

By the Committees on Environmental Preservation and Conservation; and Environmental Preservation and Conservation

592-01540-12

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1 A bill to be entitled
2 An act relating to fish and wildlife conservation;
3 amending s. 379.208, F.S.; changing a funding source
4 of the Marine Resources Conservation Trust Fund from
5 excise taxes to vessel registration fees; removing the
6 provision requiring that undistributed funds be
7 carried over to the next fiscal year; repealing s.
8 379.2342(2), F.S., relating to the publication of the
9 Florida Wildlife Magazine and the Florida Wildlife
10 Magazine Advisory Council; amending s. 379.3581, F.S.;
11 deleting provisions that restrict the special
12 authorization to hunt under supervision to 1 year and
13 that prohibit issuing the special authorization to the
14 same person more than once; amending s. 379.366, F.S.;
15 reducing the fee for soft-shell blue crab
16 endorsements; amending s. 921.0022, F.S.; adding to
17 the offense severity ranking chart, to be used with
18 the Criminal Punishment Code for sentence score,
19 willful molestation of a commercial harvester's spiny
20 lobster trap, line, or buoy or the unauthorized
21 possession or removal of trap contents or trap gear;
22 providing effective dates.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Subsection (3) of section 379.208, Florida
27 Statutes, is amended to read:

28 379.208 Marine Resources Conservation Trust Fund;
29 purposes.—

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30 (3) Funds provided to the Marine Resources Conservation
31 Trust Fund from vessel registration fees pursuant to s. 328.76
32 ~~may taxes distributed under s. 201.15 shall~~ be used for the
33 following purposes:

34 (a) To reimburse the cost of activities authorized pursuant
35 to the Fish and Wildlife Service of the United States Department
36 of the Interior. The facilities must be involved in the actual
37 rescue and full-time acute care veterinarian-based
38 rehabilitation of manatees. The cost of activities includes, but
39 is not limited to, costs associated with expansion, capital
40 outlay, repair, maintenance, and operation related to the
41 rescue, treatment, stabilization, maintenance, release, and
42 monitoring of manatees. Moneys distributed through the
43 contractual agreement to each facility for manatee
44 rehabilitation must be proportionate to the number of manatees
45 under acute care rehabilitation; the number of maintenance days
46 medically necessary in the facility; and the number released
47 during the previous fiscal year. The commission may set a cap on
48 the total amount reimbursed per manatee per year.

49 (b) For training on the care, treatment, and rehabilitation
50 of marine mammals at the Whitney Laboratory and the College of
51 Veterinary Medicine at the University of Florida.

52 (c) For program administration costs of the agency.

53 ~~(d) Funds not distributed in any 1 fiscal year must be~~
54 ~~carried over for distribution in subsequent years.~~

55 Section 2. Subsection (2) of section 379.2342, Florida
56 Statutes, is repealed.

57 Section 3. Paragraph (b) of subsection (2) of section
58 379.3581, Florida Statutes, is amended to read:

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59 379.3581 Hunter safety course; requirements; penalty.-

60 (2)

61 (b) A person born on or after June 1, 1975, who has not
62 successfully completed a hunter safety course may apply to the
63 commission for a special authorization to hunt under
64 supervision. The special authorization for supervised hunting
65 shall be designated on any license or permit required under this
66 chapter for a person to take game or fur-bearing animals ~~and~~
67 ~~shall be valid for not more than 1 year. A special authorization~~
68 ~~for supervised hunting may not be issued more than once to the~~
69 ~~person applying for such authorization.~~ A person issued a
70 license with a special authorization to hunt under supervision
71 must hunt under the supervision of, and in the presence of, a
72 person 21 years or age or older who is licensed to hunt pursuant
73 to s. 379.354 or who is exempt from licensing requirements or
74 eligible for a free license pursuant to s. 379.353.

75 Section 4. Effective upon the commencement of the 2012-2013
76 blue crab license year, paragraph (a) of subsection (3) of
77 section 379.366, Florida Statutes, is amended to read:

78 379.366 Blue crab; regulation.-

79 (3) (a) *Endorsement fees.*-

80 1. The fee for a hard-shell blue crab endorsement for the
81 taking of hard-shell blue crabs, as authorized by rule of the
82 commission, is \$125, \$25 of which must be used solely for the
83 trap retrieval program authorized under s. 379.2424 and in
84 commission rules.

85 2. The fee for a soft-shell blue crab endorsement for the
86 taking of soft-shell blue crabs, as authorized by rule of the
87 commission, is \$125 ~~\$250~~, \$25 of which must be used solely for

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88 the trap retrieval program authorized under s. 379.2424 and in
 89 commission rules.

90 3. The fee for a nontransferable hard-shell blue crab
 91 endorsement for the taking of hard-shell blue crabs, as
 92 authorized by rule of the commission, is \$125, \$25 of which must
 93 be used solely for the trap retrieval program authorized under
 94 s. 379.2424 and in commission rules.

95 4. The fee for an incidental take blue crab endorsement for
 96 the taking of blue crabs as bycatch in shrimp trawls and stone
 97 crab traps is \$25, as authorized in commission rules.

98 Section 5. Paragraph (e) of subsection (3) of section
 99 921.0022, Florida Statutes, is amended to read:

100 921.0022 Criminal Punishment Code; offense severity ranking
 101 chart.—

102 (3) OFFENSE SEVERITY RANKING CHART

103 (e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal

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injury; leaving scene.

108

379.367 (4)

3rd

Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

109

379.3671 (2) (c) 3.

3rd

Willful molestation or unauthorized possession or removal of a commercial harvester's spiny lobster trap contents or trap gear.

110

381.0041 (11) (b)

3rd

Donate blood, plasma, or organs knowing HIV positive.

111

440.10 (1) (g)

2nd

Failure to obtain workers' compensation coverage.

112

440.105 (5)

2nd

Unlawful solicitation for the purpose of making workers' compensation claims.

113

440.381 (2)

2nd

Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

114

624.401 (4) (b) 2.

2nd

Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

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626.902 (1) (c) 2nd Representing an unauthorized insurer;
repeat offender.

116

790.01 (2) 3rd Carrying a concealed firearm.

117

790.162 2nd Threat to throw or discharge destructive
device.

118

790.163 (1) 2nd False report of deadly explosive or
weapon of mass destruction.

119

790.221 (1) 2nd Possession of short-barreled shotgun or
machine gun.

120

790.23 2nd Felons in possession of firearms,
ammunition, or electronic weapons or
devices.

121

800.04 (6) (c) 3rd Lewd or lascivious conduct; offender
less than 18 years.

122

800.04 (7) (b) 2nd Lewd or lascivious exhibition; offender
18 years or older.

123

806.111 (1) 3rd Possess, manufacture, or dispense fire
bomb with intent to damage any structure
or property.

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812.0145(2)(b) 2nd Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

126

812.015(8) 3rd Retail theft; property stolen is valued at \$300 or more and one or more specified acts.

127

812.019(1) 2nd Stolen property; dealing in or trafficking in.

128

812.131(2)(b) 3rd Robbery by sudden snatching.

129

812.16(2) 3rd Owning, operating, or conducting a chop shop.

130

817.034(4)(a)2. 2nd Communications fraud, value \$20,000 to \$50,000.

131

817.234(11)(b) 2nd Insurance fraud; property value \$20,000 or more but less than \$100,000.

132

817.2341(1), 3rd Filing false financial statements, (2)(a) & making false entries of material fact or (3)(a) false statements regarding property values relating to the solvency of an insuring entity.

817.568(2)(b) 2nd Fraudulent use of personal

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identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.

133

817.625 (2) (b) 2nd Second or subsequent fraudulent use of scanning device or reencoder.

134

825.1025 (4) 3rd Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

135

827.071 (4) 2nd Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.

136

827.071 (5) 3rd Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.

137

839.13 (2) (b) 2nd Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

138

843.01 3rd Resist officer with violence to person;

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resist arrest with violence.

139

847.0135 (5) (b) 2nd Lewd or lascivious exhibition using
computer; offender 18 years or older.

140

847.0137 3rd Transmission of pornography by
(2) & (3) electronic device or equipment.

141

847.0138 3rd Transmission of material harmful to
(2) & (3) minors to a minor by electronic device
or equipment.

142

874.05 (2) 2nd Encouraging or recruiting another to
join a criminal gang; second or
subsequent offense.

143

893.13 (1) (a) 1. 2nd Sell, manufacture, or deliver cocaine
(or other s. 893.03 (1) (a), (1) (b),
(1) (d), (2) (a), (2) (b), or (2) (c) 4.
drugs).

144

893.13 (1) (c) 2. 2nd Sell, manufacture, or deliver cannabis
(or other s. 893.03 (1) (c), (2) (c) 1.,
(2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
(2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or
(4) drugs) within 1,000 feet of a child
care facility, school, or state, county,
or municipal park or publicly owned
recreational facility or community

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center.

145

893.13(1)(d)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.

146

893.13(1)(e)2. 2nd Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.

147

893.13(1)(f)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility.

148

893.13(4)(b) 2nd Deliver to minor cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).

149

893.1351(1) 3rd Ownership, lease, or rental for trafficking in or manufacturing of

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controlled substance.

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Section 6. Except as otherwise expressly provided in this
act, this act shall take effect July 1, 2012.