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601-03153B-09

Proposed Committee Substitute by the Committee on General
Government Appropriations

A bill to be entitled

An act relating to the Fish and Wildlife Conservation
Commission; transferring the Invasive Plant Control
Trust Fund in the Department of Environmental
Protection to the Fish and Wildlife Conservation
Commission; transferring to the Fish and Wildlife
Conservation Commission all powers, duties, records,
personnel, property, funds, rules, issues, and
contracts of the Bureau of Invasive Plant Management
in the Department of Environmental Protection;
ratifying actions taken pursuant to chapter 2008-150,
Laws of Florida, and an interagency agreement executed
pursuant thereto; amending s. 379.353, F.S.; providing
that a hunting, freshwater fishing, or saltwater
fishing license or permit is not required for any
resident saltwater fishing from land who has been
determined eligible for the food stamps, temporary
cash assistance, or the Medicaid programs; providing
for proof of eligibility for the qualifying programs;
removing the exemption from the need to possess a
license for a resident fishing for a saltwater species
in fresh water from land; reenacting s. 379.3581(7),
F.S., relating to hunter safety courses, to
incorporate the amendments made to s. 379.353, F.S.,
in a reference thereto; providing effective dates.

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



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Section 1. The Invasive Plant Control Trust Fund, FLAIR number 37-2-030, in the Department of Environmental Protection is transferred to the Fish and Wildlife Conservation Commission, FLAIR number 77-2-030.

Section 2. The statutory powers, duties, and functions related to ss. 369.20, 369.22, and 369.252, Florida Statutes, which were transferred by chapter 2008-150, Laws of Florida, and all records, personnel, and property; unexpended balances of appropriations, allocations, and other funds; administrative authority; administrative rules; pending issues; and existing contracts of the Bureau of Invasive Plant Management in the Department of Environmental Protection are transferred by a type two transfer, pursuant to s. 20.06(2), Florida Statutes, to the Fish and Wildlife Conservation Commission. All actions taken pursuant to chapter 2008-150, Laws of Florida, and the interagency agreement executed pursuant thereto are ratified.

Section 3. Effective July 1, 2009, subsection (2) of section 379.353, Florida Statutes, is amended to read:

379.353 Recreational licenses and permits; exemptions from fees and requirements.—

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

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

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



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57 (c) Any resident who is a member of the United States Armed
58 Forces and not stationed in this state, when home on leave for
59 30 days or less, upon submission of orders.

60 (d) Any resident freshwater fishing for recreational
61 purposes only, within her or his county of residence with live
62 or natural bait, using poles or lines not equipped with a
63 fishing line retrieval mechanism. This exemption does not apply
64 to residents fishing in a legally established fish management
65 area.

66 (e) Any person freshwater fishing in a fish pond of 20
67 acres or less that is located entirely within the private
68 property of the fish pond owner.

69 (f) Any person freshwater fishing in a fish pond that is
70 licensed in accordance with s. 379.356.

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

75 (h) Any resident saltwater fishing from land or from a
76 structure fixed to the land who has been determined eligible for
77 the food stamp program, temporary cash assistance, or the
78 Medicaid program, as administered by the Department of Children
79 and Family Services, or the Medicaid program as administered by
80 the Social Security Administration. A benefit issuance or
81 program identification card issued by the Department of Children
82 and Families or the Florida Medicaid program of the Agency for
83 Health Care Administration shall serve as proof of program
84 eligibility. The client must have in his or her possession the
85 ID Card and positive proof of identification when fishing.



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86 (i) Any person saltwater fishing from a vessel licensed
87 pursuant to s. 379.354(7).

88 (j) Any person saltwater fishing from a vessel the operator
89 of which is licensed pursuant to s. 379.354(7).

90 (k) Any person saltwater fishing who holds a valid
91 saltwater products license issued under s. 379.361(2).

92 (l) Any person saltwater fishing for recreational purposes
93 from a pier licensed under s. 379.354.

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

96 (m)~~(n)~~ Any resident fishing for mullet in fresh water who
97 has a valid Florida freshwater fishing license.

98 (n)~~(o)~~ Any resident 65 years of age or older who has in her
99 or his possession proof of age and residency. A no-cost license
100 under this paragraph may be obtained from any tax collector's
101 office upon proof of age and residency and must be in the
102 possession of the resident during hunting, freshwater fishing,
103 and saltwater fishing activities.

104 (o)~~(p)~~ Any employee of the commission who takes freshwater
105 fish, saltwater fish, or game as part of employment with the
106 commission, or any other person authorized by commission permit
107 to take freshwater fish, saltwater fish, or game for scientific
108 or educational purposes.

109 (p)~~(q)~~ Any resident recreationally freshwater fishing who
110 holds a valid commercial fishing license issued under s.
111 379.3625(1) (a).

112 Section 4. Effective July 1, 2009, for the purpose of
113 incorporating the amendment made by this act to section 379.353,
114 Florida Statutes, in a reference thereto, subsection (7) of



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115 section 379.3581, Florida Statutes, is reenacted to read:
116 379.3581 Hunter safety course; requirements; penalty.—
117 (7) The hunter safety requirements of this section do not
118 apply to persons for whom licenses are not required under s.
119 379.353(2).
120 Section 5. Except as otherwise expressly provided in this
121 act, this act shall take effect upon becoming a law.