

By Senator Smith

17-00420B-26

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 9 of Article IV and the creation of a new section in Article XII of the State Constitution to declare collective responsibility for certain animal life and to revise the composition of the Fish and Wildlife Conservation Commission and appointments thereto.

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

That the following amendment to Section 9 of Article IV and the creation of a new section in Article XII of the State Constitution are 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) The wild animal life, fresh water aquatic life, and marine life of this state belong to all of the people of this state and must be conserved and sustainably managed for the benefit of all the people of this state and its future generations.

(b) There shall be a fish and wildlife conservation commission, composed of nine qualified ~~seven~~ members appointed by the governor, subject to confirmation by the senate for staggered terms of five years. At least one commissioner must be a full-time resident of one of the five regional administrative

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30 divisions established by the commission as of July 1, 2026, and
31 at least three commissioners must also have:

32 (1) A postgraduate degree in the field of conservation,
33 biology, or wildlife management; and
34 (2) Direct experience in fish or wildlife conservation or
35 management which is evidenced through professional occupation.

36 (c) The fish and wildlife conservation commission shall
37 exercise the regulatory and executive powers of the state with
38 respect to wild animal life and fresh water aquatic life, and
39 shall also exercise regulatory and executive powers of the state
40 with respect to marine life, except that all license fees for
41 taking wild animal life, fresh water aquatic life, and marine
42 life and penalties for violating regulations of the commission
43 shall be prescribed by general law. The commission shall
44 establish procedures to ensure adequate due process in the
45 exercise of its regulatory and executive functions. The
46 legislature may enact laws in aid of the commission, not
47 inconsistent with this section, except that there shall be no
48 special law or general law of local application pertaining to
49 hunting or fishing. The commission's exercise of executive
50 powers in the area of planning, budgeting, personnel management,
51 and purchasing shall be as provided by law. Revenue derived from
52 license fees for the taking of wild animal life and fresh water
53 aquatic life shall be appropriated to the commission by the
54 legislature for the purposes of management, protection, and
55 conservation of wild animal life and fresh water aquatic life.
56 Revenue derived from license fees relating to marine life shall
57 be appropriated by the legislature for the purposes of
58 management, protection, and conservation of marine life as

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59 provided by law. The commission shall not be a unit of any other
60 state agency and shall have its own staff, which includes
61 management, research, and enforcement. Unless provided by
62 general law, the commission shall have no authority to regulate
63 matters relating to air and water pollution.

ARTICLE XII

SCHEDULE

Appointments to fish and wildlife conservation commission.—

The following procedures apply to the appointment of members to the fish and wildlife conservation commission in accordance with the amendment to Section 9 of Article IV:

(a) To ensure compliance with the qualifications in accordance with Section 9(b) of Article IV, for the terms of office of commissioners who were originally appointed between January 1, 2022, and December 31, 2023, such seats shall be vacated January 5, 2027. By March 5, 2027, the governor shall appoint four qualified commissioners, subject to confirmation by the senate.

(b) By March 5, 2027, for the terms of office of commissioners who were originally appointed between January 1, 2019, and December 31, 2019, such seats shall be vacated and the governor shall appoint two qualified commissioners, subject to confirmation by the senate.

(c) By January 5, 2028, for the terms of office of commissioners who were originally appointed between January 1, 2017, and December 31, 2018, such seats shall be vacated and the governor shall appoint three qualified commissioners, subject to confirmation by the senate.

(d) Thereafter, the terms of office of commissioners shall

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88 be staggered terms of five years so that no more than three
89 commissioners' terms expire in any calendar year. A commissioner
90 may not serve more than two terms, consecutive or otherwise.

91 (e) Vacancies shall be filled as provided in Section 9(b)
92 of Article IV.

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

95 CONSTITUTIONAL AMENDMENT

96 ARTICLE IV, SECTION 9

97 ARTICLE XII

98 WILDLIFE MANAGEMENT; MODIFYING MEMBERSHIP OF THE FISH AND
99 WILDLIFE CONSERVATION COMMISSION.—Proposing an amendment to the
100 State Constitution to declare Florida residents' collective
101 stewardship of certain animal life and to state that such life
102 must be conserved and sustainably managed for future
103 generations. The amendment also expands the membership of the
104 Fish and Wildlife Conservation Commission and provides a
105 schedule for implementing the revised membership of the
106 commission.