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1
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 freshwater fishing or saltwater fishing license
15 is not required for a resident recreationally fishing
16 within her or his county of residence with specific
17 fishing gear; providing that a hunting, freshwater
18 fishing, or saltwater fishing license or permit is not
19 required for any resident saltwater fishing from land
20 who has been determined eligible for the food stamps,
21 temporary cash assistance, or the Medicaid programs;
22 providing for proof of eligibility for the qualifying
23 programs; removing the exemption from the need to
24 possess a license for a resident fishing for a
25 saltwater species in fresh water from land; amending
26 s. 379.354, F.S.; providing for an annual resident
27 shoreline fishing license and fee; reenacting s.
28 379.3581(7), F.S., relating to hunter safety courses,
29 to incorporate the amendments made to s. 379.353,

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30 F.S., in a reference thereto; providing effective
31 dates.

32
33 Be It Enacted by the Legislature of the State of Florida:

34
35 Section 1. The Invasive Plant Control Trust Fund, FLAIR
36 number 37-2-030, in the Department of Environmental Protection
37 is transferred to the Fish and Wildlife Conservation Commission,
38 FLAIR number 77-2-030.

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

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

53 379.353 Recreational licenses and permits; exemptions from
54 fees and requirements.—

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

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

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

63 (c) Any resident who is a member of the United States Armed
64 Forces and not stationed in this state, when home on leave for
65 30 days or less, upon submission of orders.

66 (d) Any resident ~~freshwater~~ fishing for recreational
67 purposes only, within her or his county of residence with live
68 or natural bait, using poles or lines not equipped with a
69 fishing line retrieval mechanism. This exemption does not apply
70 to residents fishing in a legally established fish management
71 area.

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

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

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

81 (h) Any resident saltwater fishing from land or from a
82 structure fixed to the land who has been determined eligible by
83 the Department of Children and Family Services for the food
84 stamp program, temporary cash assistance, or the Medicaid
85 programs. A benefit issuance or program identification card
86 issued by the Department of Children and Family Services or the
87 Florida Medicaid program of the Agency for Health Care

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88 Administration shall serve as proof of program eligibility. The
89 client must have in his or her possession the ID Card and
90 positive proof of identification when fishing.

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

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

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

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

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

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

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

109 (o)~~(p)~~ Any employee of the commission who takes freshwater
110 fish, saltwater fish, or game as part of employment with the
111 commission, or any other person authorized by commission permit
112 to take freshwater fish, saltwater fish, or game for scientific
113 or educational purposes.

114 (p)~~(q)~~ Any resident recreationally freshwater fishing who
115 holds a valid commercial fishing license issued under s.
116 379.3625(1)(a).

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117 Section 4. Effective July 15, 2009, paragraph (k) is added
118 to subsection (4) of 379.354, Florida Statutes, to read:

119 379.354 Recreational licenses, permits, and authorization
120 numbers; fees established.—

121 (4) RESIDENT HUNTING AND FISHING LICENSES.—The licenses and
122 fees for residents participating in hunting and fishing
123 activities in this state are as follows:

124 (k) Annual resident shoreline fishing license, \$7.50. The
125 annual resident shoreline fishing license allows any resident to
126 saltwater fish from land or from a structure fixed to the land.
127 This license is not required for any resident issued any other
128 license identified in this section that allows the take of
129 saltwater fish.

130 Section 5. Effective July 1, 2009, for the purpose of
131 incorporating the amendment made by this act to section 379.353,
132 Florida Statutes, in a reference thereto, subsection (7) of
133 section 379.3581, Florida Statutes, is reenacted to read:

134 379.3581 Hunter safety course; requirements; penalty.—

135 (7) The hunter safety requirements of this section do not
136 apply to persons for whom licenses are not required under s.
137 379.353(2).

138 Section 6. Except as otherwise expressly provided in this
139 act, this act shall take effect upon becoming a law.