5717,
6 Florida Statutes, is amended to read:

7 372.5717 Hunter safety course; requirements;
8 penalty.--

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

12 Section 22. Section 372.573, Florida Statutes, is
13 amended to read:

14 372.573 Management area permit revenues.--The
15 commission shall expend the revenue generated from the sale of
16 the management area permit as provided for in s. 372.57(8)(j)
17 ~~s. 372.57(4)(b)~~ or that pro rata portion of any license that
18 includes management area privileges as provided for in s.
19 372.57(4)(h) and (i) and (9)(a)~~3.s. 372.57(2)(i) and (14)(b)~~
20 for the lease, management, and protection of lands for public
21 hunting, fishing, and other outdoor recreation.

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

25 372.574 Appointment of subagents for the sale of
26 hunting, fishing, and trapping licenses and permits.--

27 (1) A county tax collector who elects to sell licenses
28 and permits may appoint any person as a subagent for the sale
29 of fishing, hunting, and trapping licenses and permits that
30 the tax collector is allowed to sell. The following are
31 requirements for subagents:

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

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

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

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

27 Section 24. Paragraph (a) of subsection (1) and
28 subsection (2) of section 372.65, Florida Statutes, are
29 amended to read:

30 372.65 Freshwater fish dealer's license.--

31

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

18 (a) The fee for a resident commercial fishing license,
19 which permits a resident to take freshwater fish or frogs by
20 any lawful method prescribed by the commission and to sell
21 such fish or frogs, shall be \$25. The license provided for in
22 this paragraph shall also allow noncommercial fishing as
23 provided by law and commission rules, and the license in s.
24 372.57(4)(2)(a) shall not be required.

25 ~~(2) The provisions of ss. 372.561 and 372.571, except~~
26 ~~those provisions relating to issuance without fee to certain~~
27 ~~classes of persons, shall apply to licenses issued under this~~
28 ~~section.~~

29 Section 25. Section 372.661, Florida Statutes, is
30 amended to read:

31

1 372.661 Private hunting preserve licenses; fees
2 ~~license~~; exception.--

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

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

29 Section 26. Subsection (8) is added to section
30 372.711, Florida Statutes, to read:

31 372.711 Noncriminal infractions.--

1 (8) A person who is cited for a violation of the
2 provisions of s. 372.57 which require the possession of a
3 license or permit may not be convicted if, prior to or at the
4 time of his or her court or hearing appearance, the person
5 produces in court or to the clerk of the court in which the
6 charge is pending the required license or permit that was
7 issued to him or her and valid at the time of his or her
8 citation. The clerk of the court is authorized to dismiss
9 each such case at any time before, or at the time of, the
10 defendant's appearance in court. The clerk of the court may
11 assess a fee of \$5 for dismissing the case under this
12 subsection.

13 Section 27. Paragraph (h) of subsection (1) of section
14 372.83, Florida Statutes, is reenacted to read:

15 372.83 Noncriminal infractions; criminal penalties;
16 suspension and revocation of licenses and permits.--

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

20 (h) Section 372.57, relating to hunting, fishing, and
21 trapping licenses.

22
23 A person who fails to pay the civil penalty specified in s.
24 372.711 within 30 days after being cited for a noncriminal
25 infraction or to appear before the court pursuant to that
26 section is guilty of a misdemeanor of the second degree,
27 punishable as provided in s. 775.082 or s. 775.083.

28 Section 28. Section 372.87, Florida Statutes, is
29 amended to read:

30 372.87 License fee; renewal, revocation.--~~The Fish and~~
31 ~~Wildlife Conservation~~ commission is ~~hereby~~ authorized ~~and~~

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

18 Section 29. Subsections (1), (2), and (4) of section
19 372.921, Florida Statutes, are amended, subsection (9) is
20 renumbered as subsection (10), and a new subsection (9) is
21 added to that section, to read:

22 372.921 Exhibition of wildlife.--

23 (1) In order to provide humane treatment and sanitary
24 surroundings for wild animals kept in captivity, no person,
25 firm, corporation, or association shall have, or be in
26 possession of, in captivity for the purpose of public display
27 with or without charge or for public sale any wildlife,
28 specifically birds, mammals, amphibians, and reptiles, whether
29 indigenous to Florida or not, without having first secured a
30 permit from the ~~Fish and Wildlife Conservation~~ commission
31 authorizing such person, firm, or corporation to have in its

1 possession in captivity the species and number of wildlife
2 specified within such permit; however, this section does not
3 apply to any wildlife not protected by law and the rules
4 ~~regulations~~ of the ~~Fish and Wildlife Conservation~~ commission.

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

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

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

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

15
16 The fees prescribed by this subsection ~~section~~ shall be
17 submitted to the ~~Fish and Wildlife Conservation~~ commission
18 with the application for permit required by subsection (1) and
19 shall be deposited in the State Game Fund.

20 (4) Permits issued pursuant to this section and places
21 where wildlife is kept or held in captivity shall be subject
22 to inspection by officers of the ~~Fish and Wildlife~~
23 ~~Conservation~~ commission at all times. The commission shall
24 have the power to release or confiscate any specimens of any
25 wildlife, specifically birds, mammals, amphibians, or
26 reptiles, whether indigenous to the state or not, when it is
27 found that conditions under which they are being confined are
28 unsanitary, or unsafe to the public in any manner, or that the
29 species of wildlife are being maltreated, mistreated, or
30 neglected or kept in any manner contrary to the provisions of
31 chapter 828, any such permit to the contrary notwithstanding.

1 Before any such wildlife is confiscated or released under the
2 authority of this section, the owner thereof shall have been
3 advised in writing of the existence of such unsatisfactory
4 conditions; the owner shall have been given 30 days in which
5 to correct such conditions; the owner shall have failed to
6 correct such conditions; the owner shall have had an
7 opportunity for a proceeding pursuant to chapter 120; and the
8 commission shall have ordered such confiscation or release
9 after careful consideration of all evidence in the particular
10 case in question. The final order of the commission shall
11 constitute final agency action.

12 (9) The commission may adopt rules pursuant to ss.
13 120.536(1) and 120.54 to administer this section, including,
14 but not limited to, rules defining Class I, Class II, and
15 Class III types of wildlife.

16 Section 30. Subsection (5) of section 372.922, Florida
17 Statutes, is amended to read:

18 372.922 Personal possession of wildlife.--

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

24 Section 31. Subsection (3) of section 705.101, Florida
25 Statutes, is amended to read:

26 705.101 Definitions.--As used in this chapter:

27 (3) "Abandoned property" means all tangible personal
28 property that does not have an identifiable owner and that has
29 been disposed on public property in a wrecked, inoperative, or
30 partially dismantled condition or has no apparent intrinsic
31 value to the rightful owner. ~~However,~~ Vessels determined to be

1 derelict by the Fish and Wildlife Conservation Commission or a
2 county or municipality in accordance with the provisions of s.
3 823.11 are ~~not~~ included within this definition.

4 Section 32. Paragraph (b) of subsection (8) of section
5 212.06, Florida Statutes, is amended to read:

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

9 (8)

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

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

8 Section 33. 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 ~~s. 370.0608~~, with the exception of
18 those fees collected for recreational saltwater fishing
19 licenses as provided in s. 372.57 ~~s. 370.0605~~.

20
21 The enumeration of the foregoing moneys or trust funds shall
22 not prohibit the applicability thereto of s. 215.24 should the
23 Governor determine that for the reasons mentioned in s. 215.24
24 the money or trust funds should be exempt herefrom, as it is
25 the purpose of this law to exempt income from its force and
26 effect when, by the operation of this law, federal matching
27 funds or contributions or private grants to any trust fund
28 would be lost to the state.

29 Section 34. Sections 370.0605, 370.0615, and 370.1111,
30 subsections (10) and (11) of section 370.14, subsection (4) of

31

1 section 372.05, and section 372.06, Florida Statutes, are
2 repealed.

3 Section 35. This act shall take effect July 1, 2002.

4
5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
6 COMMITTEE SUBSTITUTE FOR
7 SB 354

- 8 1. The Committee Substitute removed Section 3 of the bill,
9 which clarified and restored that the county portion of
10 vessel registration fees is derived from recreational
11 vessels only, and Section 4 of the bill, which clarified
12 that \$1.50 of both the commercial and recreational
vessel registration fees are to be deposited into the
Save the Manatee Trust Fund. These provisions were not
needed because they were amended during Special Session
C with the passage of SB 32-C.
- 13 2. The Committee Substitute clarifies that the Commission
14 does not sell authorization numbers, they issue them.
- 15 3. The Committee Substitute clarifies that s. 372.561,
16 F.S., applies to all recreational licenses and permits
and authorization numbers issued by the Commission, not
just those issued over the Internet.
- 17 4. The Committee Substitute adds to the exemptions from
18 paying fees for recreational licenses and permits,
19 residents who are certified or determined to be totally
20 and permanently disabled for purposes of workers'
21 compensation. This was inadvertently left out of the
22 bill.
- 23 5. Clarifies that the annual sportsman's license includes
24 activities authorized by the bass permit.
- 25 6. The Committee Substitute clarifies that the 3-day
26 nonresident hunting and fishing license is issued for 3
27 consecutive days.
- 28 7. The bill creates a new 5-year waterfowl permit and a new
29 5-year management area permit. The Committee Substitute
30 clarifies that the revenue from the 5-year waterfowl
31 permit must be used for waterfowl purposes only and the
revenue from the 5-year management area permit must be
used for management area purposes only.