

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 4039 Broward County/Fishing

SPONSOR(S): Waldman

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local & Federal Affairs Committee	17 Y, 0 N	Dougherty	Rojas
2) State Affairs Committee	16 Y, 0 N	Renner	Camechis

SUMMARY ANALYSIS

This bill repeals ch. 8636, L.O.F., which regulates fishing gear, prohibits use of explosives or harmful materials as a fishing method, and sets black bass landing sizes and daily bag limits in Broward County, Florida. This law is obsolete and duplicative as the Florida Fish and Wildlife Conservation Commission now regulates these areas state-wide.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

This bill repeals ch. 8636, L.O.F., which applies to Broward County and requires all fishing use only hook and line or size-restricted cast net; prohibits the use of any explosive or deleterious materials that may injure fish; sets black bass minimum landing size at 10 inches and daily bag limit at 15 per person; categorizes any action violative of these sections as a misdemeanor.

This provision is obsolete and duplicative as now the Florida Fish and Wildlife Conservation Commission's rules apply to all Florida freshwater fish, which includes black bass. Chapter 68A-23, F.A.C., provides permissible freshwater fishing methods, gear, and minimum landing sizes based on geographic area within the state. Both ch. 68A-23, F.A.C., and ch. 379, F.S., prohibit use of explosives or deleterious materials while fishing. Chapter 68B-14.0036, F.A.C., sets the state-wide daily bag limit at 15 per person.

B. SECTION DIRECTORY:

Section 1: Repeals ch. 8636, L.O.F., relating to fishing in Broward County, Florida.

Section 2: Provides an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 23, 2013

WHERE? The *Sun-Sentinel*, a daily newspaper published in Broward County, Florida.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

III. COMMENTS

A. CONSTITUTIONAL ISSUES: N/A

B. RULE-MAKING AUTHORITY: N/A

C. DRAFTING ISSUES OR OTHER COMMENTS: N/A

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

N/A

