

By the Committees on Appropriations; Finance and Taxation; and
Senator Pruitt

309-1876-02

1 A bill to be entitled
2 An act relating to funding for the Fish and
3 Wildlife Conservation Commission; amending s.
4 327.73, F.S.; providing for dismissal of
5 violations of boating safety identification
6 card possession requirements under certain
7 conditions; amending s. 370.0603, F.S.;
8 providing for the deposit of fees into the
9 Marine Resources Conservation Trust Fund;
10 renumbering and amending ss. 370.0608,
11 370.0609, 370.062, F.S.; providing for the
12 deposit of licenses and fees into the Marine
13 Resources Conservation Trust Fund; revising
14 purposes for which licenses and fees may be
15 used; providing for the expenditure of funds
16 through grants and contracts to specified
17 research institutions; modifying date for tax
18 collector's return of unissued tags; deleting
19 provisions relating to transfer of tag fees to
20 the Marine Resources Conservation Trust Fund
21 within a specified period; amending s. 370.063,
22 F.S.; conforming a cross-reference; amending s.
23 370.25, F.S.; authorizing the commission to
24 accept title to certain vessels on behalf of
25 the state for use in the artificial reef
26 program; authorizing the commission to adopt
27 rules to develop criteria for implementing the
28 transfer of certain vessel titles to the state;
29 authorizing state universities to receive
30 grants and other financial and technical
31 assistance from the commission for the siting

1 and development of artificial reefs; amending
2 s. 372.001, F.S.; revising and reorganization
3 definitions; providing a definition of Florida
4 bass; creating s 372.002, F.S.; providing
5 legislative intent regarding the right to hunt,
6 fish, and take game in the state; amending s.
7 372.105, F.S.; revising provisions relating to
8 sources and uses of funds in the Lifetime Fish
9 and Wildlife Trust Fund; amending s. 372.106,
10 F.S.; specifying distribution of certain funds
11 in the Dedicated License Trust Fund; amending
12 s. 372.16, F.S.; revising the provisions for
13 the license fee for private game preserves and
14 farms; creating s. 372.555, F.S.; authorizing
15 the commission to sell licenses and permits by
16 electronic media; amending s. 372.561, F.S.;
17 revising provisions relating to issuance of
18 recreational licenses, permits, and
19 authorization numbers to take wild animal life,
20 freshwater aquatic life, and marine life, and
21 administrative costs and reporting related
22 thereto; creating s. 372.562, F.S.; providing
23 exemptions from recreational license and permit
24 fees and requirements; amending s. 372.57,
25 F.S.; revising and reorganizing provisions
26 specifying fees and requirements for
27 recreational licenses, permits, and
28 authorization numbers, including hunting
29 licenses, saltwater and freshwater fishing
30 licenses, 5-year licenses, and lifetime
31 licenses; creating an annual gold sportsman's

1 license; increasing the fee for a nonresident
2 Florida turkey permit; providing for pier
3 licenses and recreational vessel licenses, and
4 fees therefor; providing for snook permits and
5 crawfish permits, and uses thereof; amending
6 ss. 372.571, 372.5712, 372.5715, 372.5717,
7 372.573, 372.65, 372.7015, 372.7016, and
8 810.09, F.S.; correcting cross-references;
9 deleting obsolete language; amending s.
10 372.574, F.S.; revising subagent duties and
11 reporting requirements; amending s. 372.661,
12 F.S.; increasing the license fee for a private
13 hunting preserve; amending s. 372.711, F.S.;
14 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. 372.921, F.S.;
21 including amphibians in provisions relating to
22 exhibition of wildlife; providing rulemaking
23 authority; amending s. 372.922, F.S.; requiring
24 a permit for personal possession of wildlife by
25 an exhibitor or seller; providing a fee
26 exemption; amending s. 705.101, F.S.; including
27 derelict vessels within the definition of
28 "abandoned property"; amending ss. 212.06,
29 215.20, F.S.; correcting cross-references;
30 repealing s. 370.0605, F.S., relating to
31 saltwater fishing licenses and fees; repealing

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

11

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

13

14 Section 1. Subsection (4) of section 327.73, Florida
15 Statutes, is amended to read:

16 327.73 Noncriminal infractions.--

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

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

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

24

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

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 2. Paragraph (c) of subsection (2) of section
4 370.0603, Florida Statutes, is amended to read:

5 370.0603 Marine Resources Conservation Trust Fund;
6 purposes.--

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

9 (c) All fees collected pursuant to ss. ~~370.062,~~
10 370.063, and 370.142, and 372.5704.

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

12 (e) Other revenues as provided by law.

13 Section 3. Section 370.0608, Florida Statutes, is
14 renumbered as section 372.5701, Florida Statutes, and amended
15 to read:

16 372.5701 ~~370.0608~~ Deposit of license fees; allocation
17 of federal funds.--

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

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

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

31

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

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

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

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

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

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

27 (2) Funds available from the Wallop-Breaux Aquatic
28 Resources Trust Fund shall be distributed by the commission
29 between the Division of Freshwater Fisheries and the Division
30 of Marine Fisheries in proportion to the numbers of resident
31 fresh and saltwater anglers as determined by the most current

1 data on license sales. Unless otherwise provided by federal
2 law, the commission, at a minimum, shall provide the
3 following:

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

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

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

18 Section 4. Section 370.0609, Florida Statutes, is
19 renumbered as section 372.5702, Florida Statutes, and amended
20 to read:

21 372.5702 ~~370.0609~~ Expenditure of funds.--Any moneys
22 available pursuant to s. 372.5701(1)(a)3. ~~may~~
23 ~~370.0608(1)(c)1.c.~~ shall be expended by the Fish and Wildlife
24 Conservation Commission within Florida through grants and
25 contracts for research with research institutions including
26 but not limited to: Florida Sea Grant; Florida Marine
27 Resources Council; Harbour Branch Oceanographic Institute;
28 Technological Research and Development Authority; Florida
29 Marine Research Institute of the Fish and Wildlife
30 Conservation Commission; ~~Indian River Region Research~~
31 ~~Institute~~; Mote Marine Laboratory; Marine Resources

1 Development Foundation; Florida Institute of Oceanography; ~~and~~
2 Rosentiel School of Marine and Atmospheric Science; and
3 Smithsonian Marine Station at Ft. Pierce.

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

7 372.5704 ~~370.062~~ Fish and Wildlife Conservation

8 Commission license program for tarpon; fees; penalties.--

9 (1) ~~The Fish and Wildlife Conservation~~ commission
10 shall establish a license program for the purpose of issuing
11 tags to individuals desiring to harvest tarpon (megalops
12 atlantica) from the waters of the state ~~of Florida~~. The tags
13 shall be nontransferable, except that the commission may allow
14 for a limited number of tags to be purchased by professional
15 fishing guides for transfer to individuals, and issued by the
16 commission in order of receipt of a properly completed
17 application for a nonrefundable fee of \$50 per tag. The
18 commission and any tax collector may sell the tags and collect
19 the fees therefor. Tarpon tags are valid from July 1 through
20 June 30. Before August 15 ~~5~~ of each year, each tax collector
21 shall submit to the commission all unissued tags for the
22 previous fiscal ~~calendar~~ year along with a written audit
23 report, on forms prescribed or approved by the commission, as
24 to the numbers of the unissued tags. To defray the cost of
25 issuing any tag, the issuing tax collector shall collect and
26 retain as his or her costs, in addition to the tag fee
27 collected, the amount allowed under s. 372.561(6) ~~s.~~
28 ~~372.561(4)~~ for the issuance of licenses.

29 ~~(9) All tag fees collected by the commission shall be~~
30 ~~transferred to the Marine Resources Conservation Trust Fund~~

31

1 ~~within 7 days following the last business day of the week in~~
2 ~~which the fees were received by the commission.~~

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

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

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

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

16 370.25 Artificial reef program; grants and financial
17 and technical assistance to local governments.--

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

1 reefs.The program may be funded from state, federal, and
2 private contributions.

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

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

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

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

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

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

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

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

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

4 (6) "Fish management area" means a pond, lake, or
5 other water within a county, or within several counties,
6 designated to improve fishing for public use and established
7 and specifically circumscribed for authorized management by
8 the 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) "Fresh water," except where otherwise provided by
18 law, includes all lakes, rivers, canals, and other waterways
19 of Florida, to such point or points where the fresh and salt
20 waters commingle to such an extent as to become unpalatable
21 and unfit for human consumption, because of the saline
22 content, or to such point or points as may be fixed by the
23 Fish and Wildlife Conservation Commission, by and with the
24 consent of the board of county commissioners of the county or
25 counties to be affected by such order. The Steinhatchee River
26 is considered fresh water from its source to mouth.

27 (9) "Freshwater fish" includes all classes of pisces
28 that are indigenous to fresh water.

29 (10) "Fur-bearing animals" includes muskrat, mink,
30 raccoon, otter, civet cat, skunk, red and gray fox, and
31 opossum.

1 (11) "Game" means deer, bear, squirrel, rabbits, and,
2 when designated by commission rules, wild hogs, ducks, geese,
3 rails, coots, gallinules, snipe, woodcock, wild turkeys,
4 grouse, pheasants, quail, and doves.

5 (12) "Nongame" includes all species and populations of
6 indigenous wild vertebrates and invertebrates in the state
7 that are not defined as game.

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

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

15 (15) "Resident" means:

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

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

20 (16) "Take" means to take, attempt to take, pursue,
21 hunt, molest, capture, or kill any wildlife or freshwater
22 fish, their nests or eggs, by any means, whether or not such
23 actions result in obtaining possession of such wildlife or
24 freshwater fish or their nests or eggs.

25 (17) "Transport" includes shipping, transporting,
26 carrying, importing, exporting, receiving or delivering for
27 shipment, transportation, carriage, or export.

28 Section 9. Section 372.002, Florida Statutes, is
29 created to read:

30 372.002 Right to hunt and fish.--The Legislature
31 recognizes that hunting, fishing, and the taking of game are a

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

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

13 372.105 Lifetime Fish and Wildlife Trust Fund.--

14 (2) The principal of the fund shall be derived from
15 the following:

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

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

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

27 (b) The interest income received and accruing from the
28 investments of proceeds from the sale of lifetime freshwater
29 fishing licenses and lifetime hunting licenses ~~the fund shall~~
30 ~~be spent in furtherance of the commission's exercise of the~~
31 ~~regulatory and executive powers of the state with respect to~~

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

5 (c) The interest income received and accruing from the
6 investments of proceeds from the sale of lifetime saltwater
7 fishing licenses shall be expended for marine law enforcement,
8 marine research, and marine fishery enhancement.

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

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

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

25 Section 11. Section 372.106, Florida Statutes, is
26 amended to read:

27 372.106 Dedicated License Trust Fund.--

28 (1) There is established within the Fish and Wildlife
29 Conservation Commission the Dedicated License Trust Fund. The
30 fund shall be credited with moneys collected pursuant to s.
31

1 ~~ss. 370.0605 and~~ 372.57 for 5-year licenses, permits, and
2 replacement 5-year licenses.

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

7 (b) One-fifth of the total proceeds from the sale of
8 5-year saltwater fishing licenses and replacement licenses,
9 and all interest derived therefrom, shall be appropriated
10 annually to the Marine Resources Conservation Trust Fund.

11 (3)(2) The fund shall be exempt from the provisions of
12 s. 215.20.

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

15 372.16 Private game preserves and farms; penalty.--

16 (1) Any person owning land in this state may, ~~after~~
17 ~~having secured a license therefor from the Fish and Wildlife~~
18 ~~Conservation Commission,~~ establish, maintain, and operate
19 within the boundaries thereof, a private preserve and farm,
20 not exceeding an area of 640 acres, for the protection,
21 preservation, propagation, rearing, and production of game
22 birds and animals for private and commercial purposes,
23 provided that no two game preserves shall join each other or
24 be connected. Before any private game preserve or farm is
25 established, the owner or operator shall secure a license from
26 the commission, the fee for which is \$5 per year.

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

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

11 Section 13. Section 372.555, Florida Statutes, is
12 created to read:

13 372.555 Vendor fees; competitive bid
14 authorization.--Using competitive bid procedures, the Fish and
15 Wildlife Conservation Commission may establish the following:

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

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

20 Section 14. Section 372.561, Florida Statutes, is
21 amended to read:

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

24 372.561 Recreational licenses, permits, and
25 authorization numbers to take wild animal life, freshwater
26 aquatic life, and marine life; issuance; costs; reporting.--

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

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

1 (3) The commission shall issue a license, permit, or
2 authorization number to take wild animal life, freshwater
3 aquatic life, or marine life when an applicant provides proof
4 that she or he is entitled to such license, permit, or
5 authorization number. Each applicant for a recreational
6 license, permit, or authorization number shall provide her or
7 his social security number on the application form.
8 Disclosure of social security numbers obtained through this
9 requirement shall be limited to the purposes of administration
10 of the Title IV-D program for child support enforcement, use
11 by the commission, and as otherwise provided by law.

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

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

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

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

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

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

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

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

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

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

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

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

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

19 372.562 Recreational licenses and permits; exemptions
20 from fees and requirements.--

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

24 (a) To be totally and permanently disabled:

25 1. By the Railroad Retirement Board, by the United
26 States Department of Veterans Affairs or its predecessor, or
27 by any branch of the United States Armed Forces, or who holds
28 a valid identification card issued under the provisions of s.
29 295.17, upon proof of same.

30 2. For purposes of workers' compensation under chapter
31 440 as verified by an order of a judge of compensation claims

1 or written confirmation by the carrier providing workers'
2 compensation benefits.

3
4 Any license issued under this paragraph after January 1, 1997,
5 expires after 5 years and must be reissued, upon request,
6 every 5 years thereafter.

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

12
13 A disability license issued after July 1, 1997, and before
14 July 1, 2000, retains the rights vested thereunder until the
15 license has expired.

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

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

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

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

27 (d) Any resident fishing for recreational purposes
28 only, within her or his county of residence with live or
29 natural bait, using poles or lines not equipped with a fishing
30 line retrieval mechanism, except on a legally established fish
31 management area.

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

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

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

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

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

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

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

18 (l) Any person recreationally fishing from a pier
19 licensed under s. 372.57.

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

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

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

30 (p) Any employee of the commission who takes
31 freshwater fish, marine fish or game as part of employment

1 with the commission or any other person allowed by commission
2 permit to take freshwater fish, marine fish or game, for
3 scientific or educational purposes.

4 Section 16. Section 372.57, Florida Statutes, is
5 amended to read:

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

8 372.57 Recreational licenses, permits, and
9 authorization numbers; fees established.--

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

20 (2) NONTRANSFERABILITY; INFORMATION AND
21 DOCUMENTATION.--

22 (a) Licenses, permits, and authorization numbers
23 issued under this chapter are not transferable. Each license
24 and permit must bear on its face in indelible ink the name of
25 the person to whom it is issued and other information as
26 deemed necessary by the commission. Licenses issued to the
27 owner, operator, or custodian of a vessel that directly or
28 indirectly collects fees for taking or attempting to take or
29 possess saltwater fish for noncommercial purposes must include
30 the vessel registration number or federal documentation
31 number.

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

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

12 (3) PERSONAL POSSESSION REQUIRED.--Each license,
13 permit, or authorization number must be in the personal
14 possession of the person to whom it is issued while such
15 person is hunting, fishing, or taking fur-bearing animals. Any
16 person hunting, fishing, or taking fur-bearing animals who
17 fails to produce a license, permit, or authorization number at
18 the request of a commission law enforcement officer commits a
19 violation of the law.

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

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

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

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

26 (d) Annual combination freshwater fishing and hunting
27 license, \$22.

28 (e) Annual combination freshwater fishing and
29 saltwater fishing license, \$24.

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

1 (g) Annual license to take fur-bearing animals, \$25.
2 However, a resident with a valid hunting license or a no-cost
3 license who is taking fur-bearing animals for noncommercial
4 purposes using guns or dogs only, and not traps or other
5 devices, is not required to purchase this license. Also, a
6 resident 65 years of age or older is not required to purchase
7 this license.

8 (h) Annual sportsman's license, \$66, except that an
9 annual sportsman's license for a resident 64 years of age or
10 older is \$12. A sportsman's license authorizes the person to
11 whom it is issued to take freshwater fish and game, subject to
12 the state and federal laws, rules, and regulations, including
13 rules of the commission, in effect at the time of the taking.
14 Other authorized activities include activities authorized by a
15 a management area permit, a muzzle-loading gun permit, a
16 turkey permit, a Florida waterfowl permit, and an archery
17 permit.

18 (i) Annual gold sportsman's license, \$82. The gold
19 sportsman's license authorizes the person to whom it is issued
20 to take freshwater fish, saltwater fish, and game, subject to
21 the state and federal laws, rules, and regulations, including
22 rules of the commission, in effect at the time of taking.
23 Other authorized activities include activities authorized by a
24 a management area permit, a muzzle-loading gun permit, a
25 turkey permit, a Florida waterfowl permit, an archery permit,
26 a snook permit, and a crawfish permit.

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

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

1 (b) Saltwater fishing license to take saltwater fish
2 for 3 consecutive days, \$5.

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

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

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

7 (f) Hunting license to take game for 10 consecutive
8 days, \$25.

9 (g) Annual hunting license to take game, \$150.

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

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

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

21 (7) VESSEL LICENSES.--

22 (a) No person may operate any vessel wherein a fee is
23 paid, either directly or indirectly, for the purpose of
24 taking, attempting to take, or possessing any saltwater fish
25 for recreational purposes unless he or she has obtained a
26 license for each vessel for that purpose, and has paid the
27 license fee pursuant to paragraphs (b) and (c) for such
28 vessel.

29 (b) A license for any person who operates any vessel
30 licensed to carry more than 10 customers wherein a fee is
31 paid, either directly or indirectly, for the purpose of taking

1 or attempting to take marine fish is \$800 per year. The
2 license must be kept aboard the vessel at all times.

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

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

14 3. A person who operates a vessel required to be
15 licensed pursuant to paragraph (b) or paragraph (c) may obtain
16 a license in his or her own name, and such license shall be
17 transferable and apply to any vessel operated by the
18 purchaser, provided that the purchaser has paid the
19 appropriate license fee.

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

29 (e) The owner, operator, or custodian of a vessel the
30 operator of which has been licensed pursuant to paragraph (a)
31

1 must maintain and report such statistical data as required by,
2 and in a manner set forth in, the rules of the commission.

3 (8) SPECIFIED HUNTING, FISHING, AND RECREATIONAL
4 ACTIVITY PERMITS.--In addition to any license required under
5 this chapter, the following permits and fees for specified
6 hunting, fishing, and recreational uses and activities are
7 required:

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

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

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

18 (d) An annual crawfish permit for a resident or
19 nonresident to take or possess any crawfish for recreational
20 purposes from any waters of the state is \$2. Revenue
21 generated from the sale of crawfish permits shall be used
22 exclusively for programs to benefit the crawfish population.

23 (e) An annual muzzle-loading-gun permit for a resident
24 or nonresident to hunt within the state with a muzzle-loading
25 gun is \$5. Hunting with a muzzle-loading gun is limited to
26 game seasons in which hunting with a modern firearm is not
27 authorized by the commission.

28 (f) An annual archery permit for a resident or
29 nonresident to hunt within the state with a bow and arrow is
30 \$5. Hunting with an archery permit is limited to those game
31

1 seasons in which hunting with a firearm is not authorized by
2 the commission.

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

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

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

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

25 (i)1. A recreational user permit is required to hunt
26 on, fish on, or otherwise use for outdoor recreational
27 purposes land leased by the commission from private
28 nongovernmental owners, except for those lands located
29 directly north of the Apalachicola National Forest, east of
30 the Ochlockonee River until the point the river meets the dam
31 forming Lake Talquin, and south of the closest federal

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

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

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

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

28 2. A 5-year hunting license is \$55 and authorizes the
29 person to whom it is issued to take or attempt to take or
30 possess game consistent with the state and federal laws and
31

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

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

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

13 (10) RESIDENT LIFETIME FRESHWATER AND SALTWATER
14 FISHING LICENSES.--

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

18 1. Persons 4 years of age or younger, for a fee of
19 \$125 for each type of license.

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

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

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

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

30 2. All activities authorized by a management area
31 permit, excluding hunting.

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 snook permit,
19 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 17. 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), or (f) or (8)(g), (h)2., or (i)~~(2)(b)~~
28 or ~~(g)~~, which is valid for the period specified on the license
29 or permit. 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 18. 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) and (9)(a)3.s. 372.57(2)(k) and (14)(b)
11 as follows: A maximum of 5 percent of the gross revenues
12 shall be expended for administrative costs; a maximum of 25
13 percent of the gross revenues shall be expended for waterfowl
14 research approved by the commission; and a maximum of 70
15 percent of the gross revenues shall be expended for projects
16 approved by the commission, in consultation with the Waterfowl
17 Advisory Council, for the purpose of protecting and
18 propagating migratory waterfowl and for the development,
19 restoration, maintenance, and preservation of wetlands within
20 the state.

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

23 372.5715 Florida wild turkey permit revenues.--

24 (1) The commission shall expend the revenues generated
25 from the sale of the turkey permit as provided for in s.
26 372.57(8)(b)s. 372.57(4)(e) or that pro rata portion of any
27 license that includes turkey hunting privileges as provided
28 for in s. 372.57(4)(h) and (i) and (9)(a)3.s. 372.57(2)(k)
29 and (14)(b) for research and management of wild turkeys.

30 Section 20. Subsection (7) of section 372.5717,
31 Florida Statutes, is amended to read:

1 372.5717 Hunter safety course; requirements;
2 penalty.--

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

6 Section 21. Section 372.573, Florida Statutes, is
7 amended to read:

8 372.573 Management area permit revenues.--The
9 commission shall expend the revenue generated from the sale of
10 the management area permit as provided for in s. 372.57(8)(h)
11 ~~s. 372.57(4)(b)~~ or that pro rata portion of any license that
12 includes management area privileges as provided for in s.
13 372.57(4)(h) and (i) and (9)(a)~~3.s. 372.57(2)(i) and (14)(b)~~
14 for the lease, management, and protection of lands for public
15 hunting, fishing, and other outdoor recreation.

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

19 372.574 Appointment of subagents for the sale of
20 hunting, fishing, and trapping licenses and permits.--

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

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

30 (2) If a tax collector elects not to appoint
31 subagents, the commission may appoint subagents within that

1 county. Subagents shall serve at the pleasure of the
2 commission. The commission may establish, by rule, procedures
3 for selection of subagents. The following are requirements
4 for subagents so appointed:

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

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

21 Section 23. Paragraph (a) of subsection (1) and
22 subsection (2) of section 372.65, Florida Statutes, are
23 amended to read:

24 372.65 Freshwater fish dealer's license.--

25 (1) No person shall engage in the business of taking
26 for sale or selling any frogs or freshwater fish, including
27 live bait, of any species or size, or importing any exotic or
28 nonindigenous fish, until such person has obtained a license
29 and paid the fee therefor as set forth herein. The license
30 issued shall be in the possession of the person to whom issued
31 while such person is engaging in the business of taking for

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

11 (a) The fee for a resident commercial fishing license,
12 which permits a resident to take freshwater fish or frogs by
13 any lawful method prescribed by the commission and to sell
14 such fish or frogs, shall be \$25. The license provided for in
15 this paragraph shall also allow noncommercial fishing as
16 provided by law and commission rules, and the license in s.
17 372.57(4)(2)(a) shall not be required.

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

22 Section 24. Section 372.661, Florida Statutes, is
23 amended to read:

24 372.661 Private hunting preserve licenses; fees
25 license; exception.--

26 (1) Any person who operates a private hunting preserve
27 commercially or otherwise shall be required to pay a license
28 fee of \$25 for each such preserve; provided, however, that
29 during the open season established for wild game of any
30 species a private individual may take artificially propagated
31 game of such species up to the bag limit prescribed for the

1 particular species without being required to pay the license
2 fee required by this section; provided further that if any
3 such individual shall charge a fee for taking such game she or
4 he shall be required to pay the license fee required by this
5 section and to comply with the rules ~~and regulations~~ of the
6 ~~Fish and Wildlife Conservation~~ commission relative to the
7 operation of private hunting preserves.

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

21 Section 25. Section 372.7015, Florida Statutes, as
22 amended by section 14 of chapter 2001-122, Laws of Florida, is
23 amended to read:

24 372.7015 Illegal killing, taking, possessing, or
25 selling wildlife or game; fines; disposition of fines.--In
26 addition to any other penalty provided by law, any person who
27 violates the criminal provisions of this chapter and rules
28 adopted pursuant to this chapter by illegally killing, taking,
29 possessing, or selling game or fur-bearing animals as defined
30 in s. 372.001(10) or (11)~~s. 372.001 (3) or (4)~~in or out of
31 season while violating chapter 810 shall pay a fine of \$250

1 for each such violation, plus court costs and any restitution
2 ordered by the court. All fines collected under this section
3 shall be remitted by the clerk of the court to the Department
4 of Revenue to be deposited into the Fish and Wildlife
5 Conservation Commission's State Game Trust Fund.

6 Section 26. Paragraph (a) of subsection (2) of section
7 372.7016, Florida Statutes, is amended to read:

8 372.7016 Voluntary Authorized Hunter Identification
9 Program.--

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

18 (a) For purposes of this section, the term "hunting"
19 means to be engaged in or reasonably equipped to engage in the
20 pursuit or taking by any means of any animal described in s.
21 372.001(10) or (11)~~s. 372.001 (3) or (4)~~, and the term
22 "written authorization" means a card, letter, or other written
23 instrument which shall include, but need not be limited to,
24 the name of the person or entity owning the property, the name
25 and signature of the person granting the authorization, a
26 description by township, range, section, partial section, or
27 other geographical description of the land to which the
28 authorization applies, and a statement of the time period
29 during which the authorization is valid.

30 Section 27. Paragraph (g) of subsection (2) of section
31 810.09, Florida Statutes, is amended to read:

1 810.09 Trespass on property other than structure or
2 conveyance.--

3 (2)

4 (g) Any person who in taking or attempting to take any
5 animal described in s. 372.001(10) or (11)~~s. 372.001 (3) or~~
6 ~~(4)~~, or in killing, attempting to kill, or endangering any
7 animal described in s. 585.01(13) knowingly propels or causes
8 to be propelled any potentially lethal projectile over or
9 across private land without authorization commits trespass, a
10 felony of the third degree, punishable as provided in s.
11 775.082, s. 775.083, or s. 775.084. For purposes of this
12 paragraph, the term "potentially lethal projectile" includes
13 any projectile launched from any firearm, bow, crossbow, or
14 similar tensile device. This section shall not apply to any
15 governmental agent or employee acting within the scope of his
16 or her official duties.

17 Section 28. Subsection (8) is added to section
18 372.711, Florida Statutes, to read:

19 372.711 Noncriminal infractions.--

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

1 Section 29. Paragraph (h) of subsection (1) of section
2 372.83, Florida Statutes, is reenacted to read:

3 372.83 Noncriminal infractions; criminal penalties;
4 suspension and revocation of licenses and permits.--

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

8 (h) Section 372.57, relating to hunting, fishing, and
9 trapping licenses.

10
11 A person who fails to pay the civil penalty specified in s.
12 372.711 within 30 days after being cited for a noncriminal
13 infraction or to appear before the court pursuant to that
14 section is guilty of a misdemeanor of the second degree,
15 punishable as provided in s. 775.082 or s. 775.083.

16 Section 30. Subsections (1), (2), and (4) of section
17 372.921, Florida Statutes, are amended, present subsection (9)
18 is redesignated as subsection (10), and a new subsection (9)
19 is added to that section, to read:

20 372.921 Exhibition of wildlife.--

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

1 apply to any wildlife not protected by law and the rules
2 ~~regulations~~ of the ~~Fish and Wildlife Conservation~~ commission.

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

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

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

11

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

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

1 to correct such conditions; the owner shall have failed to
2 correct such conditions; the owner shall have had an
3 opportunity for a proceeding pursuant to chapter 120; and the
4 commission shall have ordered such confiscation or release
5 after careful consideration of all evidence in the particular
6 case in question. The final order of the commission shall
7 constitute final agency action.

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

12 Section 31. Subsections (2), (3), and (5) of section
13 372.922, Florida Statutes, are amended to read:

14 372.922 Personal possession of wildlife.--

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

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

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

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

25 (3) The commission shall promulgate rules ~~regulations~~
26 defining Class I, Class II, and Class III ~~and II~~ types of
27 wildlife. The commission shall also establish rules
28 ~~regulations~~ and requirements necessary to ensure that permits
29 are granted only to persons qualified to possess and care
30 properly for wildlife and that permitted wildlife possessed as

31

1 personal pets will be maintained in sanitary surroundings and
2 appropriate neighborhoods.

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

8 Section 32. Subsection (3) of section 705.101, Florida
9 Statutes, is amended to read:

10 705.101 Definitions.--As used in this chapter:

11 (3) "Abandoned property" means all tangible personal
12 property that does not have an identifiable owner and that has
13 been disposed on public property in a wrecked, inoperative, or
14 partially dismantled condition or has no apparent intrinsic
15 value to the rightful owner. ~~However,~~ Vessels determined to be
16 derelict by the Fish and Wildlife Conservation Commission or a
17 county or municipality in accordance with the provisions of s.
18 823.11 are ~~not~~ included within this definition.

19 Section 33. Paragraph (b) of subsection (8) of section
20 212.06, Florida Statutes, is amended to read:

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

24 (8)

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

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

23 Section 34. Paragraph (1) of subsection (4) of section
24 215.20, Florida Statutes, is amended to read:

25 215.20 Certain income and certain trust funds to
26 contribute to the General Revenue Fund.--

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

31

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

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

14 Section 35. Sections 370.0605, 370.0615, and 370.1111,
15 subsections (10) and (11) of section 370.14, subsection (4) of
16 section 372.05, and section 372.06, Florida Statutes, are
17 repealed.

18 Section 36. This act shall take effect July 1, 2002.

19
20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
21 COMMITTEE SUBSTITUTE FOR
22 CS for Senate Bill 354

23 Removes a provision that would have required additional
24 persons who operate a boat to have photographic identification
and a boater safety card.

25 Removes all fee increases for fish and wildlife licenses and
26 permits.

27 Provides legislative intent for the right of citizens to hunt
and fish.

28 Adds an exemption from license fees for persons taking fish or
29 game as part of employment with the commission or for
scientific or educational purposes