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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/30/2012	.	
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The Committee on Environmental Preservation and Conservation (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. (1) All powers, duties, functions, records, offices, personnel, property, pending issues and existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Division of Law Enforcement within the Department of Environmental Protection, excluding the Bureau of Emergency Response, are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Division of Law



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13 Enforcement within the Florida Fish and Wildlife Conservation
14 Commission.

15 (2) The Bureau of Emergency Response within the Department
16 of Environmental Protection is reassigned to the Secretary of
17 Environmental Protection, as the Office of Emergency Response,
18 within the Department of Environmental Protection.

19 (3) The Secretary of Environmental Protection shall
20 transfer to the Fish and Wildlife Conservation Commission the
21 number of administrative, auditing, inspector general, attorney,
22 and operational support positions, including any related powers,
23 duties, functions, property, and funding, proportionate to the
24 number of Division of Law Enforcement full-time equivalent and
25 other personal services positions being transferred from the
26 department to the commission.

27 (4) A memorandum of agreement shall be developed between
28 the department and the commission detailing the responsibilities
29 of the commission to the department, to include, at a minimum,
30 the following:

31 (a) Support and response for oil spills, hazardous spills,
32 and natural disasters.

33 (b) Law enforcement patrol and investigative services for
34 all state-owned lands managed by the department.

35 (c) Law enforcement services, including investigative
36 services, for all criminal law violations of chapters 161, 258,
37 373, 376, and 403, Florida Statutes.

38 (d) Enforcement services for all civil violations of all
39 department administrative rules related to the following program
40 areas:

41 1. The Division of Recreation and Parks.



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42 2. The Office of Coastal and Aquatic Managed Areas.

43 3. The Office of Greenways and Trails.

44 (e) Current and future funding for positions and property
45 being transferred from the department to the commission which
46 are funded through any trust fund.

47 Section 2. (1) All powers, duties, functions, records,
48 property, pending issues and existing contracts, administrative
49 authority, administrative rules, and unexpended balances of
50 appropriations, allocations, and other funds relating to sworn
51 positions funded by the Conservation and Recreation Lands
52 Program and assigned to the Florida Forest Service within the
53 Department of Agriculture and Consumer Services as of July 1,
54 2011, and the investigator responsible for the enforcement of
55 aquaculture violations at the Department of Agriculture and
56 Consumer Services as of July 1, 2011, are transferred by a type
57 two transfer, as defined in s. 20.06(2), Florida Statutes, to
58 the Division of Law Enforcement within the Fish and Wildlife
59 Conservation Commission.

60 (2) A memorandum of agreement shall be developed between
61 the department and the commission detailing the responsibilities
62 between the commission and the department, to include, at a
63 minimum, the following:

64 (a) Law enforcement patrol and investigative services for
65 all state-owned forests managed by the department.

66 (b) Current and future funding for positions and property
67 assigned to the Conservation and Recreation Lands Program which
68 are transferred from the department to the commission.

69 Section 3. (1) The Secretary of Environmental Protection
70 and the Executive Director of the Fish and Wildlife Conservation



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71 Commission shall each appoint three staff members to a
72 transition advisory working group to review and determine the
73 following:

74 (a) The appropriate proportionate number of administrative,
75 auditing, inspector general, attorney, and operational support
76 positions and their related funding levels and sources and
77 assigned property to be transferred from the Office of General
78 Counsel, the Office of Inspector General, and the Division of
79 Administrative Services, or other relevant offices or divisions
80 within the Department of Environmental Protection, to the Fish
81 and Wildlife Conservation Commission.

82 (b) The development of a recommended plan addressing the
83 transfer or shared use of buildings, regional offices, and other
84 facilities used or owned by the Department of Environmental
85 Protection.

86 (c) Any operating budget adjustments that are necessary to
87 implement the requirements of this act. Adjustments made to the
88 operating budgets of the department and the commission in the
89 implementation of this act must be made in consultation with the
90 appropriate substantive and fiscal committees of the Senate and
91 the House of Representatives. The revisions to the approved
92 operating budgets for the 2012-2013 fiscal year which are
93 necessary to reflect the organizational changes made by this act
94 shall be implemented pursuant to s. 216.292(4)(d), Florida
95 Statutes, and subject to s. 216.177, Florida Statutes.
96 Subsequent adjustments between agencies which are determined
97 necessary by the department or commission and approved by the
98 Executive Office of the Governor are authorized and subject to
99 s. 216.177, Florida Statutes. The appropriate substantive



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100 committees of the Senate and the House of Representatives shall
101 also be notified of the proposed revisions to ensure consistency
102 with legislative policy and intent.

103 (2) The Secretary of Environmental Protection, the
104 Commissioner of Agriculture, and the Executive Director of the
105 Fish and Wildlife Conservation Commission shall each appoint two
106 staff members to a transition advisory working group to identify
107 rules of the Department of Environmental Protection, the Board
108 of Trustees of the Internal Improvement Trust Fund, the
109 Department of Agriculture and Consumer Services, and the Fish
110 and Wildlife Conservation Commission which need to be amended to
111 reflect the changes made by this act.

112 Section 4. (1) The Fish and Wildlife Conservation
113 Commission is assigned all powers, duties, responsibilities,
114 functions, positions, and property necessary for enforcement of
115 the laws and rules governing:

116 (a) Management, protection, conservation, improvement, and
117 expansion of the state-owned lands managed by the Department of
118 Environmental Protection, including state parks, coastal and
119 aquatic managed areas, and greenways and trails.

120 (b) Conservation and recreation lands and commercial
121 aquaculture managed by the Department of Agriculture and
122 Consumer Services.

123 (2) Law enforcement officers of the Fish and Wildlife
124 Conservation Commission are conferred full power to investigate
125 and arrest for any violation of the rules of the Department of
126 Agriculture and Consumer Services, the Department of
127 Environmental Protection, and the Board of Trustees of the
128 Internal Improvement Trust Fund.



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129 Section 5. (1) Notwithstanding ss. 110.2035 and 216.251,
130 Florida Statutes, the Division of Law Enforcement within the
131 Fish and Wildlife Conservation Commission may use available
132 funds to provide for general salary increases or pay additives
133 for positions sharing the same job classification or job
134 occupations in order to bring pay parity between positions of
135 the Fish and Wildlife Conservation Commission and the positions
136 transferring to the commission from the Department of
137 Agriculture and Consumer Services and the Department of
138 Environmental Protection and for those positions assuming
139 significant additional duties or an increased work load as a
140 result of this act.

141 (2) Notwithstanding chapter 60K-5, Florida Administrative
142 Code, or any provision of law to the contrary, employees who are
143 transferred from the Department of Environmental Protection and
144 the Department of Agriculture and Consumer Services to fill
145 positions transferred to the Fish and Wildlife Conservation
146 Commission shall retain and transfer any accrued annual leave,
147 sick leave, and regular and special compensatory leave balances.

148 Section 6. Part IV of chapter 258, Florida Statutes,
149 consisting of section 258.601, is created to read:

150 PART IV

151 MISCELLANEOUS PROVISIONS

152 258.601 Enforcement of prohibited activities.—Prohibited
153 activities under this chapter shall be enforced by the
154 Department of Environmental Protection and the Division of Law
155 Enforcement of the Fish and Wildlife Conservation Commission and
156 its officers.

157 Section 7. Subsections (5) through (8) of section 20.255,



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158 Florida Statutes, are renumbered as subsections (4) through (7),
159 respectively, and present subsections (2), (3), and (4) of that
160 section are amended to read:

161 20.255 Department of Environmental Protection.—There is
162 created a Department of Environmental Protection.

163 (2) (a) There shall be three deputy secretaries who are to
164 be appointed by and shall serve at the pleasure of the
165 secretary. The secretary may assign any deputy secretary the
166 responsibility to supervise, coordinate, and formulate policy
167 for any division, office, or district. The following special
168 offices are established and headed by managers, each of whom is
169 to be appointed by and serve at the pleasure of the secretary:

- 170 1. Office of Chief of Staff;
- 171 2. Office of General Counsel;
- 172 3. Office of Inspector General;
- 173 4. Office of External Affairs;
- 174 5. Office of Legislative Affairs;
- 175 6. Office of Intergovernmental Programs; ~~and~~
- 176 7. Office of Greenways and Trails; ~~and~~
- 177 8. Office of Emergency Management.

178 (b) There shall be six administrative districts involved in
179 regulatory matters of waste management, water resource
180 management, wetlands, and air resources, which shall be headed
181 by managers, each of whom is to be appointed by and serve at the
182 pleasure of the secretary. Divisions of the department may have
183 one assistant or two deputy division directors, as required to
184 facilitate effective operation.

185
186 The managers of all divisions and offices specifically named in



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187 this section and the directors of the six administrative
188 districts are exempt from part II of chapter 110 and are
189 included in the Senior Management Service in accordance with s.
190 110.205(2) (j).

191 (3) The following divisions of the Department of
192 Environmental Protection are established:

193 (a) Division of Administrative Services.

194 (b) Division of Air Resource Management.

195 (c) Division of Water Resource Management.

196 ~~(d) Division of Law Enforcement.~~

197 (d)~~(e)~~ Division of Environmental Assessment and
198 Restoration.

199 (e)~~(f)~~ Division of Waste Management.

200 (f)~~(g)~~ Division of Recreation and Parks.

201 (g)~~(h)~~ Division of State Lands, the director of which is to
202 be appointed by the secretary of the department, subject to
203 confirmation by the Governor and Cabinet sitting as the Board of
204 Trustees of the Internal Improvement Trust Fund.

205
206 In order to ensure statewide and intradepartmental consistency,
207 the department's divisions shall direct the district offices and
208 bureaus on matters of interpretation and applicability of the
209 department's rules and programs.

210 ~~(4) Law enforcement officers of the Department of~~
211 ~~Environmental Protection who meet the provisions of s. 943.13~~
212 ~~are constituted law enforcement officers of this state with full~~
213 ~~power to investigate and arrest for any violation of the laws of~~
214 ~~this state, and the rules of the department and the Board of~~
215 ~~Trustees of the Internal Improvement Trust Fund. The general~~



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216 ~~laws applicable to investigations, searches, and arrests by~~
217 ~~peace officers of this state apply to such law enforcement~~
218 ~~officers.~~

219 Section 8. Subsection (1) of section 258.008, Florida
220 Statutes, is amended to read:

221 258.008 Prohibited activities; penalties.—

222 (1) Except as provided in subsection (3), any person who
223 violates or otherwise fails to comply with the rules adopted
224 under this chapter commits a noncriminal infraction for which
225 ejection from all property managed by the Division of Recreation
226 and Parks and a fine of up to \$500 may be imposed by the
227 division. Fines paid under this subsection shall be paid to the
228 Fish and Wildlife Conservation Commission ~~Department of~~
229 ~~Environmental Protection~~ and deposited in the State Game Park
230 Trust Fund as provided in ss. 379.338, 379.339, and 379.3395.

231 Section 9. Subsection (16) of section 258.501, Florida
232 Statutes, is amended to read:

233 258.501 Myakka River; wild and scenic segment.—

234 (16) ENFORCEMENT. ~~Officers of The~~ Fish and Wildlife
235 Conservation Commission and the department shall have full
236 authority to enforce any rule adopted by the department ~~under~~
237 ~~this section with the same police powers given them by law to~~
238 ~~enforce the rules of state parks and the rules pertaining to~~
239 ~~saltwater areas under the jurisdiction of the Florida Marine~~
240 ~~Patrol.~~

241 Section 10. Paragraph (a) of subsection (2) of section
242 282.709, Florida Statutes, is amended to read:

243 282.709 State agency law enforcement radio system and
244 interoperability network.—



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245 (2) The Joint Task Force on State Agency Law Enforcement
246 Communications is created adjunct to the department to advise
247 the department of member-agency needs relating to the planning,
248 designing, and establishment of the statewide communication
249 system.

250 (a) The Joint Task Force on State Agency Law Enforcement
251 Communications shall consist of the following ~~eight~~ members, ~~as~~
252 ~~follows~~:

253 1. A representative of the Division of Alcoholic Beverages
254 and Tobacco of the Department of Business and Professional
255 Regulation who shall be appointed by the secretary of the
256 department.

257 2. A representative of the Division of Florida Highway
258 Patrol of the Department of Highway Safety and Motor Vehicles
259 who shall be appointed by the executive director of the
260 department.

261 3. A representative of the Department of Law Enforcement
262 who shall be appointed by the executive director of the
263 department.

264 4. A representative of the Fish and Wildlife Conservation
265 Commission who shall be appointed by the executive director of
266 the commission.

267 ~~5. A representative of the Division of Law Enforcement of~~
268 ~~the Department of Environmental Protection who shall be~~
269 ~~appointed by the secretary of the department.~~

270 ~~5.6.~~ A representative of the Department of Corrections who
271 shall be appointed by the secretary of the department.

272 ~~6.7.~~ A representative of the Division of State Fire Marshal
273 of the Department of Financial Services who shall be appointed



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274 by the State Fire Marshal.

275 ~~7.8.~~ A representative of the Department of Transportation
276 who shall be appointed by the secretary of the department.

277 Section 11. Subsection (1) of section 316.003, Florida
278 Statutes, is amended to read:

279 316.003 Definitions.—The following words and phrases, when
280 used in this chapter, shall have the meanings respectively
281 ascribed to them in this section, except where the context
282 otherwise requires:

283 (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire
284 department (fire patrol), police vehicles, and such ambulances
285 and emergency vehicles of municipal departments, public service
286 corporations operated by private corporations, the Department of
287 Environmental Protection, the Fish and Wildlife Conservation
288 Commission, the Department of Health, the Department of
289 Transportation, and the Department of Corrections as are
290 designated or authorized by their respective department or the
291 chief of police of an incorporated city or any sheriff of any of
292 the various counties.

293 Section 12. Subsections (3) and (9) of section 316.2397,
294 Florida Statutes, are amended to read:

295 316.2397 Certain lights prohibited; exceptions.—

296 (3) Vehicles of the fire department and fire patrol,
297 including vehicles of volunteer firefighters as permitted under
298 s. 316.2398, vehicles of medical staff physicians or technicians
299 of medical facilities licensed by the state as authorized under
300 s. 316.2398, ambulances as authorized under this chapter, and
301 buses and taxicabs as authorized under s. 316.2399 may ~~are~~
302 ~~permitted to~~ show or display red lights. Vehicles of the fire



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303 department, fire patrol, police vehicles, and such ambulances
304 and emergency vehicles of municipal and county departments,
305 public service corporations operated by private corporations,
306 the Fish and Wildlife Conservation Commission, the Department of
307 Environmental Protection, the Department of Transportation, the
308 Department of Agriculture and Consumer Services, and the
309 Department of Corrections as are designated or authorized by
310 their respective department or the chief of police of an
311 incorporated city or any sheriff of any county may ~~are hereby~~
312 ~~authorized to~~ operate emergency lights and sirens in an
313 emergency. Wreckers, mosquito control fog and spray vehicles,
314 and emergency vehicles of governmental departments or public
315 service corporations may show or display amber lights when in
316 actual operation or when a hazard exists provided they are not
317 used going to and from the scene of operation or hazard without
318 specific authorization of a law enforcement officer or law
319 enforcement agency. Wreckers must use amber rotating or flashing
320 lights while performing recoveries and loading on the roadside
321 day or night, and may use such lights while towing a vehicle on
322 wheel lifts, slings, or under reach if the operator of the
323 wrecker deems such lights necessary. A flatbed, car carrier, or
324 rollback may not use amber rotating or flashing lights when
325 hauling a vehicle on the bed unless it creates a hazard to other
326 motorists because of protruding objects. Further, escort
327 vehicles may show or display amber lights when in the actual
328 process of escorting overdimensioned equipment, material, or
329 buildings as authorized by law. Vehicles owned or leased by
330 private security agencies may show or display green and amber
331 lights, with either color being no greater than 50 percent of



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332 the lights displayed, while the security personnel are engaged
333 in security duties on private or public property.

334 (9) Flashing red lights may be used by emergency response
335 vehicles of the Fish and Wildlife Conservation Commission, the
336 Department of Environmental Protection and the Department of
337 Health when responding to an emergency in the line of duty.

338 Section 13. Paragraph (a) of subsection (1) of section
339 316.640, Florida Statutes, is amended to read:

340 316.640 Enforcement.—The enforcement of the traffic laws of
341 this state is vested as follows:

342 (1) STATE.—

343 (a)1.a. The Division of Florida Highway Patrol of the
344 Department of Highway Safety and Motor Vehicles; the Division of
345 Law Enforcement of the Fish and Wildlife Conservation
346 Commission; ~~the Division of Law Enforcement of the Department of~~
347 ~~Environmental Protection;~~ and the agents, inspectors, and
348 officers of the Department of Law Enforcement each have
349 authority to enforce all of the traffic laws of this state on
350 all the streets and highways thereof and elsewhere throughout
351 the state wherever the public has a right to travel by motor
352 vehicle.

353 b. University police officers may ~~shall have authority to~~
354 enforce all of the traffic laws of this state when violations
355 occur on or within 1,000 feet of any property or facilities that
356 are under the guidance, supervision, regulation, or control of a
357 state university, a direct-support organization of such state
358 university, or any other organization controlled by the state
359 university or a direct-support organization of the state
360 university, or when such violations occur within a specified



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361 jurisdictional area as agreed upon in a mutual aid agreement
362 entered into with a law enforcement agency pursuant to s.
363 23.1225(1). Traffic laws may also be enforced off-campus when
364 hot pursuit originates on or within 1,000 feet of any such
365 property or facilities, or as agreed upon in accordance with the
366 mutual aid agreement.

367 c. Community college police officers may ~~shall have the~~
368 ~~authority to~~ enforce all the traffic laws of this state only
369 when such violations occur on any property or facilities that
370 are under the guidance, supervision, regulation, or control of
371 the community college system.

372 d. Police officers employed by an airport authority may
373 ~~shall have the authority to~~ enforce all of the traffic laws of
374 this state only when such violations occur on any property or
375 facilities that are owned or operated by an airport authority.

376 (I) An airport authority may employ as a parking
377 enforcement specialist any individual who successfully completes
378 a training program established and approved by the Criminal
379 Justice Standards and Training Commission for parking
380 enforcement specialists but who does not otherwise meet the
381 uniform minimum standards established by the commission for law
382 enforcement officers or auxiliary or part-time officers under s.
383 943.12. ~~Nothing in~~ This sub-sub-subparagraph does not ~~shall be~~
384 ~~construed to~~ permit the carrying of firearms or other weapons,
385 nor shall such parking enforcement specialist have arrest
386 authority.

387 (II) A parking enforcement specialist employed by an
388 airport authority may ~~is authorized to~~ enforce all state,
389 county, and municipal laws and ordinances governing parking only



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390 when such violations are on property or facilities owned or
391 operated by the airport authority employing the specialist, by
392 appropriate state, county, or municipal traffic citation.

393 e. The Office of Agricultural Law Enforcement of the
394 Department of Agriculture and Consumer Services may ~~shall have~~
395 ~~the authority to~~ enforce traffic laws of this state.

396 f. School safety officers may ~~shall have the authority to~~
397 enforce all of the traffic laws of this state when such
398 violations occur on or about any property or facilities which
399 are under the guidance, supervision, regulation, or control of
400 the district school board.

401 2. An agency of the state as described in subparagraph 1.
402 is prohibited from establishing a traffic citation quota. A
403 violation of this subparagraph is not subject to the penalties
404 provided in chapter 318.

405 3. Any disciplinary action taken or performance evaluation
406 conducted by an agency of the state as described in subparagraph
407 1. of a law enforcement officer's traffic enforcement activity
408 must be in accordance with written work-performance standards.
409 Such standards must be approved by the agency and any collective
410 bargaining unit representing such law enforcement officer. A
411 violation of this subparagraph is not subject to the penalties
412 provided in chapter 318.

413 4. The Division of the Florida Highway Patrol may employ as
414 a traffic accident investigation officer any individual who
415 successfully completes instruction in traffic accident
416 investigation and court presentation through the Selective
417 Traffic Enforcement Program as approved by the Criminal Justice
418 Standards and Training Commission and funded through the



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419 National Highway Traffic Safety Administration or a similar
420 program approved by the commission, but who does not necessarily
421 meet the uniform minimum standards established by the commission
422 for law enforcement officers or auxiliary law enforcement
423 officers under chapter 943. Any such traffic accident
424 investigation officer who makes an investigation at the scene of
425 a traffic accident may issue traffic citations, based upon
426 personal investigation, when he or she has reasonable and
427 probable grounds to believe that a person who was involved in
428 the accident committed an offense under this chapter, chapter
429 319, chapter 320, or chapter 322 in connection with the
430 accident. This subparagraph does not permit the officer to carry
431 firearms or other weapons, and such an officer does not have
432 authority to make arrests.

433 Section 14. Subsection (4) of section 375.041, Florida
434 Statutes, is amended to read:

435 375.041 Land Acquisition Trust Fund.—

436 (4) The department may disburse moneys in the Land
437 Acquisition Trust Fund to pay all necessary expenses to carry
438 out the purposes of this act. The department shall disburse
439 moneys from the Land Acquisition Trust Fund to the Fish and
440 Wildlife Conservation Commission for the purpose of funding law
441 enforcement services on state lands.

442 Section 15. Subsection (5) of section 376.065, Florida
443 Statutes, is amended to read:

444 376.065 Operation of terminal facility without discharge
445 prevention and response certificate prohibited; penalty.—

446 (5) (a) A ~~Any~~ person who violates this section or the terms
447 and requirements of such certification commits a noncriminal



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448 infraction. The civil penalty for any such infraction shall be
449 \$500, except as otherwise provided in this section.

450 (b) A ~~Any~~ person cited for an infraction under this section
451 may:

- 452 1. Pay the civil penalty;
453 2. Post a bond equal to the amount of the applicable civil
454 penalty; or
455 3. Sign and accept a citation indicating a promise to
456 appear before the county court.

457
458 The department employee ~~officer~~ authorized to issue these
459 citations may indicate on the citation the time and location of
460 the scheduled hearing and shall indicate the applicable civil
461 penalty.

462 (c) A ~~Any~~ person who willfully refuses to post bond or
463 accept and sign a citation commits a misdemeanor of the second
464 degree, punishable as provided in s. 775.082 or s. 775.083.

465 (d) After compliance with ~~the provisions of~~ subparagraph
466 (b)2. or subparagraph (b)3., a ~~any~~ person charged with a
467 noncriminal infraction under this section may:

- 468 1. Pay the civil penalty, either by mail or in person,
469 within 30 days after the date of receiving the citation; or
470 2. If the person has posted bond, forfeit the bond by not
471 appearing at the designated time and location.

472
473 A person cited for an infraction under this section who pays the
474 civil penalty or forfeits the bond has admitted the infraction
475 and waives the right to a hearing on the issue of commission of
476 the infraction. Such admission may not be used as evidence in



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477 any other proceedings.

478 (e) A ~~Any~~ person who elects to appear before the county
479 court or who is required to so appear waives the limitations of
480 the civil penalty specified in paragraph (a). The court, after a
481 hearing, shall make a determination as to whether an infraction
482 has been committed. If the commission of the infraction is
483 proved, the court shall impose a civil penalty of \$500.

484 (f) At a hearing under this subsection, the commission of a
485 charged infraction must be proved by the greater weight of the
486 evidence.

487 (g) A person who is found by the hearing official to have
488 committed an infraction may appeal that finding to the circuit
489 court.

490 (h) A ~~Any~~ person who has not posted bond and who fails
491 either to pay the fine specified in paragraph (a) within 30 days
492 after receipt of the citation or to appear before the court
493 commits a misdemeanor of the second degree, punishable as
494 provided in s. 775.082 or s. 775.083.

495 Section 16. Subsection (3) of section 376.07, Florida
496 Statutes, is amended to read:

497 376.07 Regulatory powers of department; penalties for
498 inadequate booming by terminal facilities.-

499 (3) The department shall not require vessels to maintain
500 discharge prevention gear, holding tanks, and containment gear
501 which exceed federal requirements. However, a terminal facility
502 transferring heavy oil to or from a vessel with a heavy oil
503 storage capacity greater than 10,000 gallons shall be required,
504 considering existing weather and tidal conditions, to adequately
505 boom or seal off the transfer area during a transfer, including,



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506 but not limited to, a bunkering operation, to minimize the
507 escape of such pollutants from the containment area. As used in
508 this subsection, the term "adequate booming" means booming with
509 proper containment equipment which is employed and located for
510 the purpose of preventing, for the most likely discharge, as
511 much of the pollutant as possible from escaping out of the
512 containment area.

513 (a) The owner or operator of a terminal facility involved
514 in the transfer of such pollutant to or from a vessel which is
515 not adequately boomed commits a noncriminal infraction and shall
516 be cited for such infraction. The civil penalty for such an
517 infraction shall be \$2,500, except as otherwise provided in this
518 section.

519 (b) A ~~Any~~ person cited for an infraction under this section
520 may:

- 521 1. Pay the civil penalty;
- 522 2. Post bond equal to the amount of the applicable civil
523 penalty; or
- 524 3. Sign and accept a citation indicating a promise to
525 appear before the county court.

526
527 The department employee ~~officer~~ authorized to issue these
528 citations may indicate on the citation the time and location of
529 the scheduled hearing and shall indicate the applicable civil
530 penalty.

531 (c) A ~~Any~~ person who willfully refuses to post bond or
532 accept and sign a citation commits a misdemeanor of the second
533 degree, punishable as provided in s. 775.082 or s. 775.083.

534 (d) After compliance with subparagraph (b)2. or



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535 subparagraph (b)3., a ~~any~~ person charged with a noncriminal
536 infraction under this section may:

537 1. Pay the civil penalty, either by mail or in person,
538 within 30 days after the date of receiving the citation; or

539 2. If the person has posted bond, forfeit the bond by not
540 appearing at the designated time and location.

541
542 A person cited for an infraction under this section who pays the
543 civil penalty or forfeits the bond has admitted the infraction
544 and waives the right to a hearing on the issue of commission of
545 the infraction. Such admission may not be used as evidence in
546 any other proceedings.

547 (e) A ~~Any~~ person who elects to appear before the county
548 court or who is required to appear waives the limitations of the
549 civil penalty specified in paragraph (a). The issue of whether
550 an infraction has been committed and the severity of the
551 infraction shall be determined by a hearing official at a
552 hearing. If the commission of the infraction is proved by the
553 greater weight of the evidence, the court shall impose a civil
554 penalty of \$2,500. If the court determines that the owner or
555 operator of the terminal facility failed to deploy any boom
556 equipment during such a transfer, including, but not limited to,
557 a bunkering operation, the civil penalty shall be \$5,000.

558 (f) A person who is found by the hearing official to have
559 committed an infraction may appeal that finding to the circuit
560 court.

561 (g) A ~~Any~~ person who has not posted bond and who fails
562 either to pay the civil penalty specified in paragraph (a)
563 within 30 days after receipt of the citation or to appear before



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564 the court commits a misdemeanor of the second degree, punishable
565 as provided in s. 775.082 or s. 775.083.

566 Section 17. Subsection (2) of section 376.071, Florida
567 Statutes, is amended to read:

568 376.071 Discharge contingency plan for vessels.—

569 (2) (a) A ~~Any~~ master of a vessel that ~~which~~ violates
570 subsection (1) commits a noncriminal infraction and shall be
571 cited for such infraction. The civil penalty for such an
572 infraction shall be \$5,000, except as otherwise provided in this
573 subsection.

574 (b) A ~~Any~~ person charged with a noncriminal infraction
575 under this section may:

- 576 1. Pay the civil penalty;
577 2. Post bond equal to the amount of the applicable civil
578 penalty; or
579 3. Sign and accept a citation indicating a promise to
580 appear before the county court for the county in which the
581 violation occurred or the county closest to the location at
582 which the violation occurred.

583
584 The department employee ~~officer~~ authorized to issue these
585 citations may indicate on the citation the time and location of
586 the scheduled hearing and shall indicate the applicable civil
587 penalty.

588 (c) A ~~Any~~ person who willfully refuses to post bond or
589 accept and sign a citation commits a misdemeanor of the second
590 degree, punishable as provided in s. 775.082 or s. 775.083.

591 (d) After complying with ~~the provisions of~~ subparagraph
592 (b)2. or subparagraph (b)3., a ~~any~~ person charged with a



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593 noncriminal infraction under this section may:

594 1. Pay the civil penalty, either by mail or in person,
595 within 30 days after the date of receiving the citation; or

596 2. If the person has posted bond, forfeit the bond by not
597 appearing at the designated time and location.

598

599 A person cited for an infraction under this section who pays the
600 civil penalty or forfeits the bond has admitted the infraction
601 and waives the right to a hearing on the issue of commission of
602 the infraction. Such admission may not be used as evidence in
603 any other proceedings.

604 (e) A ~~Any~~ person who elects to appear before the county
605 court or who is required to appear waives the limitations of the
606 civil penalty specified in paragraph (a). The court, after a
607 hearing, shall make a determination as to whether an infraction
608 has been committed. If the commission of the infraction is
609 proved, the court shall impose a civil penalty of \$5,000.

610 (f) At a hearing under this subsection, the commission of a
611 charged infraction must be proved by the greater weight of the
612 evidence.

613 (g) A person who is found by the hearing official to have
614 committed an infraction may appeal that finding to the circuit
615 court.

616 (h) A ~~Any~~ person who has not posted bond and who fails
617 either to pay the civil penalty specified in paragraph (a)
618 within 30 days after receipt of the citation or to appear before
619 the court commits a misdemeanor of the second degree, punishable
620 as provided in s. 775.082 or s. 775.083.

621 Section 18. Subsection (4) of section 376.16, Florida



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622 Statutes, is amended to read:

623 376.16 Enforcement and penalties.—

624 (4) A ~~Any~~ person charged with a noncriminal infraction
625 pursuant to subsection (2) or subsection (3) may:

626 (a) Pay the civil penalty;

627 (b) Post a bond equal to the amount of the applicable civil
628 penalty; or

629 (c) Sign and accept a citation indicating a promise to
630 appear before the county court.

631

632 The department employee ~~officer~~ authorized to issue these
633 citations may indicate on the citation the time and location of
634 the scheduled hearing and shall indicate the applicable civil
635 penalty.

636 Section 19. Paragraph (q) is added to subsection (4) of
637 section 376.3071, Florida Statutes, to read:

638 376.3071 Inland Protection Trust Fund; creation; purposes;
639 funding.—

640 (4) USES.—Whenever, in its determination, incidents of
641 inland contamination related to the storage of petroleum or
642 petroleum products may pose a threat to the environment or the
643 public health, safety, or welfare, the department shall obligate
644 moneys available in the fund to provide for:

645 (q) Enforcement of this section and ss. 376.30-376.317 by
646 the Fish and Wildlife Conservation Commission. The department
647 shall disburse moneys to the commission for such purpose.

648

649 The Inland Protection Trust Fund may only be used to fund the
650 activities in ss. 376.30-376.317 except ss. 376.3078 and



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651 376.3079. Amounts on deposit in the Inland Protection Trust Fund
652 in each fiscal year shall first be applied or allocated for the
653 payment of amounts payable by the department pursuant to
654 paragraph (o) under a service contract entered into by the
655 department pursuant to s. 376.3075 and appropriated in each year
656 by the Legislature prior to making or providing for other
657 disbursements from the fund. Nothing in this subsection shall
658 authorize the use of the Inland Protection Trust Fund for
659 cleanup of contamination caused primarily by a discharge of
660 solvents as defined in s. 206.9925(6), or polychlorinated
661 biphenyls when their presence causes them to be hazardous
662 wastes, except solvent contamination which is the result of
663 chemical or physical breakdown of petroleum products and is
664 otherwise eligible. Facilities used primarily for the storage of
665 motor or diesel fuels as defined in ss. 206.01 and 206.86 shall
666 be presumed not to be excluded from eligibility pursuant to this
667 section.

668 Section 20. Section 379.3311, Florida Statutes, is amended
669 to read:

670 379.3311 Police powers of commission and its agents.—

671 (1) The ~~Fish and Wildlife Conservation~~ commission, the
672 executive director and the executive director's assistants
673 designated by her or him, and each commission ~~wildlife~~ officer
674 are constituted peace officers with the power to make arrests
675 for violations of the laws of this state when committed in the
676 presence of the officer or when committed on lands under the
677 supervision and management of the commission, the department,
678 the Board of Trustees of the Internal Improvement Trust Fund, or
679 the Department of Agricultural and Consumer Services, including



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680 state parks, coastal and aquatic managed areas, and greenways
681 and trails. The general laws applicable to arrests by peace
682 officers of this state shall also be applicable to the said
683 director, assistants, and wildlife officers. Such persons may
684 enter upon any land or waters of the state for performance of
685 their lawful duties and may take with them any necessary
686 equipment, and such entry does shall not constitute a trespass.

687 (2) Such officers may shall have power and authority to
688 enforce throughout the state all laws relating to game, nongame
689 birds, fish, and fur-bearing animals and all rules and
690 regulations of the ~~Fish and Wildlife Conservation~~ commission
691 relating to wild animal life, marine life, and freshwater
692 aquatic life, and in connection with the said laws, rules, and
693 regulations, in the enforcement thereof and in the performance
694 of their duties thereunder, to:

695 (a) Go upon all premises, posted or otherwise;

696 (b) Execute warrants and search warrants for the violation
697 of the said laws;

698 (c) Serve subpoenas issued for the examination,
699 investigation, and trial of all offenses against the said laws;

700 (d) Carry firearms or other weapons, concealed or
701 otherwise, in the performance of their duties;

702 (e) Arrest upon probable cause without warrant any person
703 found in the act of violating any such of the provisions of said
704 laws or, in pursuit immediately following such violations, to
705 examine any person, boat, conveyance, vehicle, game bag, game
706 coat, or other receptacle for wild animal life, marine life, or
707 freshwater aquatic life, or any camp, tent, cabin, or roster, in
708 the presence of any person stopping at or belonging to such



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709 camp, tent, cabin, or roster, when the ~~said~~ officer has reason
710 to believe, and has exhibited her or his authority and stated to
711 the suspected person in charge the officer's reason for
712 believing, that any of the aforesaid laws have been violated at
713 such camp;

714 (f) Secure and execute search warrants and in pursuance
715 thereof to enter any building, enclosure, or car and to break
716 open, when found necessary, any apartment, chest, locker, box,
717 trunk, crate, basket, bag, package, or container and examine the
718 contents thereof;

719 (g) Seize and take possession of all wild animal life,
720 marine life, or freshwater aquatic life taken or in possession
721 or under control of, or shipped or about to be shipped by, any
722 person at any time in any manner contrary to the ~~said~~ laws.

723 (3) It is unlawful for a ~~any~~ person to resist an arrest
724 authorized by this section or in any manner to interfere, either
725 by abetting, assisting such resistance, or otherwise interfering
726 with the ~~said~~ executive director, assistants, or wildlife
727 officers while engaged in the performance of the duties imposed
728 upon them by law or regulation of the ~~Fish and Wildlife~~
729 Conservation commission, the department, the Board of Trustees
730 of the Internal Improvement Trust Fund, or the Department of
731 Agriculture and Consumer Services.

732 (4) Upon final disposition of any alleged offense for which
733 a citation for any violation of this chapter or the rules of the
734 commission has been issued, the court shall, within 10 days
735 after the final disposition of the action, certify the
736 disposition to the commission.

737 Section 21. Section 379.3312, Florida Statutes, is amended



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738 to read:

739 379.3312 Powers of arrest by agents of ~~Department of~~
740 ~~Environmental Protection or Fish and Wildlife Conservation~~
741 commission.—Any certified law enforcement officer of the
742 ~~Department of Environmental Protection or the Fish and Wildlife~~
743 ~~Conservation~~ commission, upon receiving information, relayed to
744 her or him from any law enforcement officer stationed on the
745 ground, on the water, or in the air, that a driver, operator, or
746 occupant of any vehicle, boat, or airboat has violated any
747 section of chapter 327, chapter 328, or this chapter, or s.
748 597.010 or s. 597.020, may arrest the driver, operator, or
749 occupant for violation of such ~~said~~ laws when reasonable and
750 proper identification of the vehicle, boat, or airboat and
751 reasonable and probable grounds to believe that the driver,
752 operator, or occupant has committed or is committing any such
753 offense have been communicated to the arresting officer by the
754 other officer stationed on the ground, on the water, or in the
755 air.

756 Section 22. Subsection (1) of section 379.3313, Florida
757 Statutes, is amended to read:

758 379.3313 Powers of commission law enforcement officers.—

759 (1) Law enforcement officers of the commission are
760 constituted law enforcement officers of this state with full
761 power to investigate and arrest for any violation of the laws of
762 this state and the rules of the commission, the department, the
763 Board of Trustees of the Internal Improvement Trust Fund, and
764 the Department of Agriculture and Consumer Services under their
765 jurisdiction. The general laws applicable to arrests by peace
766 officers of this state shall also be applicable to law



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767 enforcement officers of the commission. Such law enforcement
768 officers may enter upon any land or waters of the state for
769 performance of their lawful duties and may take with them any
770 necessary equipment, and such entry will not constitute a
771 trespass. It is lawful for any boat, motor vehicle, or aircraft
772 owned or chartered by the commission or its agents or employees
773 to land on and depart from any of the beaches or waters of the
774 state. Such law enforcement officers have the authority, without
775 warrant, to board, inspect, and search any boat, fishing
776 appliance, storage or processing plant, fishhouse, spongehouse,
777 oysterhouse, or other warehouse, building, or vehicle engaged in
778 transporting or storing any fish or fishery products. Such
779 authority to search and inspect without a search warrant is
780 limited to those cases in which such law enforcement officers
781 have reason to believe that fish or any saltwater products are
782 taken or kept for sale, barter, transportation, or other
783 purposes in violation of laws or rules adopted ~~promulgated~~ under
784 this law. ~~Any~~ Such law enforcement officers ~~officer~~ may at any
785 time seize or take possession of any saltwater products or
786 contraband which have been unlawfully caught, taken, or
787 processed or which are unlawfully possessed or transported in
788 violation of any of the laws of this state or any rule of the
789 commission. Such law enforcement officers may arrest any person
790 in the act of violating ~~any of the provisions of~~ this law, the
791 rules of the commission, or any of the laws of this state. It is
792 hereby declared unlawful for a ~~any~~ person to resist such arrest
793 or in any manner interfere, either by abetting or assisting such
794 resistance or otherwise interfering, with any such law
795 enforcement officer while engaged in the performance of the



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796 duties imposed upon him or her by law or rule of the commission.

797 Section 23. Subsections (1) and (2) of section 379.333,
798 Florida Statutes, are amended to read:

799 379.333 Arrest by officers of the ~~Fish and Wildlife~~
800 ~~Conservation~~ commission; recognizance; cash bond; citation.-

801 (1) In all cases of arrest by officers of the ~~Fish and~~
802 ~~Wildlife Conservation~~ commission and the ~~Department of~~
803 ~~Environmental Protection~~, the person arrested shall be delivered
804 forthwith by the ~~said~~ officer to the sheriff of the county, or
805 shall obtain from the ~~such~~ person arrested a recognizance or, if
806 deemed necessary, a cash bond or other sufficient security
807 conditioned for her or his appearance before the proper tribunal
808 of the ~~such~~ county to answer the charge for which the person has
809 been arrested.

810 (2) All officers of the commission shall and the ~~department~~
811 ~~are hereby directed to~~ deliver all bonds accepted and approved
812 by them to the sheriff of the county in which the offense is
813 alleged to have been committed.

814 Section 24. Subsection (1) of section 379.341, Florida
815 Statutes, is amended to read:

816 379.341 Disposition of illegal fishing devices; exercise of
817 police power.-

818 (1) In all cases of arrest and conviction for use of
819 illegal nets or traps or fishing devices, as provided in this
820 chapter, the ~~such~~ illegal net, trap, or fishing device is
821 declared to be a nuisance and shall be seized and carried before
822 the court having jurisdiction of the ~~such~~ offense and the ~~said~~
823 court shall order the ~~such~~ illegal trap, net, or fishing device
824 forfeited to the commission immediately after trial and



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825 conviction of the person in whose possession they were found.
826 When any illegal net, trap, or fishing device is found in the
827 fresh waters of the state, and the owner of same is ~~shall~~ not be
828 known to the officer finding the same, the ~~such~~ officer shall
829 immediately procure from the county court judge an order
830 forfeiting the ~~said~~ illegal net, trap, or fishing device to the
831 commission. The commission may destroy the ~~such~~ illegal net,
832 trap, or fishing device, if in its judgment the ~~said~~ net, trap,
833 or fishing device is ~~not~~ of no value in the work of the
834 commission ~~department~~.

835 Section 25. Subsection (2) of section 403.413, Florida
836 Statutes, is reordered and amended to read:

837 403.413 Florida Litter Law.—

838 (2) DEFINITIONS.—As used in this section:

839 (f) ~~(a)~~ "Litter" means any garbage; rubbish; trash; refuse;
840 can; bottle; box; container; paper; tobacco product; tire;
841 appliance; mechanical equipment or part; building or
842 construction material; tool; machinery; wood; motor vehicle or
843 motor vehicle part; vessel; aircraft; farm machinery or
844 equipment; sludge from a waste treatment facility, water supply
845 treatment plant, or air pollution control facility; or substance
846 in any form resulting from domestic, industrial, commercial,
847 mining, agricultural, or governmental operations.

848 (h) ~~(b)~~ "Person" means any individual, firm, sole
849 proprietorship, partnership, corporation, or unincorporated
850 association.

851 (e) ~~(c)~~ "Law enforcement officer" means any officer of the
852 Florida Highway Patrol, a county sheriff's department, a
853 municipal law enforcement department, a law enforcement



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854 department of any other political subdivision, ~~the department,~~
855 or the Fish and Wildlife Conservation Commission. In addition,
856 and solely for the purposes of this section, "law enforcement
857 officer" means any employee of a county or municipal park or
858 recreation department designated by the department head as a
859 litter enforcement officer.

860 (a) ~~(d)~~ "Aircraft" means a motor vehicle or other vehicle
861 that is used or designed to fly but does not include a parachute
862 or any other device used primarily as safety equipment.

863 (b) ~~(e)~~ "Commercial purpose" means for the purpose of
864 economic gain.

865 (c) ~~(f)~~ "Commercial vehicle" means a vehicle that is owned
866 or used by a business, corporation, association, partnership, or
867 sole proprietorship or any other entity conducting business for
868 a commercial purpose.

869 (d) ~~(g)~~ "Dump" means to dump, throw, discard, place,
870 deposit, or dispose of.

871 (g) ~~(h)~~ "Motor vehicle" means an automobile, motorcycle,
872 truck, trailer, semitrailer, truck tractor, or semitrailer
873 combination or any other vehicle that is powered by a motor.

874 (i) "Vessel" means a boat, barge, or airboat or any other
875 vehicle used for transportation on water.

876 Section 26. Paragraph (d) of subsection (1) of section
877 784.07, Florida Statutes, is amended to read:

878 784.07 Assault or battery of law enforcement officers,
879 firefighters, emergency medical care providers, public transit
880 employees or agents, or other specified officers;
881 reclassification of offenses; minimum sentences.-

882 (1) As used in this section, the term:



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883 (d) "Law enforcement officer" includes a law enforcement
884 officer, a correctional officer, a correctional probation
885 officer, a part-time law enforcement officer, a part-time
886 correctional officer, an auxiliary law enforcement officer, and
887 an auxiliary correctional officer, as those terms are
888 respectively defined in s. 943.10, and any county probation
889 officer; an employee or agent of the Department of Corrections
890 who supervises or provides services to inmates; an officer of
891 the Parole Commission; a federal law enforcement officer as
892 defined in s. 901.1505; and law enforcement personnel of the
893 Fish and Wildlife Conservation Commission, ~~the Department of~~
894 ~~Environmental Protection~~, or the Department of Law Enforcement.

895 Section 27. Section 843.08, Florida Statutes, is amended to
896 read:

897 843.08 Falsely personating officer, etc.—A person who
898 falsely assumes or pretends to be a sheriff, officer of the
899 Florida Highway Patrol, officer of the Fish and Wildlife
900 Conservation Commission, ~~officer of the Department of~~
901 ~~Environmental Protection~~, officer of the Department of
902 Transportation, officer of the Department of Financial Services,
903 officer of the Department of Corrections, correctional probation
904 officer, deputy sheriff, state attorney or assistant state
905 attorney, statewide prosecutor or assistant statewide
906 prosecutor, state attorney investigator, coroner, police
907 officer, lottery special agent or lottery investigator, beverage
908 enforcement agent, or watchman, or any member of the Parole
909 Commission and any administrative aide or supervisor employed by
910 the commission, or any personnel or representative of the
911 Department of Law Enforcement, or a federal law enforcement



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912 officer as defined in s. 901.1505, and takes upon himself or
913 herself to act as such, or to require any other person to aid or
914 assist him or her in a matter pertaining to the duty of any such
915 officer, commits a felony of the third degree, punishable as
916 provided in s. 775.082, s. 775.083, or s. 775.084; however, a
917 person who falsely personates any such officer during the course
918 of the commission of a felony commits a felony of the second
919 degree, punishable as provided in s. 775.082, s. 775.083, or s.
920 775.084. ~~except that~~ If the commission of the felony results in
921 the death or personal injury of another human being, the person
922 commits a felony of the first degree, punishable as provided in
923 s. 775.082, s. 775.083, or s. 775.084.

924 Section 28. Section 870.04, Florida Statutes, is amended to
925 read:

926 870.04 Specified officers to disperse riotous assembly.—If
927 any number of persons, whether armed or not, are unlawfully,
928 riotously or tumultuously assembled in any county, city or
929 municipality, the sheriff or the sheriff's deputies, or the
930 mayor, or any commissioner, council member, alderman or police
931 officer of the ~~said~~ city or municipality, or any officer or
932 member of the Florida Highway Patrol, or any officer or agent of
933 the Fish and Wildlife Conservation Commission, a Department of
934 ~~Environmental Protection, or~~ beverage enforcement agent, any
935 personnel or representatives of the Department of Law
936 Enforcement or its successor, or any other peace officer, shall
937 go among the persons so assembled, or as near to them as may be
938 done with safety, and shall in the name of the state command all
939 the persons so assembled immediately and peaceably to disperse;
940 and if such persons do not thereupon immediately and peaceably



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941 disperse, such ~~said~~ officers shall command the assistance of all
942 such persons in seizing, arresting and securing such persons in
943 custody. ~~and~~ If a ~~any~~ person present being so commanded to aid
944 and assist in seizing and securing such rioter or persons so
945 unlawfully assembled, or in suppressing a ~~such~~ riot or unlawful
946 assembly, refuses or neglects to obey such command, or, when
947 required by the ~~such~~ officers to depart from the place, refuses
948 and neglects to do so, the person shall be deemed one of the
949 rioters or persons unlawfully assembled, and may be prosecuted
950 and punished accordingly.

951 Section 29. Paragraphs (c) through (n) of subsection (6) of
952 section 932.7055, Florida Statutes, are redesignated as
953 paragraphs (b) through (m), respectively, and present paragraph
954 (b) of that subsection is amended to read:

955 932.7055 Disposition of liens and forfeited property.—

956 (6) If the seizing agency is a state agency, all remaining
957 proceeds shall be deposited into the General Revenue Fund.
958 However, if the seizing agency is:

959 ~~(b) The Department of Environmental Protection, the~~
960 ~~proceeds accrued pursuant to the provisions of the Florida~~
961 ~~Contraband Forfeiture Act shall be deposited into the Internal~~
962 ~~Improvement Trust Fund.~~

963 Section 30. This act shall take effect July 1, 2012.

964
965 ===== T I T L E A M E N D M E N T =====

966 And the title is amended as follows:

967 Delete everything before the enacting clause
968 and insert:

969 A bill to be entitled



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970 An act relating to the Fish and Wildlife Conservation
971 Commission; transferring and reassigning functions and
972 responsibilities of the Division of Law Enforcement,
973 excluding the Bureau of Emergency Response, within the
974 Department of Environmental Protection to the Division
975 of Law Enforcement within the Fish and Wildlife
976 Conservation Commission; reassigning the Bureau of
977 Emergency Response within the Department of
978 Environmental Protection to the Secretary of
979 Environmental Protection, as the Office of Emergency
980 Response, within the Department of Environmental
981 Protection; providing for the transfer of additional
982 positions to the commission; providing for a
983 memorandum of agreement between the department and the
984 commission regarding the responsibilities of the
985 commission to the department; transferring and
986 reassigning functions and responsibilities of sworn
987 positions funded by the Conservation and Recreation
988 Lands Program and assigned to the Florida Forest
989 Service within the Department of Agriculture and
990 Consumer Services and the investigator responsible for
991 the enforcement of aquaculture violations at the
992 Department of Agriculture and Consumer Services to the
993 Division of Law Enforcement within the Fish and
994 Wildlife Conservation Commission; providing for a
995 memorandum of agreement between the department and the
996 commission regarding the responsibilities between the
997 commission and the department; providing for
998 transition advisory working groups; assigning powers,



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999 duties, responsibilities, and functions for
1000 enforcement of the laws and rules governing certain
1001 lands managed by the Department of Environmental
1002 Protection and certain lands and aquaculture managed
1003 by the Department of Agriculture and Consumer Services
1004 to the Fish and Wildlife Conservation Commission;
1005 conferring full power to the law enforcement officers
1006 of the Fish and Wildlife Conservation Commission to
1007 investigate and arrest for violations of rules of the
1008 Department of Agriculture and Consumer Services, the
1009 Department of Environmental Protection, and the Board
1010 of Trustees of the Internal Improvement Trust Fund;
1011 authorizing salary parity and other pay adjustments
1012 for positions transferred by the act; providing for
1013 the retention and transfer of specified benefits for
1014 employees who are transferred from the Department of
1015 Environmental Protection and the Department of
1016 Agriculture and Consumer Services to fill positions
1017 transferred to the Fish and Wildlife Conservation
1018 Commission; creating s. 258.601, F.S.; specifying
1019 powers and duties of the commission relating to state
1020 parks and preserves and wild and scenic rivers;
1021 amending ss. 20.255, 258.008, 258.501, 282.709,
1022 316.003, 316.2397, 316.640, 375.041, 376.065, 376.07,
1023 376.071, 376.16, 376.3071, 379.3311, 379.3312,
1024 379.3313, 379.333, 379.341, 403.413, 784.07, 843.08,
1025 870.04, and 932.7055, F.S.; conforming provisions to
1026 changes made by the act; providing an effective date.