

1 A bill to be entitled
2 An act relating to funding for the Fish and
3 Wildlife Conservation Commission; amending s.
4 327.73, F.S.; providing for dismissal of
5 violations of boating safety identification
6 card possession requirements under certain
7 conditions; amending s. 370.0603, F.S.;
8 providing for the deposit of fees into the
9 Marine Resources Conservation Trust Fund;
10 renumbering and amending ss. 370.0608,
11 370.0609, 370.062, F.S.; providing for the
12 deposit of licenses and fees into the Marine
13 Resources Conservation Trust Fund; revising
14 purposes for which licenses and fees may be
15 used; providing for the expenditure of funds
16 through grants and contracts to specified
17 research institutions; modifying date for tax
18 collector's return of unissued tags; deleting
19 provisions relating to transfer of tag fees to
20 the Marine Resources Conservation Trust Fund
21 within a specified period; amending s. 370.063,
22 F.S.; conforming a cross-reference; amending s.
23 370.25, F.S.; authorizing the commission to
24 accept title to certain vessels on behalf of
25 the state for use in the artificial reef
26 program; authorizing the commission to adopt
27 rules to develop criteria for implementing the
28 transfer of certain vessel titles to the state;
29 authorizing state universities to receive
30 grants and other financial and technical
31 assistance from the commission for the siting

1 and development of artificial reefs; amending
2 s. 372.001, F.S.; revising and reorganization
3 definitions; providing a definition of Florida
4 bass; creating s 372.002, F.S.; providing
5 legislative intent regarding the right to hunt,
6 fish, and take game in the state; amending s.
7 372.105, F.S.; revising provisions relating to
8 sources and uses of funds in the Lifetime Fish
9 and Wildlife Trust Fund; amending s. 372.106,
10 F.S.; specifying distribution of certain funds
11 in the Dedicated License Trust Fund; amending
12 s. 372.16, F.S.; revising the provisions for
13 the license fee for private game preserves and
14 farms; creating s. 372.555, F.S.; authorizing
15 the commission to sell licenses and permits by
16 electronic media; amending s. 372.561, F.S.;
17 revising provisions relating to issuance of
18 recreational licenses, permits, and
19 authorization numbers to take wild animal life,
20 freshwater aquatic life, and marine life, and
21 administrative costs and reporting related
22 thereto; amending s. 372.561, F.S., effective
23 July 1, 2003; providing reporting requirements
24 for tax collectors and specifying issuance
25 costs for tax collectors for licenses and
26 permits; creating s. 372.562, F.S.; providing
27 exemptions from recreational license and permit
28 fees and requirements; amending s. 372.57,
29 F.S.; revising and reorganizing provisions
30 specifying fees and requirements for
31 recreational licenses, permits, and

1 authorization numbers, including hunting
2 licenses, saltwater and freshwater fishing
3 licenses, 5-year licenses, and lifetime
4 licenses; creating an annual gold sportsman's
5 license; increasing the fee for a nonresident
6 Florida turkey permit; providing for pier
7 licenses and recreational vessel licenses, and
8 fees therefor; providing for snook permits and
9 crawfish permits, and uses thereof; amending
10 ss. 372.571, 372.5712, 372.5715, 372.5717,
11 372.573, 372.65, 372.7015, 372.7016, and
12 810.09, F.S.; correcting cross-references;
13 deleting obsolete language; amending s.
14 372.574, F.S.; revising subagent duties and
15 reporting requirements; amending s. 372.547,
16 F.S., effective July 1, 2003; providing
17 subagent duties and reporting requirements;
18 amending s. 372.661, F.S.; increasing the
19 license fee for a private hunting preserve;
20 amending s. 372.711, F.S.; providing for
21 dismissal of violations of license or permit
22 possession requirements, under certain
23 conditions; providing a fee; reenacting s.
24 372.83(1)(h), F.S.; reenacting a provision
25 referencing penalties for violations of
26 hunting, fishing, and trapping license
27 requirements; amending s. 372.921, F.S.;
28 including amphibians in provisions relating to
29 exhibition of wildlife; providing rulemaking
30 authority; amending s. 372.922, F.S.; requiring
31 a permit for personal possession of wildlife by

1 an exhibitor or seller; providing a fee
2 exemption; amending s. 705.101, F.S.; including
3 derelict vessels within the definition of
4 "abandoned property"; amending ss. 212.06,
5 215.20, F.S.; correcting cross-references;
6 repealing s. 370.0605, F.S., relating to
7 saltwater fishing licenses and fees; repealing
8 s. 370.0615, F.S., relating to lifetime
9 saltwater fishing licenses; repealing s.
10 370.1111, F.S., relating to snook fishing
11 permits; repealing s. 370.14(10) and (11),
12 F.S., relating to recreational crawfish taking
13 permits and issuance of a crawfish stamp;
14 repealing s. 372.05(4), F.S., relating to
15 duties of the executive director; repealing s.
16 372.06, F.S., relating to meetings of the
17 commission; permitting fishing from the shore
18 of the Rainbow River; repealing s. 372.60,
19 F.S.; relating to the issuance of replacement
20 license or permit; providing an effective date.

21

22 Be It Enacted by the Legislature of the State of Florida:

23

24 Section 1. Subsection (4) of section 327.73, Florida
25 Statutes, is amended to read:

26

327.73 Noncriminal infractions.--

27

28 (4) Any person charged with a noncriminal infraction
under this section may:

29

30 (a) Pay the civil penalty, either by mail or in
person, within 30 days of the date of receiving the citation;

31 or

1 (b) If he or she has posted bond, forfeit bond by not
2 appearing at the designated time and location.

3
4 If the person cited follows either of the above procedures, he
5 or she shall be deemed to have admitted the noncriminal
6 infraction and to have waived the right to a hearing on the
7 issue of commission of the infraction. Such admission shall
8 not be used as evidence in any other proceedings. If a person
9 who is cited for a violation of s. 327.395 can show a boating
10 safety identification card issued to him or her and valid at
11 the time of the citation, the clerk of the court may dismiss
12 the case and may assess a \$5 dismissal fee.

13 Section 2. Paragraph (c) of subsection (2) of section
14 370.0603, Florida Statutes, is amended to read:

15 370.0603 Marine Resources Conservation Trust Fund;
16 purposes.--

17 (2) The Marine Resources Conservation Trust Fund shall
18 receive the proceeds from:

19 (c) All fees collected pursuant to ss. ~~370.062,~~
20 370.063, ~~and~~ 370.142, and 372.5704.

21 (d) All fines and penalties pursuant to s. 370.021.

22 (e) Other revenues as provided by law.

23 Section 3. Section 370.0608, Florida Statutes, is
24 renumbered as section 372.5701, Florida Statutes, and amended
25 to read:

26 372.5701 ~~370.0608~~ Deposit of license fees; allocation
27 of federal funds.--

28 (1)(a) Except as otherwise provided in ss. 372.105 and
29 372.106, all saltwater license and permit fees collected
30 pursuant to s. 372.57 ~~All license fees collected pursuant to~~
31

1 ~~s. 370.0605~~ shall be deposited into the Marine Resources
2 Conservation Trust Fund, to be used as follows:

3 ~~(a) Not more than 5 percent of the total fees~~
4 ~~collected shall be used to carry out the responsibilities of~~
5 ~~the Fish and Wildlife Conservation Commission and to provide~~
6 ~~for the award of funds to marine research institutions in this~~
7 ~~state for the purposes of enabling such institutions to~~
8 ~~conduct worthy marine research projects.~~

9 ~~(b) Not less than 2.5 percent of the total fees~~
10 ~~collected shall be used for aquatic education purposes.~~

11 ~~(c)1. The remainder of such fees shall be used by the~~
12 ~~department for the following program functions:~~

13 ~~1.a.~~ Not more than 7.5 ~~5~~ percent of the total fees
14 collected, for administration of the licensing program and for
15 information and education.

16 ~~2.b.~~ Not less ~~more~~ than 30 percent of the total fees
17 collected, for law enforcement.

18 ~~3.c.~~ Not less than 32.5 ~~27.5~~ percent of the total fees
19 collected, for marine research and management.

20 ~~4.d.~~ Not less than 30 percent of the total fees
21 collected, for fishery enhancement, including, but not limited
22 to, fishery statistics development, artificial reefs, and fish
23 hatcheries.

24 ~~(b)2.~~ The Legislature shall annually appropriate to
25 the commission from the General Revenue Fund for the
26 activities and programs specified in paragraph (a)
27 ~~subparagraph 1.~~ at least the same amount of money as was
28 appropriated to the Department of Environmental Protection
29 from the General Revenue Fund for such activities and programs
30 for fiscal year 1988-1989, and the amounts appropriated to the
31 commission for such activities and programs from the Marine

1 Resources Conservation Trust Fund shall be in addition to the
2 amount appropriated to the commission for such activities and
3 programs from the General Revenue Fund. The proceeds from
4 recreational saltwater fishing license fees paid by fishers
5 shall only be appropriated to the commission.

6 (2) Funds available from the Wallop-Breaux Aquatic
7 Resources Trust Fund shall be distributed by the commission
8 between the Division of Freshwater Fisheries and the Division
9 of Marine Fisheries in proportion to the numbers of resident
10 fresh and saltwater anglers as determined by the most current
11 data on license sales. Unless otherwise provided by federal
12 law, the commission, at a minimum, shall provide the
13 following:

14 (a) Not less than 5 percent or more than 10 percent of
15 the funds allocated to the commission shall be expended for an
16 aquatic resources education program; and

17 (b) Not less than 10 percent of the funds allocated to
18 the commission shall be expended for acquisition, development,
19 renovation, or improvement of boating facilities.

20 ~~(3) All license fees collected pursuant to s. 370.0605~~
21 ~~shall be transferred to the Marine Resources Conservation~~
22 ~~Trust Fund within 7 days following the last business day of~~
23 ~~the week in which the license fees were received by the~~
24 ~~commission. One-fifth of the total proceeds derived from the~~
25 ~~sale of 5-year licenses and replacement 5-year licenses, and~~
26 ~~all interest derived therefrom, shall be available for~~
27 ~~appropriation annually.~~

28 Section 4. Section 370.0609, Florida Statutes, is
29 renumbered as section 372.5702, Florida Statutes, and amended
30 to read:

31

1 372.5702 ~~370.0609~~ Expenditure of funds.--Any moneys
 2 available pursuant to s. 372.5701(1)(a)3. may
 3 ~~370.0608(1)(c)1.c.~~ shall be expended by the Fish and Wildlife
 4 Conservation Commission within Florida through grants and
 5 contracts for research with research institutions including
 6 but not limited to: Florida Sea Grant; Florida Marine
 7 Resources Council; Harbour Branch Oceanographic Institute;
 8 Technological Research and Development Authority; Florida
 9 Marine Research Institute of the Fish and Wildlife
 10 Conservation Commission; ~~Indian River Region Research~~
 11 ~~Institute~~; Mote Marine Laboratory; Marine Resources
 12 Development Foundation; Florida Institute of Oceanography; ~~and~~
 13 Rosentiel School of Marine and Atmospheric Science; and
 14 Smithsonian Marine Station at Ft. Pierce.

15 Section 5. Section 370.062, Florida Statutes, is
 16 renumbered as section 372.5704, Florida Statutes, and
 17 subsections (1) and (9) of that section are amended to read:

18 372.5704 ~~370.062~~ Fish and Wildlife Conservation
 19 Commission license program for tarpon; fees; penalties.--

20 (1) The ~~Fish and Wildlife Conservation~~ commission
 21 shall establish a license program for the purpose of issuing
 22 tags to individuals desiring to harvest tarpon (megalops
 23 atlantica) from the waters of the state ~~of Florida~~. The tags
 24 shall be nontransferable, except that the commission may allow
 25 for a limited number of tags to be purchased by professional
 26 fishing guides for transfer to individuals, and issued by the
 27 commission in order of receipt of a properly completed
 28 application for a nonrefundable fee of \$50 per tag. The
 29 commission and any tax collector may sell the tags and collect
 30 the fees therefor. Tarpon tags are valid from July 1 through
 31 June 30. Before August 15 ~~5~~ of each year, each tax collector

1 shall submit to the commission all unissued tags for the
2 previous fiscal ~~calendar~~ year along with a written audit
3 report, on forms prescribed or approved by the commission, as
4 to the numbers of the unissued tags. To defray the cost of
5 issuing any tag, the issuing tax collector shall collect and
6 retain as his or her costs, in addition to the tag fee
7 collected, the amount allowed under s. 372.561(6)~~s.~~
8 ~~372.561(4)~~ for the issuance of licenses.

9 ~~(9) All tag fees collected by the commission shall be~~
10 ~~transferred to the Marine Resources Conservation Trust Fund~~
11 ~~within 7 days following the last business day of the week in~~
12 ~~which the fees were received by the commission.~~

13 Section 6. Subsection (3) of section 370.063, Florida
14 Statutes, is amended to read:

15 370.063 Special recreational crawfish license.--There
16 is created a special recreational crawfish license, to be
17 issued to qualified persons as provided by this section for
18 the recreational harvest of crawfish (spiny lobster) beginning
19 August 5, 1994.

20 (3) The holder of a special recreational crawfish
21 license must also possess the recreational crawfish permit
22 required by s. 372.57(8)(d)~~370.14(10)~~ and the license
23 ~~required by s. 370.0605.~~

24 Section 7. Subsections (1) and (3) of section 370.25,
25 Florida Statutes, are amended to read:

26 370.25 Artificial reef program; grants and financial
27 and technical assistance to local governments.--

28 (1) An artificial reef program is created within the
29 Fish and Wildlife Conservation Commission to enhance saltwater
30 opportunities and to promote proper management of fisheries
31 resources associated with artificial reefs for the public

1 interest. Under the program, the commission may provide grants
2 and financial and technical assistance to coastal local
3 governments, state universities, and nonprofit corporations
4 qualified under s. 501(c)(3) of the Internal Revenue Code for
5 the siting and development of artificial reefs as well as for
6 monitoring and evaluating such reefs and their recreational,
7 economic, and biological effectiveness. The commission may
8 accept title, on behalf of the State of Florida, to vessels
9 for use in the artificial reef program as offshore artificial
10 reefs. The program may be funded from state, federal, and
11 private contributions.

12 (3) The commission may adopt by rule criteria
13 consistent with this section for siting, constructing,
14 managing, and evaluating the effectiveness of artificial reefs
15 placed in state or adjacent federal waters and criteria
16 administering the transfer of vessel titles to the state for
17 use as offshore artificial reefs, ~~consistent with this~~
18 ~~section.~~

19 Section 8. Section 372.001, Florida Statutes, is
20 amended to read:

21 (Substantial rewording of section. See
22 s. 372.001, F.S., for present text.)

23 372.001 Definitions.--In construing these statutes,
24 when applied to saltwater and freshwater fish, shellfish,
25 crustacea, sponges, wild birds, and wild animals, where the
26 context permits, the word, phrase, or term:

27 (1) "Authorization" means a number issued by the Fish
28 and Wildlife Conservation Commission, or its authorized agent,
29 which serves in lieu of a license or permit and affords the
30 privilege purchased for a specified period of time.

31

1 (2) "Closed season" means that portion of the year in
2 which the laws of Florida forbid the taking of particular
3 species of game or varieties of fish.

4 (3) "Commission" means the Fish and Wildlife
5 Conservation Commission.

6 (4) "Common carrier" includes any person, firm, or
7 corporation that undertakes for hire, as a regular business,
8 the transportation of persons or commodities from place to
9 place, offering its services to all who may choose to employ
10 it and pay its charges.

11 (5) "Fish and game" includes all fresh and saltwater
12 fish, shellfish, crustacea, sponges, wild birds, and wild
13 animals.

14 (6) "Fish management area" means a pond, lake, or
15 other water within a county, or within several counties,
16 designated to improve fishing for public use and established
17 and specifically circumscribed for authorized management by
18 the Fish and Wildlife Conservation Commission and the board of
19 county commissioners of the county in which such waters lie
20 under agreement between the commission and an owner with
21 approval by the board of county commissioners or under
22 agreement with the board of county commissioners for use of
23 public waters in the county in which such waters lie.

24 (7) "Fish pond" means a body of water that does not
25 occur naturally and that has been constructed and is
26 maintained primarily for the purpose of fishing.

27 (8) "Fresh water," except where otherwise provided by
28 law, includes all lakes, rivers, canals, and other waterways
29 of Florida, to such point or points where the fresh and salt
30 waters commingle to such an extent as to become unpalatable
31 and unfit for human consumption, because of the saline

1 content, or to such point or points as may be fixed by the
2 Fish and Wildlife Conservation Commission, by and with the
3 consent of the board of county commissioners of the county or
4 counties to be affected by such order. The Steinhatchee River
5 is considered fresh water from its source to mouth.

6 (9) "Freshwater fish" includes all classes of pisces
7 that are indigenous to fresh water.

8 (10) "Fur-bearing animals" includes muskrat, mink,
9 raccoon, otter, civet cat, skunk, red and gray fox, and
10 opossum.

11 (11) "Game" means deer, bear, squirrel, rabbits, and,
12 when designated by commission rules, wild hogs, ducks, geese,
13 rails, coots, gallinules, snipe, woodcock, wild turkeys,
14 grouse, pheasants, quail, and doves.

15 (12) "Nongame" includes all species and populations of
16 indigenous wild vertebrates and invertebrates in the state
17 that are not defined as game.

18 (13) "Open season" means that portion of the year in
19 which the laws of Florida for the preservation of fish and
20 game permit the taking of particular species of game or
21 varieties of fish.

22 (14) "Private hunting preserve" includes any area set
23 aside by a private individual or concern on which artificially
24 propagated game or birds are taken.

25 (15) "Resident" means:

26 (a) Any person who has continually resided in this
27 state for 6 months; or

28 (b) Any member of the United States Armed Forces who
29 is stationed in this state.

30 (16) "Take" means to take, attempt to take, pursue,
31 hunt, molest, capture, or kill any wildlife or freshwater

1 fish, their nests or eggs, by any means, whether or not such
2 actions result in obtaining possession of such wildlife or
3 freshwater fish or their nests or eggs.

4 (17) "Transport" includes shipping, transporting,
5 carrying, importing, exporting, receiving or delivering for
6 shipment, transportation, carriage, or export.

7 Section 9. Section 372.002, Florida Statutes, is
8 created to read:

9 372.002 Right to hunt and fish.--The Legislature
10 recognizes that hunting, fishing, and the taking of game are a
11 valued part of the cultural heritage of Florida and should be
12 forever preserved for Floridians. The Legislature further
13 recognizes that these activities play an important part in the
14 state's economy and in the conservation, preservation, and
15 management of the state's natural areas and resources.
16 Therefore, the Legislature intends that the citizens of
17 Florida have a right to hunt, fish, and take game, subject to
18 the regulations and restrictions prescribed by general law and
19 by s. 9, Art. IV of the State Constitution.

20 Section 10. Paragraph (b) of subsection (2) and
21 subsection (3) of section 372.105, Florida Statutes, are
22 amended to read:

23 372.105 Lifetime Fish and Wildlife Trust Fund.--

24 (2) The principal of the fund shall be derived from
25 the following:

26 (b) Proceeds from the sale of lifetime licenses issued
27 in accordance with s. 372.57 ~~with the exception of the~~
28 ~~saltwater portion of the lifetime sportsman's license.~~

29 (3) The fund is declared to constitute a special trust
30 derived from a contractual relationship between the state and
31 the members of the public whose investments contribute to the

1 fund. In recognition of such special trust, the following
2 limitations and restrictions are placed on expenditures from
3 the funds:

4 (a) No expenditure or disbursement shall be made from
5 the principal of the fund.

6 (b) The interest income received and accruing from the
7 investments of proceeds from the sale of lifetime freshwater
8 fishing licenses and lifetime hunting licenses ~~the fund~~ shall
9 be spent in furtherance of the commission's ~~exercise of the~~
10 ~~regulatory and executive powers of the state with respect to~~
11 ~~the~~ management, protection, and conservation of wild animal
12 life and freshwater aquatic life as set forth in s. 9, Art. IV
13 of the State Constitution and this chapter and as otherwise
14 authorized by the Legislature.

15 (c) The interest income received and accruing from the
16 investments of proceeds from the sale of lifetime saltwater
17 fishing licenses shall be expended for marine law enforcement,
18 marine research, and marine fishery enhancement.

19 ~~(d)(c)~~ No expenditures or disbursements from the
20 interest income derived from the sale of lifetime licenses
21 shall be made for any purpose until the respective holders of
22 such licenses attain the age of 16 years. The Fish and
23 Wildlife Conservation Commission as administrator of the fund
24 shall determine actuarially on an annual basis the amounts of
25 interest income within the fund which may be disbursed
26 pursuant to this paragraph. The director shall cause deposits
27 of proceeds from the sale of lifetime licenses to be
28 identifiable by the ages of the license recipients.

29 ~~(e)(d)~~ Any limitations or restrictions specified by
30 the donors on the uses of the interest income derived from
31

1 gifts, grants, and voluntary contributions shall be respected
2 but shall not be binding.

3 (f)~~(e)~~ The fund shall be exempt from the provisions of
4 s. 215.20.

5 Section 11. Section 372.106, Florida Statutes, is
6 amended to read:

7 372.106 Dedicated License Trust Fund.--

8 (1) There is established within the Fish and Wildlife
9 Conservation Commission the Dedicated License Trust Fund. The
10 fund shall be credited with moneys collected pursuant to s.
11 ~~ss. 370.0605 and 372.57~~ for 5-year licenses, permits, and
12 replacement 5-year licenses.

13 (2)(a) One-fifth of the total proceeds from the sale
14 of 5-year freshwater fishing and hunting licenses and
15 replacement licenses, and all interest derived therefrom,
16 shall be appropriated annually to the State Game Trust Fund.

17 (b) One-fifth of the total proceeds from the sale of
18 5-year saltwater fishing licenses and replacement licenses,
19 and all interest derived therefrom, shall be appropriated
20 annually to the Marine Resources Conservation Trust Fund.

21 (3)~~(2)~~ The fund shall be exempt from the provisions of
22 s. 215.20.

23 Section 12. Subsections (1) and (4) of section 372.16,
24 Florida Statutes, are amended to read:

25 372.16 Private game preserves and farms; penalty.--

26 (1) Any person owning land in this state may, ~~after~~
27 ~~having secured a license therefor from the Fish and Wildlife~~
28 ~~Conservation Commission,~~ establish, maintain, and operate
29 within the boundaries thereof, a private preserve and farm,
30 not exceeding an area of 640 acres, for the protection,
31 preservation, propagation, rearing, and production of game

1 birds and animals for private and commercial purposes,
2 provided that no two game preserves shall join each other or
3 be connected. Before any private game preserve or farm is
4 established, the owner or operator shall secure a license from
5 the commission, the fee for which is \$5 per year.

6 (4) Any person violating ~~the provisions of~~ this
7 section ~~shall~~ for the first offense commits ~~be guilty of~~ a
8 misdemeanor of the second degree, punishable as provided in s.
9 775.082 or s. 775.083, and for a second or subsequent offense
10 commits ~~shall be guilty of~~ a misdemeanor of the first degree,
11 punishable as provided in s. 775.082 or s. 775.083. Any
12 person convicted of violating ~~the provisions of~~ this section
13 shall forfeit, to the ~~Fish and Wildlife Conservation~~
14 ~~commission,~~ any license or permit issued under this section
15 ~~the provisions hereof;~~ and no further license or permit shall
16 be issued to such person for a period of 1 year following such
17 conviction. ~~Before any private game preserve or farm is~~
18 ~~established, the owner or operator shall secure a license from~~
19 ~~the Fish and Wildlife Conservation Commission, the fee for~~
20 ~~which shall be \$5 per year.~~

21 Section 13. Section 372.555, Florida Statutes, is
22 created to read:

23 372.555 Vendor fees; competitive bid
24 authorization.--Using competitive bid procedures, the Fish and
25 Wildlife Conservation Commission may establish the following:

26 (1) A process and vendor fee for the sale of licenses
27 and permits over the telephone.

28 (2) A process and vendor fee for the electronic sale
29 of licenses and permits.

30 Section 14. Section 372.561, Florida Statutes, is
31 amended to read:

1 (Substantial rewording of section. See
2 s. 372.561, F.S., for present text.)
3 372.561 Recreational licenses, permits, and
4 authorization numbers to take wild animal life, freshwater
5 aquatic life, and marine life; issuance; costs; reporting.--
6 (1) This section applies to all recreational licenses
7 and permits and to any authorization numbers issued by the
8 commission for the use of recreational licenses or permits.
9 (2) The commission shall establish forms for the
10 issuance of recreational licenses and permits.
11 (3) The commission shall issue a license, permit, or
12 authorization number to take wild animal life, freshwater
13 aquatic life, or marine life when an applicant provides proof
14 that she or he is entitled to such license, permit, or
15 authorization number. Each applicant for a recreational
16 license, permit, or authorization number shall provide her or
17 his social security number on the application form.
18 Disclosure of social security numbers obtained through this
19 requirement shall be limited to the purposes of administration
20 of the Title IV-D program for child support enforcement, use
21 by the commission, and as otherwise provided by law.
22 (4) Licenses and permits to take wild animal life,
23 freshwater aquatic life, or marine life may be sold by the
24 commission, by any tax collector in the state, or by any
25 subagent authorized under s. 372.574.
26 (5) In addition to any license or permit fee, the sum
27 of \$1.50 shall be charged for each license or management area
28 permit to cover the cost of issuing such license or permit.
29 (6)(a)1. For each hunting or freshwater fishing
30 license sold and for each sportsman's or gold sportsman's
31 license sold, a tax collector may retain \$1.

1 2. For each management area permit sold, a tax
2 collector may retain \$1.

3 3. For each saltwater fishing tag or license sold,
4 including combination saltwater fishing and freshwater fishing
5 licenses, or combination saltwater fishing, freshwater
6 fishing, and hunting licenses, a tax collector may retain
7 \$1.50.

8 (b) Tax collectors shall remit license and permit
9 moneys, along with a report of funds collected and other
10 required documentation, to the commission weekly.

11 (c) Tax collectors shall maintain records of all
12 licenses and permits that are sold, voided, stolen, or lost.

13 1. The tax collector is responsible to the commission
14 for the fees for all licenses and permits sold and for the
15 value of all licenses and permits reported as lost.

16 2. The tax collector shall report stolen licenses and
17 permits to the appropriate law enforcement agency.

18 3. The tax collector shall submit a written report and
19 a copy of the law enforcement agency's report to the
20 commission within 5 days after discovering a theft.

21 4. The tax collector is responsible for the fees for
22 all licenses and permits sold or lost by a subagent appointed
23 pursuant to s. 372.574.

24 (7) The commission is authorized to adopt rules
25 pursuant to ss. 120.536(1) and 120.54 necessary to administer
26 this section.

27 Section 15. Effective July 1, 2003, section 372.561,
28 Florida Statutes, is amended to read:

29 372.561 Recreational licenses, permits, and
30 authorization numbers to take wild animal life, freshwater
31 aquatic life, and marine life; issuance; costs; reporting.--

1 (1) This section applies to all recreational licenses
2 and permits and to any authorization numbers issued by the
3 commission for the use of recreational licenses or permits.

4 (2) The commission shall establish forms for the
5 issuance of recreational licenses and permits.

6 (3) The commission shall issue a license, permit, or
7 authorization number to take wild animal life, freshwater
8 aquatic life, or marine life when an applicant provides proof
9 that she or he is entitled to such license, permit, or
10 authorization number. Each applicant for a recreational
11 license, permit, or authorization number shall provide her or
12 his social security number on the application form.

13 Disclosure of social security numbers obtained through this
14 requirement shall be limited to the purposes of administration
15 of the Title IV-D program for child support enforcement, use
16 by the commission, and as otherwise provided by law.

17 (4) Licenses and permits to take wild animal life,
18 freshwater aquatic life, or marine life may be sold by the
19 commission, by any tax collector in the state, or by any
20 subagent authorized under s. 372.574.

21 (5) In addition to any license or permit fee, the sum
22 of \$1.50 shall be charged for each license or management area
23 permit, except for replacement of license or permit, to cover
24 the cost of issuing such license or permit.

25 (6)(a) The fee established pursuant to s. 372.561(5)
26 shall be distributed as follows:

27 1. For each hunting license and freshwater fishing
28 license sold by a tax collector, including the combination
29 freshwater fishing and hunting license, the sportsman's
30 license, and the gold sportsman's license, a tax collector may
31 retain \$1.00.

1 2. For each management area permit sold by a tax
2 collector, a tax collector may retain \$1.00.

3 3. For each saltwater fishing tag and saltwater
4 fishing license sold by a tax collector, including the
5 combination saltwater fishing and freshwater fishing license
6 and the combination saltwater fishing, freshwater fishing, and
7 hunting license, a tax collector may retain \$1.50.

8 4. For licenses or management area permits sold by
9 subagents, a tax collector may retain 50 cents for each
10 license sold in the tax collector's county.

11 5. Any and all remaining fees shall be deposited in
12 the State Game Trust Fund and shall be used to support an
13 automated license system and administration of the license
14 program.

15 (b) Tax collectors shall remit license and permit
16 revenue to the commission weekly.

17 (7)(a) The sum of \$10 shall be charged for each
18 replacement lifetime license and \$2 for all other replacement
19 licenses and permits. A tax collector may retain \$1.00 for
20 each replacement license.

21 (b) Fees collected from the issuance of replacement
22 licenses shall be deposited in the State Game Trust Fund.

23 (8) The commission is authorized to adopt rules
24 pursuant to ss. 120.536(1) and 120.54 necessary to administer
25 this section.

26 ~~(6)(a)1. For each hunting or freshwater fishing~~
27 ~~license sold and for each sportsman's or gold sportsman's~~
28 ~~license sold, a tax collector may retain \$1.~~

29 ~~2. For each management area permit sold, a tax~~
30 ~~collector may retain \$1.~~

31

1 ~~3. For each saltwater fishing tag or license sold,~~
2 ~~including combination saltwater fishing and freshwater fishing~~
3 ~~licenses, or combination saltwater fishing, freshwater~~
4 ~~fishing, and hunting licenses, a tax collector may retain~~
5 ~~\$1.50.~~

6 ~~(b) Tax collectors shall remit license and permit~~
7 ~~moneys, along with a report of funds collected and other~~
8 ~~required documentation, to the commission weekly.~~

9 ~~(c) Tax collectors shall maintain records of all~~
10 ~~licenses and permits that are sold, voided, stolen, or lost.~~

11 ~~1. The tax collector is responsible to the commission~~
12 ~~for the fees for all licenses and permits sold and for the~~
13 ~~value of all licenses and permits reported as lost.~~

14 ~~2. The tax collector shall report stolen licenses and~~
15 ~~permits to the appropriate law enforcement agency.~~

16 ~~3. The tax collector shall submit a written report and~~
17 ~~a copy of the law enforcement agency's report to the~~
18 ~~commission within 5 days after discovering a theft.~~

19 ~~4. The tax collector is responsible for the fees for~~
20 ~~all licenses and permits sold or lost by a subagent appointed~~
21 ~~pursuant to s. 372.574.~~

22 ~~(7) The commission is authorized to adopt rules~~
23 ~~pursuant to ss. 120.536(1) and 120.54 necessary to administer~~
24 ~~this section.~~

25 Section 16. Section 372.562, Florida Statutes, is
26 created to read:

27 372.562 Recreational licenses and permits; exemptions
28 from fees and requirements.--

29 (1) Hunting, freshwater fishing, and saltwater fishing
30 licenses and permits shall be issued without fee to any
31 resident who is certified or determined:

- 1 (a) To be totally and permanently disabled:
2 1. By the Railroad Retirement Board, by the United
3 States Department of Veterans Affairs or its predecessor, or
4 by any branch of the United States Armed Forces, or who holds
5 a valid identification card issued under the provisions of s.
6 295.17, upon proof of same.
7 2. For purposes of workers' compensation under chapter
8 440 as verified by an order of a judge of compensation claims
9 or written confirmation by the carrier providing workers'
10 compensation benefits.
11
12 Any license issued under this paragraph after January 1, 1997,
13 expires after 5 years and must be reissued, upon request,
14 every 5 years thereafter.
15 (b) To be disabled by the United States Social
16 Security Administration, upon proof of same. Any license
17 issued under this paragraph after October 1, 1999, expires
18 after 2 years and must be reissued, upon proof of
19 certification of disability, every 2 years thereafter.
20
21 A disability license issued after July 1, 1997, and before
22 July 1, 2000, retains the rights vested thereunder until the
23 license has expired.
24 (2) A hunting, freshwater fishing, or saltwater
25 fishing license or permit is not required for:
26 (a) Any child under 16 years of age, except as
27 otherwise provided in this chapter.
28 (b) Any person hunting or fishing on her or his
29 homestead property, or on the homestead property of the
30 person's spouse or minor child; or any minor child hunting or
31 fishing on the homestead property of her or his parent.

1 (c) Any resident who is a member of the United States
2 Armed Forces and not stationed in this state, when home on
3 leave for 30 days or less, upon submission of orders.

4 (d) Any resident fishing for recreational purposes
5 only, within her or his county of residence with live or
6 natural bait, using poles or lines not equipped with a fishing
7 line retrieval mechanism, except on a legally established fish
8 management area.

9 (e) Any person fishing in a fishpond of 20 acres or
10 less that is located entirely within the private property of
11 the fishpond owner.

12 (f) Any person fishing in a fishpond that is licensed
13 in accordance with s. 372.5705.

14 (g) Any person fishing who has been accepted as a
15 client for developmental disabilities services by the
16 Department of Children and Family Services, provided the
17 department furnishes proof thereof.

18 (h) Any resident fishing in saltwater from land or
19 from a structure fixed to the land.

20 (i) Any person fishing from a vessel licensed pursuant
21 to s. 372.57(7).

22 (j) Any person fishing from a vessel the operator of
23 which is licensed pursuant to s. 372.57(7).

24 (k) Any person who holds a valid saltwater products
25 license issued under s. 370.06(2).

26 (l) Any person recreationally fishing from a pier
27 licensed under s. 372.57.

28 (m) Any resident who is fishing for mullet in fresh
29 water and who has a valid Florida freshwater fishing license.

30 (n) Any resident fishing for a saltwater species in
31 fresh water from land or from a structure fixed to land.

1 (o) Any resident 65 years of age or older who has in
2 her or his possession proof of age and residency. A no-cost
3 license under this paragraph may be obtained from any tax
4 collector's office upon proof of age and residency and must be
5 in the possession of the resident during hunting, freshwater
6 fishing, and saltwater fishing activities.

7 (p) Any employee of the commission who takes
8 freshwater fish, marine fish or game as part of employment
9 with the commission or any other person allowed by commission
10 permit to take freshwater fish, marine fish or game, for
11 scientific or educational purposes.

12 Section 17. Section 372.57, Florida Statutes, is
13 amended to read:

14 (Substantial rewording of section. See
15 s. 372.57, F.S., for present text.)

16 372.57 Recreational licenses, permits, and
17 authorization numbers; fees established.--

18 (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER
19 REQUIRED.--Except as provided in s. 372.562, no person shall
20 hunt, fish, or take fur-bearing animals within this state
21 without having first obtained a license, permit, or
22 authorization number and paying the fees set forth in this
23 chapter. Such license, permit, or authorization number shall
24 authorize the person to whom it is issued to hunt, fish, take
25 fur-bearing animals, and participate in outdoor recreational
26 activities in accordance with the laws of the state and rules
27 of the commission.

28 (2) NONTRANSFERABILITY; INFORMATION AND
29 DOCUMENTATION.--

30 (a) Licenses, permits, and authorization numbers
31 issued under this chapter are not transferable. Each license

1 and permit must bear on its face in indelible ink the name of
2 the person to whom it is issued and other information as
3 deemed necessary by the commission. Licenses issued to the
4 owner, operator, or custodian of a vessel that directly or
5 indirectly collects fees for taking or attempting to take or
6 possess saltwater fish for noncommercial purposes must include
7 the vessel registration number or federal documentation
8 number.

9 (b) The lifetime licenses and 5-year licenses
10 authorized in this section shall be embossed with the name,
11 date of birth, date of issuance, and other pertinent
12 information considered necessary by the commission. A
13 certified copy of the applicant's birth certificate shall
14 accompany each application for a lifetime license for a
15 resident 12 years of age or younger.

16 (c) A positive form of identification is required when
17 using a free license, a lifetime license, a 5-year license, or
18 an authorization number issued under this chapter, or when
19 otherwise required by a license or permit.

20 (3) PERSONAL POSSESSION REQUIRED.--Each license,
21 permit, or authorization number must be in the personal
22 possession of the person to whom it is issued while such
23 person is hunting, fishing, or taking fur-bearing animals. Any
24 person hunting, fishing, or taking fur-bearing animals who
25 fails to produce a license, permit, or authorization number at
26 the request of a commission law enforcement officer commits a
27 violation of the law.

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

31 (a) Annual freshwater fishing license, \$12.

- 1 (b) Annual saltwater fishing license, \$12.
2 (c) Annual hunting license to take game, \$11.
3 (d) Annual combination freshwater fishing and hunting
4 license, \$22.
5 (e) Annual combination freshwater fishing and
6 saltwater fishing license, \$24.
7 (f) Annual combination hunting, freshwater fishing,
8 and saltwater fishing license, \$34.
9 (g) Annual license to take fur-bearing animals, \$25.
10 However, a resident with a valid hunting license or a no-cost
11 license who is taking fur-bearing animals for noncommercial
12 purposes using guns or dogs only, and not traps or other
13 devices, is not required to purchase this license. Also, a
14 resident 65 years of age or older is not required to purchase
15 this license.
16 (h) Annual sportsman's license, \$66, except that an
17 annual sportsman's license for a resident 64 years of age or
18 older is \$12. A sportsman's license authorizes the person to
19 whom it is issued to take freshwater fish and game, subject to
20 the state and federal laws, rules, and regulations, including
21 rules of the commission, in effect at the time of the taking.
22 Other authorized activities include activities authorized by a
23 a management area permit, a muzzle-loading gun permit, a
24 turkey permit, a Florida waterfowl permit, and an archery
25 permit.
26 (i) Annual gold sportsman's license, \$82. The gold
27 sportsman's license authorizes the person to whom it is issued
28 to take freshwater fish, saltwater fish, and game, subject to
29 the state and federal laws, rules, and regulations, including
30 rules of the commission, in effect at the time of taking.
31 Other authorized activities include activities authorized by a

1 a management area permit, a muzzle-loading gun permit, a
2 turkey permit, a Florida waterfowl permit, an archery permit,
3 a snook permit, and a crawfish permit.

4 (5) NONRESIDENT HUNTING AND FISHING LICENSES.--The
5 licenses and fees for nonresidents participating in hunting
6 and fishing activities in the state are as follows:

7 (a) Freshwater fishing license to take freshwater fish
8 for 7 consecutive days, \$15.

9 (b) Saltwater fishing license to take saltwater fish
10 for 3 consecutive days, \$5.

11 (c) Saltwater fishing license to take saltwater fish
12 for 7 consecutive days, \$15.

13 (d) Annual freshwater fishing license, \$30.

14 (e) Annual saltwater fishing license, \$30.

15 (f) Hunting license to take game for 10 consecutive
16 days, \$25.

17 (g) Annual hunting license to take game, \$150.

18 (h) Annual license to take fur-bearing animals, \$25.

19 However, a resident or nonresident with a valid Florida
20 hunting license who is taking fur-bearing animals for
21 noncommercial purposes using guns or dogs only, and not traps
22 or other devices, is not required to purchase this license.

23 (6) PIER LICENSE.--A pier license for any pier fixed
24 to land for the purpose of taking or attempting to take
25 saltwater fish is \$500 per year. The pier license may be
26 purchased at the option of the owner, operator, or custodian
27 of such pier and must be available for inspection at all
28 times.

29 (7) VESSEL LICENSES.--

30 (a) No person may operate any vessel wherein a fee is
31 paid, either directly or indirectly, for the purpose of

1 taking, attempting to take, or possessing any saltwater fish
2 for recreational purposes unless he or she has obtained a
3 license for each vessel for that purpose, and has paid the
4 license fee pursuant to paragraphs (b) and (c) for such
5 vessel.

6 (b) A license for any person who operates any vessel
7 licensed to carry more than 10 customers wherein a fee is
8 paid, either directly or indirectly, for the purpose of taking
9 or attempting to take marine fish is \$800 per year. The
10 license must be kept aboard the vessel at all times.

11 (c)1. A license for any person who operates any vessel
12 licensed to carry no more than 10 customers, or for any person
13 licensed to operate any vessel carrying 6 or fewer customers,
14 wherein a fee is paid, either directly or indirectly, for the
15 purpose of taking or attempting to take marine fish is \$400
16 per year.

17 2. A license for any person licensed to operate any
18 vessel carrying six or fewer customers wherein a fee is paid,
19 either directly or indirectly, for the purpose of taking or
20 attempting to take marine fish is \$200 per year. The license
21 must be kept aboard the vessel at all times.

22 3. A person who operates a vessel required to be
23 licensed pursuant to paragraph (b) or paragraph (c) may obtain
24 a license in his or her own name, and such license shall be
25 transferable and apply to any vessel operated by the
26 purchaser, provided that the purchaser has paid the
27 appropriate license fee.

28 (d) A license for a recreational vessel not for hire
29 and for which no fee is paid, either directly or indirectly,
30 by guests for the purpose of taking or attempting to take
31 saltwater fish for recreational purposes is \$2,000 per year.

1 The license may be purchased at the option of the vessel owner
2 and must be kept aboard the vessel at all times. A log of
3 species taken and the date the species were taken shall be
4 maintained and a copy of the log filed with the commission at
5 the time of renewal of the license.

6 (e) The owner, operator, or custodian of a vessel the
7 operator of which has been licensed pursuant to paragraph (a)
8 must maintain and report such statistical data as required by,
9 and in a manner set forth in, the rules of the commission.

10 (8) SPECIFIED HUNTING, FISHING, AND RECREATIONAL
11 ACTIVITY PERMITS.--In addition to any license required under
12 this chapter, the following permits and fees for specified
13 hunting, fishing, and recreational uses and activities are
14 required:

15 (a) An annual Florida waterfowl permit for a resident
16 or nonresident to take wild ducks or geese within the state or
17 its coastal waters is \$3.

18 (b) An annual Florida turkey permit for a resident or
19 nonresident to take wild turkeys within the state is \$5.

20 (c) An annual snook permit for a resident or
21 nonresident to take or possess any snook from any waters of
22 the state is \$2. Revenue generated from the sale of snook
23 permits shall be used exclusively for programs to benefit the
24 snook population.

25 (d) An annual crawfish permit for a resident or
26 nonresident to take or possess any crawfish for recreational
27 purposes from any waters of the state is \$2. Revenue
28 generated from the sale of crawfish permits shall be used
29 exclusively for programs to benefit the crawfish population.

30 (e) An annual muzzle-loading-gun permit for a resident
31 or nonresident to hunt within the state with a muzzle-loading

1 gun is \$5. Hunting with a muzzle-loading gun is limited to
2 game seasons in which hunting with a modern firearm is not
3 authorized by the commission.

4 (f) An annual archery permit for a resident or
5 nonresident to hunt within the state with a bow and arrow is
6 \$5. Hunting with an archery permit is limited to those game
7 seasons in which hunting with a firearm is not authorized by
8 the commission.

9 (g) A special use permit for a resident or nonresident
10 to participate in limited entry hunting or fishing activities
11 as authorized by commission rule shall not exceed \$100 per day
12 or \$250 per week. Notwithstanding any other provision of this
13 chapter, there are no exclusions, exceptions, or exemptions
14 from this permit fee. In addition to the permit fee, the
15 commission may charge each special use permit applicant a
16 nonrefundable application fee not to exceed \$10.

17 (h)1. A management area permit for a resident or
18 nonresident to hunt on, fish on, or otherwise use for outdoor
19 recreational purposes land owned, leased, or managed by the
20 commission, or by the state for the use and benefit of the
21 commission, shall not exceed \$25 per year.

22 2. Permit fees for short-term use of land that is
23 owned, leased, or managed by the commission may be established
24 by rule of the commission for activities on such lands. Such
25 permits may be in lieu of, or in addition to, the annual
26 management area permit authorized in subparagraph 1.

27 3. Other than for hunting or fishing, the provisions
28 of this paragraph shall not apply on any lands not owned by
29 the commission, unless the commission has obtained the written
30 consent of the owner or primary custodian of such lands.

31

1 (i)1. A recreational user permit is required to hunt
2 on, fish on, or otherwise use for outdoor recreational
3 purposes land leased by the commission from private
4 nongovernmental owners, except for those lands located
5 directly north of the Apalachicola National Forest, east of
6 the Ochlockonee River until the point the river meets the dam
7 forming Lake Talquin, and south of the closest federal
8 highway. The fee for a recreational user permit shall be
9 based upon the economic compensation desired by the landowner,
10 game population levels, desired hunter density, and
11 administrative costs. The permit fee shall be set by
12 commission rule on a per-acre basis. The recreational user
13 permit fee, less administrative costs of up to \$25 per permit,
14 shall be remitted to the landowner as provided in the lease
15 agreement for each area.

16 2. One minor dependent, 16 years of age or younger,
17 may hunt under the supervision of the permittee and is exempt
18 from the recreational user permit requirements. The spouse
19 and dependent children of a permittee are exempt from the
20 recreational user permit requirements when engaged in outdoor
21 recreational activities other than hunting and when
22 accompanied by a permittee. Notwithstanding any other
23 provision of this chapter, no other exclusions, exceptions, or
24 exemptions from the recreational user permit fee are
25 authorized.

26 (9)(a) RESIDENT 5-YEAR HUNTING AND FISHING
27 LICENSES.--Five-year licenses are available for residents
28 only, as follows:

29 1. A 5-year freshwater fishing or saltwater fishing
30 license is \$60 for each type of license and authorizes the
31 person to whom the license is issued to take or attempt to

1 take or possess freshwater fish or saltwater fish consistent
2 with the state and federal laws and regulations and rules of
3 the commission in effect at the time of taking.

4 2. A 5-year hunting license is \$55 and authorizes the
5 person to whom it is issued to take or attempt to take or
6 possess game consistent with the state and federal laws and
7 regulations and rules of the commission in effect at the time
8 of taking.

9 3. The commission is authorized to sell the hunting,
10 fishing, and recreational activity permits authorized in
11 subsection (8) for a 5-year period to match the purchase of
12 5-year fishing and hunting licenses. The fee for each permit
13 issued under this paragraph is five times the annual cost
14 established in subsection (8).

15 (b) Proceeds from the sale of all 5-year licenses and
16 permits shall be deposited into the Dedicated License Trust
17 Fund, to be distributed in accordance with the provisions of
18 s. 372.106.

19 (10) RESIDENT LIFETIME FRESHWATER AND SALTWATER
20 FISHING LICENSES.--

21 (a) Lifetime freshwater fishing licenses and saltwater
22 fishing licenses are available for residents only, as follows,
23 for:

24 1. Persons 4 years of age or younger, for a fee of
25 \$125 for each type of license.

26 2. Persons 5 years of age or older, but under 13 years
27 of age, for a fee of \$225 for each type of license.

28 3. Persons 13 years of age or older, for a fee of \$300
29 for each type of license.

30 (b) The following activities are authorized by the
31 purchase of a lifetime freshwater fishing license:

1 1. Taking, or attempting to take or possess,
2 freshwater fish consistent with the state and federal laws and
3 regulations and rules of the commission in effect at the time
4 of the taking.

5 2. All activities authorized by a management area
6 permit, excluding hunting.

7 (c) The following activities are authorized by the
8 purchase of a lifetime saltwater fishing license:

9 1. Taking, or attempting to take or possess, saltwater
10 fish consistent with the state and federal laws and
11 regulations and rules of the commission in effect at the time
12 of the taking.

13 2. All activities authorized by a snook permit and a
14 crawfish permit.

15 3. All activities for which an additional license,
16 permit, or fee is required to take or attempt to take or
17 possess saltwater fish, which additional license, permit, or
18 fee was imposed subsequent to the date of the purchase of the
19 lifetime saltwater fishing license.

20 (11) RESIDENT LIFETIME HUNTING LICENSES.--

21 (a) Lifetime hunting licenses are available to
22 residents only, as follows, for:

23 1. Persons 4 years of age or younger, for a fee of
24 \$200.

25 2. Persons 5 years of age or older, but under 13 years
26 of age, for a fee of \$350.

27 3. Persons 13 years of age or older, for a fee of
28 \$500.

29 (b) The following activities are authorized by the
30 purchase of a lifetime hunting license:

31

1 1. Taking, or attempting to take or possess, game
2 consistent with the state and federal laws and regulations and
3 rules of the commission in effect at the time of the taking.

4 2. All activities authorized by a muzzle-loading gun
5 permit, a turkey permit, an archery permit, a Florida
6 waterfowl permit, and a management area permit, excluding
7 fishing.

8 (12) RESIDENT LIFETIME SPORTSMAN'S LICENSES.--

9 (a) Lifetime sportsman's licenses are available, to
10 residents only, as follows, for:

11 1. Persons 4 years of age or younger, for a fee of
12 \$400.

13 2. Persons 5 years of age or older, but under 13 years
14 of age, for a fee of \$700.

15 3. Persons 13 years of age or older, for a fee of
16 \$1,000.

17 (b) The following activities are authorized by the
18 purchase of a lifetime sportsman's license:

19 1. Taking, or attempting to take or possess,
20 freshwater and saltwater fish, and game, consistent with the
21 state and federal laws and regulations and rules of the
22 commission in effect at the time of taking.

23 2. All activities authorized by a management area
24 permit, a muzzle-loading gun permit, a turkey permit, an
25 archery permit, a Florida waterfowl permit, a snook permit,
26 and a crawfish permit.

27
28 The proceeds from the sale of all lifetime licenses authorized
29 in this section shall be deposited into the Lifetime Fish and
30 Wildlife Trust Fund, to be distributed as provided in s.
31 372.105.

1 (13) RECIPROCAL FEE AGREEMENTS.--The commission is
2 authorized to reduce the fees for licenses and permits under
3 this section for residents of those states with which the
4 commission has entered into reciprocal agreements with respect
5 to such fees.

6 (14) FREE FISHING DAYS.--The commission may designate
7 by rule no more than 2 consecutive or nonconsecutive days in
8 each year as free freshwater fishing days and no more than 2
9 consecutive or nonconsecutive days in each year as free
10 saltwater fishing days. Notwithstanding any other provision
11 of this chapter, any person may take freshwater fish for
12 recreational purposes on a free freshwater fishing day and may
13 take saltwater fish for recreational purposes on a free
14 saltwater fishing day without obtaining or possessing a
15 license or permit as prescribed in this section. A person who
16 takes freshwater or saltwater fish on a free fishing day must
17 comply with all laws, rules, and regulations governing the
18 holders of a fishing license or permit and all other
19 conditions and limitations regulating the taking of freshwater
20 or saltwater fish as are imposed by law or rule.

21 Section 18. Section 372.571, Florida Statutes, is
22 amended to read:

23 372.571 Expiration of licenses and permits.--Each
24 license or permit issued under this chapter must be dated when
25 issued. Each license or permit issued under this chapter
26 remains valid for 12 months after the date of issuance, except
27 for a lifetime license issued pursuant to s. 372.57 which is
28 valid from the date of issuance until the death of the
29 individual to whom the license is issued unless otherwise
30 revoked in accordance with s. 372.99, or a 5-year license
31 issued pursuant to s. 372.57 which is valid for 5 consecutive

1 years from the date of purchase unless otherwise revoked in
2 accordance with s. 372.99 or a license issued pursuant to s.
3 372.57(5)(a), (b), (c), or (f) or (8)(g), (h)2., or (i)(2)(b)
4 ~~or (g)~~, which is valid for the period specified on the license
5 or permit. A resident lifetime license or a resident 5-year
6 license that has been purchased by a resident of this state
7 and who subsequently resides in another state shall be honored
8 for activities authorized by that license.

9 Section 19. Subsection (1) of section 372.5712,
10 Florida Statutes, is amended to read:

11 372.5712 Florida waterfowl permit revenues.--

12 (1) The commission shall expend the revenues generated
13 from the sale of the Florida waterfowl permit as provided in
14 s. 372.57(8)(4)(a) or that pro rata portion of any license
15 that includes waterfowl hunting privileges, as provided in s.
16 372.57(4)(h) and (i) and (9)(a)3.s. 372.57(2)(k) and (14)(b)
17 as follows: A maximum of 5 percent of the gross revenues
18 shall be expended for administrative costs; a maximum of 25
19 percent of the gross revenues shall be expended for waterfowl
20 research approved by the commission; and a maximum of 70
21 percent of the gross revenues shall be expended for projects
22 approved by the commission, in consultation with the Waterfowl
23 Advisory Council, for the purpose of protecting and
24 propagating migratory waterfowl and for the development,
25 restoration, maintenance, and preservation of wetlands within
26 the state.

27 Section 20. Subsection (1) of section 372.5715,
28 Florida Statutes, is amended to read:

29 372.5715 Florida wild turkey permit revenues.--

30 (1) The commission shall expend the revenues generated
31 from the sale of the turkey permit as provided for in s.

1 372.57(8)(b)~~s. 372.57(4)(e)~~ or that pro rata portion of any
2 license that includes turkey hunting privileges as provided
3 for in s. 372.57(4)(h) and (i) and (9)(a)3.~~s. 372.57(2)(k)~~
4 ~~and (14)(b)~~ for research and management of wild turkeys.

5 Section 21. Subsection (7) of section 372.5717,
6 Florida Statutes, is amended to read:

7 372.5717 Hunter safety course; requirements;
8 penalty.--

9 (7) The hunter safety requirements of this section do
10 not apply to persons for whom licenses are not required under
11 s. 372.562(2)~~372.57(1)~~.

12 Section 22. Section 372.573, Florida Statutes, is
13 amended to read:

14 372.573 Management area permit revenues.--The
15 commission shall expend the revenue generated from the sale of
16 the management area permit as provided for in s. 372.57(8)(h)
17 ~~s. 372.57(4)(b)~~ or that pro rata portion of any license that
18 includes management area privileges as provided for in s.
19 372.57(4)(h) and (i) and (9)(a)3.~~s. 372.57(2)(i) and (14)(b)~~
20 for the lease, management, and protection of lands for public
21 hunting, fishing, and other outdoor recreation.

22 Section 23. Paragraph (h) of subsection (1) and
23 paragraphs (e) and (i) of subsection (2) of section 372.574,
24 Florida Statutes, are amended to read:

25 372.574 Appointment of subagents for the sale of
26 hunting, fishing, and trapping licenses and permits.--

27 (1) A county tax collector who elects to sell licenses
28 and permits may appoint any person as a subagent for the sale
29 of fishing, hunting, and trapping licenses and permits that
30 the tax collector is allowed to sell. The following are
31 requirements for subagents:

1 (h) A subagent shall submit payment for and report the
2 sale of licenses and permits each week ~~to the tax collector as~~
3 ~~prescribed by the tax collector but no less frequently than~~
4 ~~monthly.~~

5 (2) If a tax collector elects not to appoint
6 subagents, the commission may appoint subagents within that
7 county. Subagents shall serve at the pleasure of the
8 commission. The commission may establish, by rule, procedures
9 for selection of subagents. The following are requirements
10 for subagents so appointed:

11 (e) A subagent may charge and receive as his or her
12 compensation 50 cents for each license or permit sold. This
13 charge is in addition to the sum required by law to be
14 collected for the sale and issuance of each license or permit.
15 ~~In addition, no later than July 1, 1997, a subagent fee for~~
16 ~~the sale of licenses over the telephone by credit card shall~~
17 ~~be established by competitive bid procedures which are~~
18 ~~overseen by the Fish and Wildlife Conservation Commission. A~~
19 ~~fee for electronic license sales may be established by~~
20 ~~competitive bid procedures that are overseen by the Fish and~~
21 ~~Wildlife Conservation Commission.~~

22 (i) ~~By July 15 of each year, each subagent shall~~
23 ~~submit to the commission all unissued stamps for the previous~~
24 ~~year along with a written audit report, on forms prescribed or~~
25 ~~approved by the commission, on the numbers of the unissued~~
26 ~~stamps.~~

27 Section 24. Effective July 1, 2003, section 372.574,
28 Florida Statutes, is amended to read:

29 372.574 Appointment of subagents for the sale of
30 hunting, fishing, and trapping licenses and permits.--

31

1 ~~(1) A county tax collector who elects to sell licenses~~
2 ~~and permits may appoint any person as a subagent for the sale~~
3 ~~of fishing, hunting, and trapping licenses and permits that~~
4 ~~the tax collector is allowed to sell. The following are~~
5 ~~requirements for subagents:~~

6 ~~(a) Each subagent must serve at the pleasure of the~~
7 ~~county tax collector.~~

8 ~~(b) Neither an employee of the county tax collector~~
9 ~~nor her or his relative or next of kin, by blood or otherwise,~~
10 ~~may be appointed as a subagent.~~

11 ~~(c) The tax collector may require each subagent to~~
12 ~~post an appropriate bond as determined by the tax collector,~~
13 ~~using an insurance company acceptable to the tax collector.~~
14 ~~In lieu of such bond, the tax collector may purchase blanket~~
15 ~~bonds covering all or selected subagents or may allow a~~
16 ~~subagent to post such other security as is required by the tax~~
17 ~~collector.~~

18 ~~(d) A subagent may sell licenses and permits as are~~
19 ~~determined by the tax collector at such specific locations~~
20 ~~within the county and in states contiguous to Florida as will~~
21 ~~best serve the public interest and convenience in obtaining~~
22 ~~licenses and permits. The commission may uniformly prohibit~~
23 ~~subagents from selling certain licenses or permits.~~

24 ~~(e) It is unlawful for any person to handle licenses~~
25 ~~or permits for a fee or compensation of any kind unless she or~~
26 ~~he has been appointed as a subagent.~~

27 ~~(f) Any person who willfully violates any of the~~
28 ~~provisions of this law is guilty of a misdemeanor of the~~
29 ~~second degree, punishable as provided in s. 775.082 or s.~~
30 ~~775.083.~~

31

1 ~~(g) A subagent may charge and receive as her or his~~
2 ~~compensation 50 cents for each license or permit sold. This~~
3 ~~charge is in addition to the sum required by law to be~~
4 ~~collected for the sale and issuance of each license or permit.~~

5 ~~(h) A subagent shall submit payment for and report the~~
6 ~~sale of licenses and permits to the tax collector as~~
7 ~~prescribed by the tax collector but no less frequently than~~
8 ~~monthly.~~

9 ~~(i) Subagents shall submit an activity report for~~
10 ~~sales made during the reporting period on forms prescribed or~~
11 ~~approved by the commission. Periodic audits may be performed~~
12 ~~at the discretion of the commission.~~

13 ~~(1)(2) If a tax collector elects not to appoint~~
14 ~~subagents, the commission may appoint subagents within that~~
15 ~~county. Subagents shall serve at the pleasure of the~~
16 ~~commission. The commission may establish, by rule, procedures~~
17 ~~for selection and appointment of subagents. The following are~~
18 ~~requirements for subagents so appointed:~~

19 (a) The commission may require each subagent to post
20 an appropriate bond as determined by the commission, using an
21 insurance company acceptable to the commission. In lieu of
22 the bond, the commission may purchase blanket bonds covering
23 all or selected subagents or may allow a subagent to post
24 other security as required by the commission.

25 (b) A subagent may sell licenses and permits as
26 authorized by the commission at specific locations within the
27 county and in states as will best serve the public interest
28 and convenience in obtaining licenses and permits. The
29 commission may prohibit subagents from selling certain
30 licenses or permits.

31

1 (c) It is unlawful for any person to handle licenses
2 or permits for a fee or compensation of any kind unless he or
3 she has been appointed as a subagent.

4 (d) Any person who willfully violates any of the
5 provisions of this section commits a misdemeanor of the second
6 degree, punishable as provided in s. 775.082 or s. 775.083.

7 (e) A subagent may charge and receive as his or her
8 compensation 50 cents for each license or permit sold. This
9 charge is in addition to the sum required by law to be
10 collected for the sale and issuance of each license or permit.

11 (f) A subagent shall submit payment for and report the
12 sale of licenses and permits to the commission as prescribed
13 by the commission.

14 ~~(g) Subagents shall maintain records of all licenses
15 and permits sold, voided, stolen, or lost. Subagents are
16 responsible to the commission for the fees for all licenses
17 and permits sold and for the value of all licenses and permits
18 reported as lost. Subagents must report all stolen licenses
19 and permits to the appropriate law enforcement agency. The
20 subagent shall submit a written report and a copy of the law
21 enforcement agency's report to the commission within 5 days
22 after discovering the theft.~~

23 ~~(h) Subagents shall submit an activity report for
24 sales made during the reporting period on forms prescribed or
25 approved by the commission. Periodic audits may be performed
26 at the discretion of the commission.~~

27 (2)(3) The Fish and Wildlife Conservation Commission
28 or any other law enforcement agency may carry out any
29 investigation necessary to secure information required to
30 carry out and enforce this section.

31

1 (3)~~(4)~~ All social security numbers that are provided
2 pursuant to ss. 372.561 and 372.57 and are contained in
3 records of any subagent appointed under this section are
4 confidential as provided in those sections.

5 Section 25. Paragraph (a) of subsection (1) and
6 subsection (2) of section 372.65, Florida Statutes, are
7 amended to read:

8 372.65 Freshwater fish dealer's license.--

9 (1) No person shall engage in the business of taking
10 for sale or selling any frogs or freshwater fish, including
11 live bait, of any species or size, or importing any exotic or
12 nonindigenous fish, until such person has obtained a license
13 and paid the fee therefor as set forth herein. The license
14 issued shall be in the possession of the person to whom issued
15 while such person is engaging in the business of taking for
16 sale or selling freshwater fish or frogs, is not transferable,
17 shall bear on its face in indelible ink the name of the person
18 to whom it is issued, and shall be affixed to a license
19 identification card issued by the commission. Such license is
20 not valid unless it bears the name of the person to whom it is
21 issued and is so affixed. The failure of such person to
22 exhibit such license to the commission or any of its wildlife
23 officers when such person is found engaging in such business
24 is a violation of law. The license fees and activities
25 permitted under particular licenses are as follows:

26 (a) The fee for a resident commercial fishing license,
27 which permits a resident to take freshwater fish or frogs by
28 any lawful method prescribed by the commission and to sell
29 such fish or frogs, shall be \$25. The license provided for in
30 this paragraph shall also allow noncommercial fishing as
31

1 provided by law and commission rules, and the license in s.
2 372.57(4)(2)(a) shall not be required.

3 ~~(2) The provisions of ss. 372.561 and 372.571, except~~
4 ~~those provisions relating to issuance without fee to certain~~
5 ~~classes of persons, shall apply to licenses issued under this~~
6 ~~section.~~

7 Section 26. Section 372.661, Florida Statutes, is
8 amended to read:

9 372.661 Private hunting preserve licenses; fees
10 license; exception.--

11 (1) Any person who operates a private hunting preserve
12 commercially or otherwise shall be required to pay a license
13 fee of \$25 for each such preserve; provided, however, that
14 during the open season established for wild game of any
15 species a private individual may take artificially propagated
16 game of such species up to the bag limit prescribed for the
17 particular species without being required to pay the license
18 fee required by this section; provided further that if any
19 such individual shall charge a fee for taking such game she or
20 he shall be required to pay the license fee required by this
21 section and to comply with the rules ~~and regulations~~ of the
22 ~~Fish and Wildlife Conservation~~ commission relative to the
23 operation of private hunting preserves.

24 (2) A commercial hunting preserve license, which shall
25 exempt patrons of licensed preserves from the license and
26 permit requirements of s. 372.57(4)(c), (d), (f), (h), and
27 (i); (5)(f) and (g); (8)(a), (b), (e), and (f); (9)(a)2.;
28 (11); and (12)~~license requirements of s. 372.57(2)(e), (f),~~
29 ~~(g), and (i), (4)(a), (c), (d), and (e), (7), (9), and (14)(b)~~
30 while hunting on the licensed preserve property, shall be
31 \$500. Such commercial hunting preserve license shall be

1 available only to those private hunting preserves licensed
2 pursuant to this section which are operated exclusively for
3 commercial purposes, which are open to the public, and for
4 which a uniform fee is charged to patrons for hunting
5 privileges.

6 Section 27. Section 372.7015, Florida Statutes, as
7 amended by section 14 of chapter 2001-122, Laws of Florida, is
8 amended to read:

9 372.7015 Illegal killing, taking, possessing, or
10 selling wildlife or game; fines; disposition of fines.--In
11 addition to any other penalty provided by law, any person who
12 violates the criminal provisions of this chapter and rules
13 adopted pursuant to this chapter by illegally killing, taking,
14 possessing, or selling game or fur-bearing animals as defined
15 in s. 372.001(10) or (11)~~s. 372.001 (3) or (4)~~ in or out of
16 season while violating chapter 810 shall pay a fine of \$250
17 for each such violation, plus court costs and any restitution
18 ordered by the court. All fines collected under this section
19 shall be remitted by the clerk of the court to the Department
20 of Revenue to be deposited into the Fish and Wildlife
21 Conservation Commission's State Game Trust Fund.

22 Section 28. Paragraph (a) of subsection (2) of section
23 372.7016, Florida Statutes, is amended to read:

24 372.7016 Voluntary Authorized Hunter Identification
25 Program.--

26 (2) Any person hunting on private land enrolled in the
27 Voluntary Authorized Hunter Identification Program shall have
28 readily available on the land at all times when hunting on the
29 property written authorization from the owner or his or her
30 authorized representative to be on the land for the purpose of
31 hunting. The written authorization shall be presented on

1 demand to any law enforcement officer, the owner, or the
2 authorized agent of the owner.

3 (a) For purposes of this section, the term "hunting"
4 means to be engaged in or reasonably equipped to engage in the
5 pursuit or taking by any means of any animal described in s.
6 372.001(10) or (11)~~s. 372.001 (3) or (4)~~, and the term
7 "written authorization" means a card, letter, or other written
8 instrument which shall include, but need not be limited to,
9 the name of the person or entity owning the property, the name
10 and signature of the person granting the authorization, a
11 description by township, range, section, partial section, or
12 other geographical description of the land to which the
13 authorization applies, and a statement of the time period
14 during which the authorization is valid.

15 Section 29. Paragraph (g) of subsection (2) of section
16 810.09, Florida Statutes, is amended to read:

17 810.09 Trespass on property other than structure or
18 conveyance.--

19 (2)

20 (g) Any person who in taking or attempting to take any
21 animal described in s. 372.001(10) or (11)~~s. 372.001 (3) or~~
22 ~~(4)~~, or in killing, attempting to kill, or endangering any
23 animal described in s. 585.01(13) knowingly propels or causes
24 to be propelled any potentially lethal projectile over or
25 across private land without authorization commits trespass, a
26 felony of the third degree, punishable as provided in s.
27 775.082, s. 775.083, or s. 775.084. For purposes of this
28 paragraph, the term "potentially lethal projectile" includes
29 any projectile launched from any firearm, bow, crossbow, or
30 similar tensile device. This section shall not apply to any
31

1 governmental agent or employee acting within the scope of his
2 or her official duties.

3 Section 30. Subsection (8) is added to section
4 372.711, Florida Statutes, to read:

5 372.711 Noncriminal infractions.--

6 (8) A person who is cited for a violation of the
7 provisions of s. 372.57 which require the possession of a
8 license or permit may not be convicted if, prior to or at the
9 time of his or her court or hearing appearance, the person
10 produces in court or to the clerk of the court in which the
11 charge is pending the required license or permit that was
12 issued to him or her and valid at the time of his or her
13 citation. The clerk of the court is authorized to dismiss
14 each such case at any time before, or at the time of, the
15 defendant's appearance in court. The clerk of the court may
16 assess a fee of \$5 for dismissing the case under this
17 subsection.

18 Section 31. Paragraph (h) of subsection (1) of section
19 372.83, Florida Statutes, is reenacted to read:

20 372.83 Noncriminal infractions; criminal penalties;
21 suspension and revocation of licenses and permits.--

22 (1) A person is guilty of a noncriminal infraction,
23 punishable as provided in s. 372.711, if she or he violates
24 any of the following provisions:

25 (h) Section 372.57, relating to hunting, fishing, and
26 trapping licenses.

27
28 A person who fails to pay the civil penalty specified in s.
29 372.711 within 30 days after being cited for a noncriminal
30 infraction or to appear before the court pursuant to that
31

1 section is guilty of a misdemeanor of the second degree,
2 punishable as provided in s. 775.082 or s. 775.083.

3 Section 32. Subsections (1), (2), and (4) of section
4 372.921, Florida Statutes, are amended, present subsection (9)
5 is redesignated as subsection (10), and a new subsection (9)
6 is added to that section, to read:

7 372.921 Exhibition of wildlife.--

8 (1) In order to provide humane treatment and sanitary
9 surroundings for wild animals kept in captivity, no person,
10 firm, corporation, or association shall have, or be in
11 possession of, in captivity for the purpose of public display
12 with or without charge or for public sale any wildlife,
13 specifically birds, mammals, amphibians, and reptiles, whether
14 indigenous to Florida or not, without having first secured a
15 permit from the ~~Fish and Wildlife Conservation~~ commission
16 authorizing such person, firm, or corporation to have in its
17 possession in captivity the species and number of wildlife
18 specified within such permit; however, this section does not
19 apply to any wildlife not protected by law and the rules
20 ~~regulations~~ of the ~~Fish and Wildlife Conservation~~ commission.

21 (2) The fees to be paid for the issuance of permits
22 required by subsection (1) shall be as follows:

23 (a) For not more than 10 Class I, Class II, or Class
24 III ~~±0~~ individual specimens in the aggregate of all species,
25 the sum of \$5 per annum.

26 (b) For over 10 Class I, Class II, or Class III ~~±0~~
27 individual specimens in the aggregate of all species, the sum
28 of \$25 per annum.

29
30 The fees prescribed by this subsection ~~section~~ shall be
31 submitted to the ~~Fish and Wildlife Conservation~~ commission

1 with the application for permit required by subsection (1) and
2 shall be deposited in the State Game Fund.

3 (4) Permits issued pursuant to this section and places
4 where wildlife is kept or held in captivity shall be subject
5 to inspection by officers of the ~~Fish and Wildlife~~
6 ~~Conservation~~ commission at all times. The commission shall
7 have the power to release or confiscate any specimens of any
8 wildlife, specifically birds, mammals, amphibians, or
9 reptiles, whether indigenous to the state or not, when it is
10 found that conditions under which they are being confined are
11 unsanitary, or unsafe to the public in any manner, or that the
12 species of wildlife are being maltreated, mistreated, or
13 neglected or kept in any manner contrary to the provisions of
14 chapter 828, any such permit to the contrary notwithstanding.
15 Before any such wildlife is confiscated or released under the
16 authority of this section, the owner thereof shall have been
17 advised in writing of the existence of such unsatisfactory
18 conditions; the owner shall have been given 30 days in which
19 to correct such conditions; the owner shall have failed to
20 correct such conditions; the owner shall have had an
21 opportunity for a proceeding pursuant to chapter 120; and the
22 commission shall have ordered such confiscation or release
23 after careful consideration of all evidence in the particular
24 case in question. The final order of the commission shall
25 constitute final agency action.

26 (9) The commission may adopt rules pursuant to ss.
27 120.536 (1) and 120.54 to administer this section, including,
28 but not limited to, rules defining Class I, Class II, and
29 Class III types of wildlife.

30 Section 33. Subsections (2), (3), and (5) of section
31 372.922, Florida Statutes, are amended to read:

1 372.922 Personal possession of wildlife.--

2 (2) The classifications of types of wildlife and fees
3 to be paid for ~~the issuance of permits for the personal~~
4 possession of wildlife shall be as follows:

5 (a) Class I--Wildlife which, because of its nature,
6 habits, or status, shall not be possessed as a personal pet.

7 (b) Class II--Wildlife considered to present a real or
8 potential threat to human safety, the sum of \$100 per annum.

9 (c) Class III--All other wildlife not included in
10 Class I or Class II, for which a no-cost permit must be
11 obtained from the commission.

12 (3) The commission shall promulgate rules ~~regulations~~
13 defining Class I, Class II, and Class III ~~and II~~ types of
14 wildlife. The commission shall also establish rules
15 ~~regulations~~ and requirements necessary to ensure that permits
16 are granted only to persons qualified to possess and care
17 properly for wildlife and that permitted wildlife possessed as
18 personal pets will be maintained in sanitary surroundings and
19 appropriate neighborhoods.

20 (5) Any person, firm, corporation, or association
21 exhibiting or selling wildlife and being duly permitted as
22 provided by s. 372.921 shall be exempt from the fee
23 requirement to receive ~~obtain~~ a permit under ~~the provisions of~~
24 this section.

25 Section 34. Subsection (3) of section 705.101, Florida
26 Statutes, is amended to read:

27 705.101 Definitions.--As used in this chapter:

28 (3) "Abandoned property" means all tangible personal
29 property that does not have an identifiable owner and that has
30 been disposed on public property in a wrecked, inoperative, or
31 partially dismantled condition or has no apparent intrinsic

1 value to the rightful owner. ~~However,~~Vessels determined to be
2 derelict by the Fish and Wildlife Conservation Commission or a
3 county or municipality in accordance with the provisions of s.
4 823.11 are ~~not~~ included within this definition.

5 Section 35. Paragraph (b) of subsection (8) of section
6 212.06, Florida Statutes, is amended to read:

7 212.06 Sales, storage, use tax; collectible from
8 dealers; "dealer" defined; dealers to collect from purchasers;
9 legislative intent as to scope of tax.--

10 (8)

11 (b) The presumption that tangible personal property
12 used in another state, territory of the United States, or the
13 District of Columbia for 6 months or longer before being
14 imported into this state was not purchased for use in this
15 state does not apply to any boat for which a saltwater fishing
16 license fee is required to be paid pursuant to s. 372.57(7)
17 ~~370.0605(2)(b)1., 2., or 3.~~, either directly or indirectly,
18 for the purpose of taking, attempting to take, or possessing
19 any marine fish for noncommercial purposes. Use tax shall
20 apply and be due on such a boat as provided in this paragraph,
21 and proof of payment of such tax must be presented prior to
22 the first such licensure of the boat, registration of the boat
23 pursuant to chapter 328, and titling of the boat pursuant to
24 chapter 328. A boat that is first licensed within 1 year after
25 purchase shall be subject to use tax on the full amount of the
26 purchase price; a boat that is first licensed in the second
27 year after purchase shall be subject to use tax on 90 percent
28 of the purchase price; a boat that is first licensed in the
29 third year after purchase shall be subject to use tax on 80
30 percent of the purchase price; a boat that is first licensed
31 in the fourth year after purchase shall be subject to use tax

1 on 70 percent of the purchase price; a boat that is first
2 licensed in the fifth year after purchase shall be subject to
3 use tax on 60 percent of the purchase price; and a boat that
4 is first licensed in the sixth year after purchase, or later,
5 shall be subject to use tax on 50 percent of the purchase
6 price. If the purchaser fails to provide the purchase invoice
7 on such boat, the fair market value of the boat at the time of
8 importation into this state shall be used to compute the tax.

9 Section 36. Paragraph (1) of subsection (4) of section
10 215.20, Florida Statutes, is amended to read:

11 215.20 Certain income and certain trust funds to
12 contribute to the General Revenue Fund.--

13 (4) The income of a revenue nature deposited in the
14 following described trust funds, by whatever name designated,
15 is that from which the deductions authorized by subsection (3)
16 shall be made:

17 (1) The Marine Resources Conservation Trust Fund
18 created by s. 370.0603 ~~s. 370.0608~~, with the exception of
19 those fees collected for recreational saltwater fishing
20 licenses as provided in s. 372.57 ~~s. 370.0605~~.

21
22 The enumeration of the foregoing moneys or trust funds shall
23 not prohibit the applicability thereto of s. 215.24 should the
24 Governor determine that for the reasons mentioned in s. 215.24
25 the money or trust funds should be exempt herefrom, as it is
26 the purpose of this law to exempt income from its force and
27 effect when, by the operation of this law, federal matching
28 funds or contributions or private grants to any trust fund
29 would be lost to the state.

30 Section 37. Sections 370.0605, 370.0615, and 370.1111,
31 subsections (10) and (11) of section 370.14, subsection (4) of

1 section 372.05, and section 372.06, Florida Statutes, are
2 repealed.

3 Section 38. Section 372.27, Florida Statutes, is
4 amended to read:

5 372.27 Silver Springs and Rainbow Springs, etc.,
6 closed to all fishing.--It is unlawful for any person to take
7 any fish within Marion County, from the waters of Rainbow
8 Springs and Rainbow River (formerly known as Blue Springs and
9 Blue Springs River) within that portion of Rainbow Springs
10 State Park lying within a radius of 1,700 feet ~~1 mile~~ from the
11 head of ~~Rainbow said Spring,~~ or from the waters of Silver
12 Springs or Silver Springs Run from the head of ~~Silver Springs~~
13 ~~said spring~~ to its junction with the Oklawaha River. However,
14 ~~provided, that~~ the Fish and Wildlife Conservation Commission
15 may remove or cause to be removed any gar, mud fish, or other
16 predatory fish from either spring or river when in its
17 judgment their removal is desirable.

18 Section 39. Effective July 1, 2003, section 372.60,
19 Florida Statutes, is repealed.

20 Section 40. Unless otherwise specified, this act shall
21 take effect July 1, 2002.

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