

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Raschein offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 360 and 361, insert:

5 Section 5. Paragraphs (d) and (e) of subsection (1) of
6 section 379.2431, Florida Statutes, are amended to read:

7 379.2431 Marine animals; regulation.-

8 (1) PROTECTION OF MARINE TURTLES.-

9 (d) Except as authorized in this paragraph, or unless
10 otherwise provided by the Federal Endangered Species Act or its
11 implementing regulations, a person, firm, or corporation may
12 not:

13 ~~1. Knowingly possess the eggs of any marine turtle species~~
14 ~~described in this subsection.~~

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15 ~~2.~~ knowingly possess, take, disturb, mutilate, destroy,
16 cause to be destroyed, transfer, sell, offer to sell, molest, or
17 harass any marine turtle species or hatchling, or parts thereof,
18 ~~turtles~~ or the eggs or nest of any marine turtle species ~~turtles~~
19 described in this subsection. The commission may:

20 ~~1.3.~~ ~~The commission may~~ Issue a special permit or loan
21 agreement to a any person, firm, or corporation, ~~to enable the~~
22 ~~holder~~ to possess a marine turtle species or hatchling, or parts
23 thereof, including nests or, ~~eggs, or hatchlings~~, for
24 scientific, education, or exhibition purposes, or for
25 conservation activities such as the relocation of nests, eggs,
26 or marine turtles or hatchlings away from construction sites.
27 Notwithstanding other provisions of law, the commission may
28 issue such special permit or loan agreement to a any properly
29 accredited person as defined in paragraph (c) for the purposes
30 of marine turtle conservation.

31 ~~2.4.~~ ~~The commission shall have the authority to~~ Adopt
32 rules pursuant to chapter 120 to prescribe terms, conditions,
33 and restrictions for marine turtle conservation, and to permit
34 the possession of marine turtle species or hatchlings, ~~turtles~~
35 or parts thereof, including nests or eggs.

36 (e)1. A Any person, firm, or corporation that commits any
37 act prohibited in paragraph (d) involving any egg of any marine
38 turtle species described in this subsection shall pay a penalty
39 of \$100 per egg in addition to other penalties provided in this
40 paragraph.

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41 2. A ~~Any~~ person, firm, or corporation that illegally
42 possesses 11 or fewer ~~of any~~ eggs of any marine turtle species
43 described in this subsection commits a first degree misdemeanor,
44 punishable as provided in ss. 775.082 and 775.083.

45 3. For a second or subsequent violation of subparagraph
46 2., a ~~any~~ person, firm, or corporation that illegally possesses
47 11 or fewer ~~of any~~ eggs of any marine turtle species described
48 in this subsection commits a third degree felony, punishable as
49 provided in s. 775.082, s. 775.083, or s. 775.084.

50 4. A ~~Any~~ person, firm, or corporation that illegally
51 possesses more than 11 ~~of any~~ eggs of any marine turtle species
52 described in this subsection commits a third degree felony,
53 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

54 5. A ~~Any~~ person, firm, or corporation that illegally
55 takes, disturbs, mutilates, destroys, causes to be destroyed,
56 transfers, sells, offers to sell, molests, or harasses any
57 marine turtle species or hatchling, or parts thereof, or the
58 eggs or nest of any marine turtle species ~~as~~ described in this
59 subsection, commits a third degree felony, punishable as
60 provided in s. 775.082, s. 775.083, or s. 775.084.

61 6. A person, firm, or corporation that illegally possesses
62 any marine turtle species or hatchling, or parts thereof, or the
63 nest of any marine turtle species described in this subsection,
64 commits a felony of the third degree, punishable as provided in
65 s. 775.082, s. 775.083, or s. 775.084.

66 ~~7.6.~~ Notwithstanding s. 777.04, a ~~any~~ person, firm, or

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67 corporation that solicits or conspires with another person,
68 firm, or corporation, to commit an act prohibited by this
69 subsection commits a felony of the third degree, punishable as
70 provided in s. 775.082, s. 775.083, or s. 775.084.

71 ~~8.7.~~ The proceeds from the penalties assessed pursuant to
72 this paragraph shall be deposited into the Marine Resources
73 Conservation Trust Fund.

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T I T L E A M E N D M E N T

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Between lines 13 and 14, insert:

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amending s. 379.2431, F.S.; prohibiting certain

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possession of any marine turtle species or hatchling

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or parts thereof; providing penalties;