

By the Committee on General Government Appropriations; and  
Senator Baker

601-03910-09

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1                   A bill to be entitled  
2           An act relating to the Fish and Wildlife Conservation  
3           Commission; transferring the Invasive Plant Control  
4           Trust Fund in the Department of Environmental  
5           Protection to the Fish and Wildlife Conservation  
6           Commission; transferring to the Fish and Wildlife  
7           Conservation Commission all powers, duties, records,  
8           personnel, property, funds, rules, issues, and  
9           contracts of the Bureau of Invasive Plant Management  
10          in the Department of Environmental Protection;  
11          ratifying actions taken pursuant to chapter 2008-150,  
12          Laws of Florida, and an interagency agreement executed  
13          pursuant thereto; amending s. 379.353, F.S.; providing  
14          that a hunting, freshwater fishing, or saltwater  
15          fishing license or permit is not required for any  
16          resident saltwater fishing from land who has been  
17          determined eligible for the food stamps, temporary  
18          cash assistance, or the Medicaid programs; providing  
19          for proof of eligibility for the qualifying programs;  
20          removing the exemption from the need to possess a  
21          license for a resident fishing for a saltwater species  
22          in fresh water from land; reenacting s. 379.3581(7),  
23          F.S., relating to hunter safety courses, to  
24          incorporate the amendments made to s. 379.353, F.S.,  
25          in a reference thereto; providing effective dates.

26  
27   Be It Enacted by the Legislature of the State of Florida:

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29          Section 1. The Invasive Plant Control Trust Fund, FLAIR

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30 number 37-2-030, in the Department of Environmental Protection  
31 is transferred to the Fish and Wildlife Conservation Commission,  
32 FLAIR number 77-2-030.

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

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

47 379.353 Recreational licenses and permits; exemptions from  
48 fees and requirements.-

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

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

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

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

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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 by  
77 the Department of Children and Family Services for the food  
78 stamp program, temporary cash assistance, or the Medicaid  
79 programs. A benefit issuance or program identification card  
80 issued by the Department of Children and Family Services or the  
81 Florida Medicaid program of the Agency for Health Care  
82 Administration shall serve as proof of program eligibility. The  
83 client must have in his or her possession the ID Card and  
84 positive proof of identification when fishing.

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

87 (j) Any person saltwater fishing from a vessel the operator

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88 of which is licensed pursuant to s. 379.354(7).

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

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

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

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

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

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

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

111 Section 4. Effective July 1, 2009, for the purpose of  
112 incorporating the amendment made by this act to section 379.353,  
113 Florida Statutes, in a reference thereto, subsection (7) of  
114 section 379.3581, Florida Statutes, is reenacted to read:

115 379.3581 Hunter safety course; requirements; penalty.—

116 (7) The hunter safety requirements of this section do not

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117 apply to persons for whom licenses are not required under s.  
118 379.353(2).

119 Section 5. Except as otherwise expressly provided in this  
120 act, this act shall take effect upon becoming a law.