

House Joint Resolution

A joint resolution proposing an amendment to Section 9 of Article IV of the State Constitution to revise appointments to the Florida Fish and Wildlife Conservation Commission.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 9 of Article IV of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IV
EXECUTIVE

SECTION 9. Fish and wildlife conservation commission.—

(a) There shall be a fish and wildlife conservation commission, composed of nine ~~seven~~ members ~~appointed by the governor,~~ subject to confirmation by the senate for staggered terms of five years. The members shall be appointed as follows:

(1) The Department of Agriculture and Consumer Services shall appoint two members as follows:

a. A rancher or farmer who owns or manages a Florida ranch or farm, on which at least two species of animals for which game

26 hunting is licensed under s. 379.354, Florida Statutes, are
27 frequently present.

28 b. A farmer who owns or manages a Florida farm on which at
29 least one major crop has been grown each of the previous four
30 years.

31 (2) The Department of Environmental Protection shall
32 appoint two members as follows:

33 a. A hunter or angler who has held a Florida hunting or
34 fishing license each of the previous four years.

35 b. A conservationist who for the previous four years has
36 been an employee, member of the board, or member of an
37 established advisory committee of a nonprofit habitat or a
38 wildlife conservation organization, the primary focus of which
39 is not game species.

40 (3) The Department of Air and Water Pollution Control
41 shall appoint a scientist, who is not currently an elected
42 official, who holds at least a doctoral degree from an
43 accredited college or university in environmental science,
44 wildlife biology, conservation biology, fisheries science or
45 management, wildlife science or management, or a comparable
46 wildlife field.

47 (4) The Governor shall appoint four members as follows:

48 a. A local official representing an urban county with a
49 population over 250,000.

50 b. A local official representing a rural county with a
51 population under 250,000.

52 c. A scientist, who is not currently an elected official,
53 who holds at least a doctoral degree from an accredited college
54 or university in forestry, silviculture, forest management,
55 forest engineering, forest biology, forest operations,
56 dendrology, forest sciences, or land management.

57 d. A scientist, who is not currently an elected official,
58 who holds at least a doctoral degree from an accredited college
59 or university in agriculture, animal science, food science,
60 horticulture, soil science, agricultural engineering, dairy
61 science, animal breeding, animal husbandry, or aquaculture.

62 (b) A person who has contributed, or whose spouse has
63 contributed, a major donation to any political party may not be
64 appointed to the commission. For purposes of this paragraph,
65 "major donation" means a donation in an amount of \$1,000 or
66 more.

67 (c) Each commissioner must annually complete at least 4
68 hours of ethics training that addresses, at a minimum, s. 8,
69 Art. II of the State Constitution, the Code of Ethics for Public
70 Officers and Employees.

71 (d) The Commission on Ethics shall investigate and enforce
72 any code of ethics violations or any conflicts of interest.

73 (d) The commission shall exercise the regulatory and
74 executive powers of the state with respect to wild animal life

75 | and fresh water aquatic life, and shall also exercise regulatory
76 | and executive powers of the state with respect to marine life,
77 | except that all license fees for taking wild animal life, fresh
78 | water aquatic life, and marine life and penalties for violating
79 | regulations of the commission shall be prescribed by general
80 | law. The commission shall establish procedures to ensure
81 | adequate due process in the exercise of its regulatory and
82 | executive functions. The legislature may enact laws in aid of
83 | the commission, not inconsistent with this section, except that
84 | there shall be no special law or general law of local
85 | application pertaining to hunting or fishing. The commission's
86 | exercise of executive powers in the area of planning, budgeting,
87 | personnel management, and purchasing shall be as provided by
88 | law. Revenue derived from license fees for the taking of wild
89 | animal life and fresh water aquatic life shall be appropriated
90 | to the commission by the legislature for the purposes of
91 | management, protection, and conservation of wild animal life and
92 | fresh water aquatic life. Revenue derived from license fees
93 | relating to marine life shall be appropriated by the legislature
94 | for the purposes of management, protection, and conservation of
95 | marine life as provided by law. The commission shall not be a
96 | unit of any other state agency and shall have its own staff,
97 | which includes management, research, and enforcement. Unless
98 | provided by general law, the commission shall have no authority
99 | to regulate matters relating to air and water pollution.

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BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE 9, SECTION IV

REVISION OF APPOINTMENTS TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION.—Proposing an amendment to the State Constitution to revise appointments to the Fish and Wildlife Conservation Commission.