

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Agriculture & Natural
 2 Resources Subcommittee
 3 Representative Beshears offered the following:

Amendment (with title amendment)

Remove lines 165-580 and insert:

Section 5. Subsection (30) of section 379.101, Florida
 Statutes, is amended, to read:

379.101 Definitions.—In construing these statutes, where
 the context does not clearly indicate otherwise, the word,
 phrase, or term:

(30) "Resident" or "resident of Florida" means:

(a) For purposes of part VII ~~and for purposes of s.~~
~~379.355~~, a citizen of the United States who has continuously
 resided in this state for 1 year before applying for a hunting,
 fishing, or other license. However, for purposes of ss. 379.363,
~~379.3635~~, 379.364, 379.3711, 379.3712, 379.372, 379.373,

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18 379.374, 379.3751, 379.3752, 379.3761, and 379.3762, the term
19 ~~"resident" or "resident of Florida"~~ means a citizen of the
20 United States who has continuously resided in this state for 6
21 months before applying for a hunting, fishing, or other license.

22 (b) For purposes of part VI, ~~except s. 379.355:~~

23 1. A ~~Any~~ member of the United States Armed Forces who is
24 stationed in the state and his or her family members residing
25 with such member; or

26 2. A ~~Any~~ person who has declared Florida as his or her
27 only state of residence as evidenced by a valid Florida driver
28 license or identification card that has ~~with~~ both a Florida
29 address and a Florida residency verified by the Department of
30 Highway Safety and Motor Vehicles, or, in the absence thereof,
31 one of the following:

32 a. A current Florida voter information card;

33 b. A sworn statement manifesting and evidencing domicile
34 in Florida in accordance with s. 222.17;

35 c. Proof of a current Florida homestead exemption; or

36 d. For a child younger than 18 years of age, a student
37 identification card from a Florida school or, if ~~when~~
38 accompanied by his or her parent at the time of purchase, the
39 parent's proof of residency.

40 Section 6. Subsection (3) of section 379.2257, Florida
41 Statutes, is repealed.

42 Section 7. Paragraph (d) of subsection (4) and subsection
43 (5) of section 379.247, Florida Statutes, are amended to read:

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44 379.247 Regulation of shrimp fishing; Clay, Duval, Nassau,
45 Putnam, Flagler, and St. Johns Counties.—

46 (4) DEAD SHRIMP PRODUCTION.—Any person may operate as a
47 commercial dead shrimp producer provided that:

48 ~~(d) No person holding a dead shrimp production permit~~
49 ~~issued pursuant to this subsection shall simultaneously hold a~~
50 ~~permit for noncommercial trawling under the provisions of~~
51 ~~subsection (5).~~ The number of permits issued by the commission
52 for commercial trawling or dead shrimp production in any one
53 year shall be limited to those active in the base year, 1976,
54 and renewed annually since 1976. All permits for dead shrimp
55 production issued pursuant to this section shall be inheritable
56 or transferable to an immediate family member and annually
57 renewable by the holder thereof. Such inheritance or transfer
58 shall be valid upon being registered with the commission. Each
59 permit not renewed shall expire and shall not be renewed under
60 any circumstances.

61 ~~(5) NONCOMMERCIAL TRAWLING.—If noncommercial trawling is~~
62 ~~authorized by the Fish and Wildlife Conservation Commission, any~~
63 ~~person may trawl for shrimp in the St. Johns River for his or~~
64 ~~her own use as food under the following conditions:~~

65 ~~(a) Each person who desires to trawl for shrimp for use as~~
66 ~~food shall obtain a noncommercial trawling permit from the local~~
67 ~~office of the Fish and Wildlife Conservation Commission upon~~
68 ~~filling out an application on a form prescribed by the~~

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69 ~~commission and upon paying a fee for the permit, which shall~~
70 ~~cost \$50.~~

71 ~~(b) All trawling shall be restricted to the confines of~~
72 ~~the St. Johns River proper in the area north of the Acosta~~
73 ~~Bridge in Jacksonville and at least 100 yards from the nearest~~
74 ~~shoreline.~~

75 ~~(c) No shrimp caught by a person licensed under the~~
76 ~~provisions of this subsection may be sold or offered for sale.~~

77 Section 8. Paragraph (g) of subsection (2) of section
78 379.353, Florida Statutes, are amended to read:

79 379.353 Recreational licenses and permits; exemptions from
80 fees and requirements.-

81 (2) A hunting, freshwater fishing, or saltwater fishing
82 license or permit is not required for:

83 (g) Any person fishing who has been accepted as a client
84 for developmental disabilities services by the Agency for
85 Persons with Disabilities if ~~Department of Children and Family~~
86 ~~Services, provided the agency department~~ furnishes proof
87 thereof.

88 Section 9. Paragraph (j) of subsection (4) of section
89 379.354, Florida Statutes, is amended to read:

90 379.354 Recreational licenses, permits, and authorization
91 numbers; fees established.-

92 (4) RESIDENT HUNTING AND FISHING LICENSES.-The licenses
93 and fees for residents participating in hunting and fishing
94 activities in this state are as follows:

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95 (j) Annual military gold sportsman's license, \$18.50. A
96 ~~The gold sportsman's license authorizes the person to whom it is~~
97 ~~issued to take freshwater fish, saltwater fish, and game,~~
98 ~~subject to the state and federal laws, rules, and regulations,~~
99 ~~including rules of the commission, in effect at the time of~~
100 ~~taking. Other authorized activities include activities~~
101 ~~authorized by a management area permit, a muzzle-loading gun~~
102 ~~season permit, a crossbow season permit, a turkey permit, a~~
103 ~~Florida waterfowl permit, a deer permit, an archery season~~
104 ~~permit, a snook permit, and a spiny lobster permit. Any resident~~
105 ~~who is an active or retired member of the United States Armed~~
106 ~~Forces, the United States Armed Forces Reserve, the National~~
107 ~~Guard, the United States Coast Guard, or the United States Coast~~
108 ~~Guard Reserve may is eligible to purchase the military gold~~
109 ~~sportsman's license upon submission of a current military~~
110 ~~identification card. The annual military gold sportsman's~~
111 ~~license authorizes the same activities as the annual gold~~
112 ~~sportsman's license.~~

113 Section 10. Section 379.355, Florida Statutes, is
114 repealed.

115 Section 11. Paragraphs (h) and (i) of subsection (1) of
116 section 379.363, Florida Statutes, are repealed.

117 Section 12. Section 379.3635, Florida Statutes, is
118 repealed.

119 Section 13. Paragraph (c) of subsection (2) of section
120 379.208, Florida Statutes, is amended to read:

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121 379.208 Marine Resources Conservation Trust Fund;
122 purposes.—

123 (2) The Marine Resources Conservation Trust Fund shall
124 receive the proceeds from:

125 (c) All fees collected under ss. 379.2424, ~~379.355,~~
126 379.357, 379.365, 379.366, and 379.3671.

127 Section 14. Paragraph (d) of subsection (5) of section
128 379.337, Florida Statutes, is amended to read:

129 379.337 Confiscation, seizure, and forfeiture of property
130 and products.—

131 (5) CONFISCATION AND SALE OF PERISHABLE SALTWATER
132 PRODUCTS; PROCEDURE.—

133 (d) For purposes of confiscation under this subsection,
134 the term "saltwater products" has the same meaning as provided
135 ~~set out~~ in s. 379.101(36), except that the term does not include
136 saltwater products harvested under the authority of a
137 recreational license unless the amount of such harvested
138 products exceeds three times the applicable recreational bag
139 limit for trout, snook, or redfish.

140 Section 15. Paragraph (a) of subsection (1) and paragraph
141 (a) of subsection (3) of section 379.401, Florida Statutes, are
142 amended to read:

143 379.401 Penalties and violations; civil penalties for
144 noncriminal infractions; criminal penalties; suspension and
145 forfeiture of licenses and permits.—

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146 (1) (a) LEVEL ONE VIOLATIONS.—A person commits a Level One
147 violation if he or she violates any of the following provisions:

148 1. Rules or orders of the commission relating to the
149 filing of reports or other documents required to be filed by
150 persons who hold recreational licenses and permits issued by the
151 commission.

152 2. Rules or orders of the commission relating to quota
153 hunt permits, daily use permits, hunting zone assignments,
154 camping, alcoholic beverages, vehicles, and check stations
155 within wildlife management areas or other areas managed by the
156 commission.

157 3. Rules or orders of the commission relating to daily use
158 permits, alcoholic beverages, swimming, possession of firearms,
159 operation of vehicles, and watercraft speed within fish
160 management areas managed by the commission.

161 4. Rules or orders of the commission relating to vessel
162 size or specifying motor restrictions on specified water bodies.

163 ~~5. Section 379.355, providing for special recreational~~
164 ~~spiny lobster licenses.~~

165 ~~5.6.~~ Section 379.354(1)-(15), providing for recreational
166 licenses to hunt, fish, and trap.

167 ~~6.7.~~ Section 379.3581, providing hunter safety course
168 requirements.

169 ~~7.8.~~ Section 379.3003, prohibiting deer hunting unless
170 required clothing is worn.

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- 171 (3) (a) LEVEL THREE VIOLATIONS.—A person commits a Level
172 Three violation if he or she violates any of the following
173 provisions:
- 174 1. Rules or orders of the commission prohibiting the sale
175 of saltwater fish.
 - 176 2. Rules or orders of the commission prohibiting the
177 illegal importation or possession of exotic marine plants or
178 animals.
 - 179 3. Section 379.407(2), establishing major violations.
 - 180 4. Section 379.407(4), prohibiting the possession of
181 certain finfish in excess of recreational daily bag limits.
 - 182 5. Section 379.28, prohibiting the importation of
183 freshwater fish.
 - 184 6. Section 379.354(17), prohibiting the taking of game,
185 freshwater fish, or saltwater fish while a required license is
186 suspended or revoked.
 - 187 7. Section 379.3014, prohibiting the illegal sale or
188 possession of alligators.
 - 189 8. Section 379.404(1), (3), and (5) ~~(6)~~, prohibiting the
190 illegal taking and possession of deer and wild turkey.
 - 191 9. Section 379.406, prohibiting the possession and
192 transportation of commercial quantities of freshwater game fish.

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

Remove lines 19-52 and insert:

379.101, F.S.; conforming a cross-reference; repealing s.
379.2257(3), F.S., relating to a charge to be applied to areas
covered by cooperative agreements with the United States Forest
Service over and above the license fee for hunting; amending s.
379.247, F.S.; removing provisions relating to noncommercial
trawling; amending s. 379.353, F.S.; conforming provisions
relating to the change in responsibility for providing
developmental disabilities services, from the Department of
Children and Families to the Agency for Persons with
Disabilities; amending s. 379.354, F.S.; specifying that the
annual military gold sportsman's license authorizes the same
activities as the annual gold sportsman's license; repealing s.
379.355, F.S., relating to special recreational spiny lobster
licenses; repealing s. 379.363(1)(h) and (i), F.S., relating to
the annual gear license fee; repealing s. 379.3635, F.S.,
relating to haul seine and trawl permits to be used in Lake
Okeechobee;