

CHAMBER ACTION

1 The Water & Natural Resources Committee recommends the
2 following:

3
4 **Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to fish and wildlife; amending s. 370.01,
8 F.S.; defining "commercial harvest"; amending s. 370.021,
9 F.S.; revising penalties for violations related to
10 commercial harvest; correcting cross-references; amending
11 s. 370.061, F.S.; correcting a cross-reference; amending
12 s. 372.57, F.S.; specifying seasonal recreational
13 activities for which a license or permit is required;
14 increasing fees for certain annual licenses; providing
15 fees for certain permits; providing for crossbow season
16 permits; providing penalties for the production,
17 possession, and use of fraudulent fishing and hunting
18 licenses; providing penalties for the taking of game and
19 fish with a suspended or revoked license; amending s.
20 372.571, F.S.; correcting a cross-reference; amending s.
21 372.5717, F.S.; authorizing the Fish and Wildlife
22 Conservation Commission to defer the hunter safety course
23 requirement for a specified time period and issue a

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24 restricted hunting license; limiting the number of
25 deferrals an individual is allowed; permitting hunting
26 with a restricted license under certain circumstances;
27 deleting the mandatory minimum number of instructional
28 hours for the required hunter safety course; providing an
29 exemption for the display of hunter safety certification;
30 providing penalties for violations; creating s. 372.825,
31 F.S.; establishing penalties for violations related to the
32 possession of captive wildlife; revising the penalties for
33 violations related to hunter safety course requirements;
34 amending s. 372.83, F.S.; revising the penalties for
35 violations of law and Fish and Wildlife Conservation
36 Commission rules and orders relating to recreational
37 activities; providing circumstances requiring a court
38 appearance; authorizing suspension or revocation of
39 license or permit; defining "conviction"; amending ss.
40 372.573 and 372.661, F.S.; correcting cross-references;
41 creating s. 372.831, F.S.; creating the interstate
42 Wildlife Violators Compact; providing findings, policy,
43 and purpose; providing definitions; providing requirements
44 and procedures for issuing and participating states for
45 issuance of violation citations; providing for reciprocal
46 recognition of certain license suspension related to fish
47 and wildlife activities; providing for applicability of
48 laws; providing procedures for compact administration;
49 establishing a board of compact administrators; providing
50 requirements and procedures with respect thereto;
51 providing for compact entry, withdrawal, ratification, and

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52 amendment; providing for compact construction and
53 severability; providing the compact title; creating s.
54 372.832, F.S.; providing for compact licensing authority;
55 creating s. 372.833, F.S.; providing for compact
56 enforcement and violation review; amending ss. 370.028,
57 370.092, 370.093, 370.12, 370.1405, and 370.142, F.S.;
58 correcting cross-references; providing an effective date.
59

60 Be It Enacted by the Legislature of the State of Florida:
61

62 Section 1. Subsections (5) through (28) of section 370.01,
63 Florida Statutes, are renumbered as subsections (6) through
64 (29), respectively, and a new subsection (5) is added to that
65 section to read:

66 370.01 Definitions.--In construing these statutes, where
67 the context does not clearly indicate otherwise, the word,
68 phrase, or term:

69 (5) "Commercial harvest" means the taking or harvest of
70 marine fish while operating under a permit, license, or
71 authorization issued pursuant to this chapter; while operating
72 in a manner consistent with such a permit, license, or
73 authorization while such permit, license, or authorization is
74 suspended or revoked; or in quantities sufficient to suggest
75 intent to sell.

76 Section 2. Present subsections (1) through (4) of section
77 370.021, Florida Statutes, are renumbered as subsections (2)
78 through (5), respectively, and amended, present subsections (5)
79 through (12) are renumbered as subsections (6) through (13),

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80 | respectively, and a new subsection (1) is added to that section,
81 | to read:

82 | 370.021 Administration; rules, publications, records;
83 | penalties; injunctions.--

84 | (1) APPLICATION OF PENALTIES.--The penalties in this
85 | section apply when the commission of a violation is related to
86 | commercial harvest; when the commission of a violation is
87 | related to commercial harvest, the penalties in s. 372.83 do not
88 | apply.

89 | (2)-(1) PENALTIES.--Unless otherwise provided by law, any
90 | person, firm, or corporation who violates ~~is convicted for~~
91 | ~~violating any~~ provision of this chapter, or any rule of the Fish
92 | and Wildlife Conservation Commission relating to the
93 | conservation of marine resources, shall be punished:

94 | (a) Upon a first conviction, by imprisonment for a period
95 | of not more than 60 days or by a fine of not less than \$100 nor
96 | more than \$500, or by both such fine and imprisonment.

97 | (b) On a second or subsequent conviction within 12 months,
98 | by imprisonment for not more than 6 months or by a fine of not
99 | less than \$250 nor more than \$1,000, or by both such fine and
100 | imprisonment.

101 |
102 | Upon final disposition of any alleged offense for which a
103 | citation for any violation of this chapter or the rules of the
104 | commission has been issued, the court shall, within 10 days,
105 | certify the disposition to the commission.

106 | (3)-(2) MAJOR VIOLATIONS.--In addition to the penalties
107 | provided in paragraphs (2)-(1)(a) and (b), the court shall assess

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108 additional penalties against any person, firm, or corporation
109 convicted of major violations as follows:

110 (a) For a violation involving more than 100 illegal blue
111 crabs, crawfish, or stone crabs, an additional penalty of \$10
112 for each illegal blue crab, crawfish, stone crab, or part
113 thereof.

114 (b) For a violation involving the taking or harvesting of
115 shrimp from a nursery or other prohibited area, or any two
116 violations within a 12-month period involving shrimping gear,
117 minimum size (count), or season, an additional penalty of \$10
118 for each pound of illegal shrimp or part thereof.

119 (c) For a violation involving the taking or harvesting of
120 oysters from nonapproved areas or the taking or possession of
121 unculled oysters, an additional penalty of \$10 for each bushel
122 of illegal oysters.

123 (d) For a violation involving the taking or harvesting of
124 clams from nonapproved areas, an additional penalty of \$100 for
125 each 500 count bag of illegal clams.

126 (e) For a violation involving the taking, harvesting, or
127 possession of any of the following species, which are
128 endangered, threatened, or of special concern:

- 129 1. Shortnose sturgeon (*Acipenser brevirostrum*);
- 130 2. Atlantic sturgeon (*Acipenser oxyrinchus*);
- 131 3. Common snook (*Centropomus undecimalis*);
- 132 4. Atlantic loggerhead turtle (*Caretta caretta caretta*);
- 133 5. Atlantic green turtle (*Chelonia mydas mydas*);
- 134 6. Leatherback turtle (*Dermochelys coriacea*);

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135 7. Atlantic hawksbill turtle (*Eretmochelys imbricata*
136 *imbracata*);

137 8. Atlantic ridley turtle (*Lepidochelys kempi*); or

138 9. West Indian manatee (*Trichechus manatus latirostris*),
139

140 an additional penalty of \$100 for each unit of marine life or
141 part thereof.

142 (f) For a second or subsequent conviction within 24 months
143 for any violation of the same law or rule involving the taking
144 or harvesting of more than 100 pounds of any finfish, an
145 additional penalty of \$5 for each pound of illegal finfish.

146 (g) For any violation involving the taking, harvesting, or
147 possession of more than 1,000 pounds of any illegal finfish, an
148 additional penalty equivalent to the wholesale value of the
149 illegal finfish.

150 (h) Permits issued to any person, firm, or corporation by
151 the commission to take or harvest saltwater products, or any
152 license issued pursuant to s. 370.06 or s. 370.07 may be
153 suspended or revoked by the commission, pursuant to the
154 provisions and procedures of s. 120.60, for any major violation
155 prescribed in this subsection:

156 1. Upon a first conviction, for up to 30 calendar days.

157 2. Upon a second conviction which occurs within 12 months
158 after a prior violation, for up to 90 calendar days.

159 3. Upon a third conviction which occurs within 24 months
160 after a prior conviction, for up to 180 calendar days.

161 4. Upon a fourth conviction which occurs within 36 months
162 after a prior conviction, for a period of 6 months to 3 years.

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163 (i) Upon the arrest and conviction for a major violation
164 involving stone crabs, the licenseholder must show just cause
165 why his or her license should not be suspended or revoked. For
166 the purposes of this paragraph, a "major violation" means a
167 major violation as prescribed for illegal stone crabs; any
168 single violation involving possession of more than 25 stone
169 crabs during the closed season or possession of 25 or more
170 whole-bodied or egg-bearing stone crabs; any violation for trap
171 molestation, trap robbing, or pulling traps at night; or any
172 combination of violations in any 3-consecutive-year period
173 wherein more than 75 illegal stone crabs in the aggregate are
174 involved.

175 (j) Upon the arrest and conviction for a major violation
176 involving crawfish, the licenseholder must show just cause why
177 his or her license should not be suspended or revoked. For the
178 purposes of this paragraph, a "major violation" means a major
179 violation as prescribed for illegal crawfish; any single
180 violation involving possession of more than 25 crawfish during
181 the closed season or possession of more than 25 wrung crawfish
182 tails or more than 25 egg-bearing or stripped crawfish; any
183 violation for trap molestation, trap robbing, or pulling traps
184 at night; or any combination of violations in any 3-consecutive-
185 year period wherein more than 75 illegal crawfish in the
186 aggregate are involved.

187 (k) Upon the arrest and conviction for a major violation
188 involving blue crabs, the licenseholder shall show just cause
189 why his or her saltwater products license should not be
190 suspended or revoked. This paragraph shall not apply to an

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191 individual fishing with no more than five traps. For the
192 purposes of this paragraph, a "major violation" means a major
193 violation as prescribed for illegal blue crabs, any single
194 violation wherein 50 or more illegal blue crabs are involved;
195 any violation for trap molestation, trap robbing, or pulling
196 traps at night; or any combination of violations in any 3-
197 consecutive-year period wherein more than 100 illegal blue crabs
198 in the aggregate are involved.

199 (l) Upon the conviction for a major violation involving
200 finfish, the licenseholder must show just cause why his or her
201 saltwater products license should not be suspended or revoked.
202 For the purposes of this paragraph, a major violation is
203 prescribed for the taking and harvesting of illegal finfish, any
204 single violation involving the possession of more than 100
205 pounds of illegal finfish, or any combination of violations in
206 any 3-consecutive-year period wherein more than 200 pounds of
207 illegal finfish in the aggregate are involved.

208 (m) For a violation involving the taking or harvesting of
209 any marine life species, as those species are defined by rule of
210 the commission, the harvest of which is prohibited, or the
211 taking or harvesting of such a species out of season, or with an
212 illegal gear or chemical, or any violation involving the
213 possession of 25 or more individual specimens of marine life
214 species, or any combination of violations in any 3-year period
215 involving more than 70 such specimens in the aggregate, the
216 suspension or revocation of the licenseholder's marine life
217 endorsement as provided in paragraph (h).

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219 Notwithstanding the provisions of s. 948.01, no court may
220 suspend, defer, or withhold adjudication of guilt or imposition
221 of sentence for any major violation prescribed in this
222 subsection. The proceeds from the penalties assessed pursuant to
223 this subsection shall be deposited into the Marine Resources
224 Conservation Trust Fund to be used for marine fisheries research
225 or into the commission's Federal Law Enforcement Trust Fund as
226 provided in s. 372.107, as applicable.

227 (4)~~(3)~~ PENALTIES FOR USE OF ILLEGAL NETS.--

228 (a) It is a major violation pursuant to this section,
229 punishable as provided in paragraph (b) for any person, firm, or
230 corporation to be simultaneously in possession of any species of
231 mullet in excess of the recreational daily bag limit and any
232 gill or other entangling net as defined in s. 16(c), Art. X of
233 the State Constitution. Simultaneous possession under this
234 provision shall include possession of mullet and gill or other
235 entangling nets on separate vessels or vehicles where such
236 vessels or vehicles are operated in coordination with one
237 another including vessels towed behind a main vessel. This
238 subsection does not prohibit a resident of this state from
239 transporting on land, from Alabama to this state, a commercial
240 quantity of mullet together with a gill net if:

241 1. The person possesses a valid commercial fishing license
242 that is issued by the State of Alabama and that allows the
243 person to use a gill net to legally harvest mullet in commercial
244 quantities from Alabama waters.

245 2. The person possesses a trip ticket issued in Alabama
246 and filled out to match the quantity of mullet being

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247 transported, and the person is able to present such trip ticket
248 immediately upon entering this state.

249 3. The mullet are to be sold to a wholesale saltwater
250 products dealer located in Escambia County or Santa Rosa County,
251 which dealer also possesses a valid seafood dealer's license
252 issued by the State of Alabama. The dealer's name must be
253 clearly indicated on the trip ticket.

254 4. The mullet being transported are totally removed from
255 any net also being transported.

256 (b)1. A flagrant violation of any rule or statute which
257 implements s. 16(b), Art. X of the State Constitution shall be
258 considered a felony of the third degree, punishable as provided
259 in s. 775.082 or s. 775.083. For purposes of this paragraph, a
260 flagrant violation shall be the illegal possession or use of a
261 monofilament net or a net with a mesh area larger than 2,000
262 square feet. A violation means any judicial disposition other
263 than acquittal or dismissal.

264 2. In addition to being subject to the other penalties
265 provided in this chapter, any violation of s. 16(b), Art. X of
266 the State Constitution, or any statute or rule of the commission
267 which implements the gear prohibitions and restrictions
268 specified therein shall be considered a major violation; and any
269 person, firm, or corporation receiving any judicial disposition
270 other than acquittal or dismissal of such violation shall be
271 subject to the following additional penalties:

272 a. For a first major violation within a 7-year period, a
273 civil penalty of \$2,500 and suspension of all saltwater products

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274 license privileges for 90 calendar days following final
275 disposition shall be imposed.

276 b. For a second major violation under this subparagraph
277 charged within 7 years of a previous judicial disposition, which
278 results in a second judicial disposition other than acquittal or
279 dismissal, a civil penalty of \$5,000 and suspension of all
280 saltwater products license privileges for 12 months shall be
281 imposed.

282 c. For a third or subsequent major violation under this
283 subparagraph, charged within a 7-year period, resulting in a
284 third or subsequent judicial disposition other than acquittal or
285 dismissal, a civil penalty of \$5,000, lifetime revocation of the
286 saltwater products license, and forfeiture of all gear and
287 equipment used in the violation shall be imposed.

288 d. For a first flagrant violation under this subparagraph,
289 a civil penalty of \$5,000 and a suspension of all saltwater
290 license privileges for 12 months shall be imposed. For a second
291 or subsequent flagrant violation under this subparagraph, a
292 civil penalty of \$5,000, a lifetime revocation of the saltwater
293 products license, and the forfeiture of all gear and equipment
294 used in the violation shall be imposed.

295
296 A court may suspend, defer, or withhold adjudication of guilt or
297 imposition of sentence only for any first violation of s. 16,
298 Art. X of the State Constitution, or any rule or statute
299 implementing its restrictions, determined by a court only after
300 consideration of competent evidence of mitigating circumstances
301 to be a nonflagrant or minor violation of those restrictions

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302 upon the use of nets. Any violation of s. 16, Art. X of the
303 State Constitution, or any rule or statute implementing its
304 restrictions, occurring within a 7-year period commencing upon
305 the conclusion of any judicial proceeding resulting in any
306 outcome other than acquittal shall be punished as a second,
307 third, or subsequent violation accordingly.

308 (c) During the period of suspension or revocation of
309 saltwater license privileges under this subsection, the licensee
310 shall not participate in the taking or harvesting, or attempt
311 the taking or harvesting, of saltwater products from any vessel
312 within the waters of the state; be aboard any vessel on which a
313 commercial quantity of saltwater products is possessed through
314 an activity requiring a license pursuant to this section; or
315 engage in any other activity requiring a license, permit, or
316 certificate issued pursuant to this chapter. Any person who is
317 convicted of violating this paragraph:

318 1. Upon a first or second conviction, is guilty of a
319 misdemeanor of the first degree, punishable as provided in s.
320 775.082 or s. 775.083.

321 2. Upon a third or subsequent conviction, is guilty of a
322 felony of the third degree, punishable as provided in s.
323 775.082, s. 775.083, or s. 775.084.

324 (d) Upon reinstatement of saltwater license privileges
325 suspended pursuant to a violation of this subsection, a licensee
326 owning or operating a vessel containing or otherwise
327 transporting in or on Florida waters any gill net or other
328 entangling net, or containing or otherwise transporting in
329 nearshore and inshore Florida waters any net containing more

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330 | than 500 square feet of mesh area shall remain restricted for a
331 | period of 12 months following reinstatement, to operating under
332 | the following conditions:

333 | 1. Vessels subject to this reinstatement period shall be
334 | restricted to the corridors established by commission rule.

335 | 2. A violation of the reinstatement period provisions
336 | shall be punishable pursuant to paragraphs (2)~~(1)~~(a) and (b).

337 | (5)~~(4)~~ ADDITIONAL PENALTIES FOR MAJOR VIOLATIONS INVOLVING
338 | CERTAIN FINFISH.--It is a major violation pursuant to this
339 | section, punishable as provided in paragraph (4)~~(3)~~(b), for any
340 | person to be in possession of any species of trout, snook, or
341 | redbfish which is three fish in excess of the recreational or
342 | commercial daily bag limit.

343 | Section 3. Paragraph (d) of subsection (5) of section
344 | 370.061, Florida Statutes, is amended to read:

345 | 370.061 Confiscation, seizure, and forfeiture of property
346 | and products.--

347 | (5) CONFISCATION AND SALE OF PERISHABLE SALTWATER
348 | PRODUCTS; PROCEDURE.--

349 | (d) For purposes of confiscation under this subsection,
350 | the term "saltwater products" has the meaning set out in s.
351 | 370.01(27)~~(26)~~, except that the term does not include saltwater
352 | products harvested under the authority of a recreational license
353 | unless the amount of such harvested products exceeds three times
354 | the applicable recreational bag limit for trout, snook, or
355 | redbfish.

356 | Section 4. Paragraphs (h), (i), and (j) of subsection (4),
357 | paragraphs (e) through (i) of subsection (8), paragraph (b) of

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358 subsection (11), and paragraph (b) of subsection (12) of section
359 372.57, Florida Statutes, are amended, and subsections (16) and
360 (17) are added to that section, to read:

361 372.57 Recreational licenses, permits, and authorization
362 numbers; fees established.--

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

366 (h) Annual sportsman's license, \$71 ~~\$66~~, except that an
367 annual sportsman's license for a resident 64 years of age or
368 older is \$12. A sportsman's license authorizes the person to
369 whom it is issued to take game and freshwater fish, subject to
370 the state and federal laws, rules, and regulations, including
371 rules of the commission, in effect at the time of the taking.
372 Other authorized activities include activities authorized by a
373 management area permit, a muzzle-loading gun season permit, a
374 turkey permit, a Florida waterfowl permit, ~~and~~ an archery season
375 permit, and a crossbow season permit.

376 (i) Annual gold sportsman's license, \$87 ~~\$82~~. The gold
377 sportsman's license authorizes the person to whom it is issued
378 to take freshwater fish, saltwater fish, and game, subject to
379 the state and federal laws, rules, and regulations, including
380 rules of the commission, in effect at the time of taking. Other
381 authorized activities include activities authorized by a
382 management area permit, a muzzle-loading gun season permit, a
383 turkey permit, a Florida waterfowl permit, an archery season
384 permit, a crossbow season permit, a snook permit, and a crawfish
385 permit.

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386 (j) Annual military gold sportsman's license, \$18.50. The
 387 gold sportsman's license authorizes the person to whom it is
 388 issued to take freshwater fish, saltwater fish, and game,
 389 subject to the state and federal laws, rules, and regulations,
 390 including rules of the commission, in effect at the time of
 391 taking. Other authorized activities include activities
 392 authorized by a management area permit, a muzzle-loading gun
 393 season permit, a turkey permit, a Florida waterfowl permit, an
 394 archery season permit, a crossbow season permit, a snook permit,
 395 and a crawfish permit. Any resident who is an active or retired
 396 member of the United States Armed Forces, the United States
 397 Armed Forces Reserve, the National Guard, the United States
 398 Coast Guard, or the United States Coast Guard Reserve is
 399 eligible to purchase the military gold sportsman's license upon
 400 submission of a current military identification card.

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

405 (e) A \$5 fee is imposed for the following permits:

406 1. An annual archery season permit for a resident or
 407 nonresident to hunt within the state during any archery season
 408 authorized by the commission.

409 2. An annual crossbow season permit for a resident or
 410 nonresident to hunt within the state during any crossbow season
 411 authorized by the commission.

412 3. An annual muzzle-loading gun season permit for a
 413 resident or nonresident to hunt within the state during any with

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414 a muzzle-loading gun season is \$5. ~~Hunting with a muzzle-loading~~
415 ~~gun is limited to game seasons in which hunting with a modern~~
416 ~~firearm is not~~ authorized by the commission.

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

421 (f)~~(g)~~ A special use permit for a resident or nonresident
422 to participate in limited entry hunting or fishing activities as
423 authorized by commission rule shall not exceed \$100 per day or
424 \$250 per week. Notwithstanding any other provision of this
425 chapter, there are no exclusions, exceptions, or exemptions from
426 this permit fee. In addition to the permit fee, the commission
427 may charge each special use permit applicant a nonrefundable
428 application fee not to exceed \$10.

429 (g)~~(h)~~1. A management area permit for a resident or
430 nonresident to hunt on, fish on, or otherwise use for outdoor
431 recreational purposes land owned, leased, or managed by the
432 commission, or by the state for the use and benefit of the
433 commission, shall not exceed \$25 per year.

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

439 3. Other than for hunting or fishing, the provisions of
440 this paragraph shall not apply on any lands not owned by the

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441 commission, unless the commission has obtained the written
442 consent of the owner or primary custodian of such lands.

443 (h)~~(i)~~1. A recreational user permit is required to hunt
444 on, fish on, or otherwise use for outdoor recreational purposes
445 land leased by the commission from private nongovernmental
446 owners, except for those lands located directly north of the
447 Apalachicola National Forest, east of the Ochlocknee River until
448 the point the river meets the dam forming Lake Talquin, and
449 south of the closest federal highway. The fee for a recreational
450 user permit shall be based upon the economic compensation
451 desired by the landowner, game population levels, desired hunter
452 density, and administrative costs. The permit fee shall be set
453 by commission rule on a per-acre basis. The recreational user
454 permit fee, less administrative costs of up to \$25 per permit,
455 shall be remitted to the landowner as provided in the lease
456 agreement for each area.

457 2. One minor dependent, 16 years of age or younger, may
458 hunt under the supervision of the permittee and is exempt from
459 the recreational user permit requirements. The spouse and
460 dependent children of a permittee are exempt from the
461 recreational user permit requirements when engaged in outdoor
462 recreational activities other than hunting and when accompanied
463 by a permittee. Notwithstanding any other provision of this
464 chapter, no other exclusions, exceptions, or exemptions from the
465 recreational user permit fee are authorized.

466 (11) RESIDENT LIFETIME HUNTING LICENSES.--

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

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

472 2. All activities authorized by a muzzle-loading gun
473 season permit, a turkey permit, an archery season permit, a
474 crossbow season permit, a Florida waterfowl permit, and a
475 management area permit, excluding fishing.

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

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

479 1. Taking, or attempting to take or possess, freshwater
480 and saltwater fish, and game, consistent with the state and
481 federal laws and regulations and rules of the commission in
482 effect at the time of taking.

483 2. All activities authorized by a management area permit,
484 a muzzle-loading gun season permit, a turkey permit, an archery
485 season permit, a crossbow season permit, a Florida waterfowl
486 permit, a snook permit, and a crawfish permit.

487 (16) FORGING OF LICENSES.--It is unlawful for any person
488 to make, forge, or counterfeit a freshwater fishing, hunting, or
489 saltwater fishing license. Such a license may be reproduced only
490 as authorized by the commission. It is unlawful for any person
491 to knowingly have in his or her possession a forgery,
492 counterfeit, or imitation of such a license unless possession by
493 the person has been fully authorized by the commission. A person
494 who violates this subsection commits a level 4 violation as
495 classified and punishable under s. 372.83.

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496 (17) TAKING OF GAME AND FISH WHILE LICENSE SUSPENDED OR
 497 REVOKED.--A person may not take game, freshwater game fish,
 498 saltwater fish, or fur-bearing animals within this state while
 499 the license required to do so is suspended or revoked. A person
 500 who violates this subsection commits a level 3 violation as
 501 classified and punishable under s. 372.83.

502 Section 5. Section 372.571, Florida Statutes, is amended
 503 to read:

504 372.571 Expiration of licenses and permits.--Each license
 505 or permit issued under this chapter must be dated when issued.
 506 Each license or permit issued under this chapter remains valid
 507 for 12 months after the date of issuance, except for a lifetime
 508 license issued pursuant to s. 372.57 which is valid from the
 509 date of issuance until the death of the individual to whom the
 510 license is issued unless otherwise revoked in accordance with s.
 511 372.99, or a 5-year license issued pursuant to s. 372.57 which
 512 is valid for 5 consecutive years from the date of purchase
 513 unless otherwise revoked in accordance with s. 372.99, or a
 514 license issued pursuant to s. 372.57(5)(a), (b), (c), or (f) or
 515 (8) (f) ~~(g)~~ or (g) ~~(h)~~2., which is valid for the period specified
 516 on the license. A resident lifetime license or a resident 5-year
 517 license that has been purchased by a resident of this state and
 518 who subsequently resides in another state shall be honored for
 519 activities authorized by that license.

520 Section 6. Subsections (2), (3), (6), and (8) of section
 521 372.5717, Florida Statutes, are amended to read:

522 372.5717 Hunter safety course; requirements; penalty.--

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523 (2) (a) A person born on or after June 1, 1975, may not be
524 issued a license to take wild animal life with the use of a
525 firearm, gun, bow, or crossbow in this state without having
526 first successfully completed a hunter safety course as provided
527 in this section, and without having in his or her personal
528 possession a hunter safety certification card, as provided in
529 this section.

530 (b) The commission may defer the hunter safety course
531 requirement for 1 year and issue a restricted hunting license.
532 Individuals may receive only one deferment. Individuals issued a
533 restricted hunting license shall only be permitted to take wild
534 animal life with the use of a firearm, gun, bow, or crossbow
535 under the direct supervision and in the physical presence of an
536 adult who has successfully completed or is exempt from
537 completing the required hunter safety course as provided in this
538 section.

539 (3) The commission ~~Fish and Wildlife Conservation~~
540 ~~Commission~~ shall institute and coordinate a statewide hunter
541 safety course which must be offered in every county and consist
542 of not ~~less than 12 hours nor~~ more than 16 hours of instruction
543 including, but not limited to, instruction in the competent and
544 safe handling of firearms, conservation, and hunting ethics.

545 (6) All persons subject to the requirements of subsection
546 (2) must have in their personal possession, proof of compliance
547 with this section, while taking or attempting to take wildlife
548 with the use of a firearm, gun, bow, or crossbow and must
549 display a valid hunter safety certification card, unless the
550 hunter safety course requirement is deferred pursuant to this

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551 section, to county tax collectors or their subagents in order to
552 purchase a Florida hunting license. After the issuance of a
553 license, the license itself shall serve as proof of compliance
554 with this section. A holder of a lifetime license whose license
555 does not indicate on the face of the license that a hunter
556 safety course has been completed must have in his or her
557 personal possession a hunter safety certification card, as
558 provided by this section, while attempting to take wild animal
559 life with the use of a firearm, gun, bow, or crossbow.

560 (8) A person who violates this section shall be cited for
561 a level 1 violation as classified and punishable under s. 372.83
562 ~~noncriminal infraction, punishable as provided in s. 372.711.~~

563 Section 7. Section 372.825, Florida Statutes, is created
564 to read:

565 372.825 Captive wildlife penalties.--

566 (1) A person who violates any commission rules or orders
567 for the non-fee permit for the possession of captive wildlife
568 for personal use and related reporting requirements commits a
569 noncriminal infraction.

570 (2) Any person cited for committing a violation of this
571 section shall be cited to appear before the county court. The
572 civil penalty is \$50.

573 (3) A person commits a misdemeanor of the second degree,
574 punishable as provided in s. 775.082 or s. 775.083, for any
575 violation of the following:

576 (a) Commission rules or orders that require a person to
577 pay a fee to obtain a permit to possess captive wildlife or that
578 require the maintenance of records relating to captive wildlife.

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- 579 (b) Commission rules or orders relating to captive
- 580 wildlife not specified in paragraph (a).
- 581 (c) Section 372.86, relating to possessing or exhibiting
- 582 certain reptiles.
- 583 (d) Section 372.87, relating to licensing of certain
- 584 reptiles.
- 585 (e) Section 372.88, relating to bonding requirements.
- 586 (f) Section 372.89, relating to safe housing requirements.
- 587 (g) Section 372.90, relating to transportation.
- 588 (h) Section 372.901, relating to inspection.
- 589 (i) Section 372.91, relating to limitation of access to
- 590 certain reptiles.
- 591 (j) Section 372.912, relating to certain reptile hunts.
- 592 (k) Section 372.921, relating to exhibition or sale of
- 593 wildlife.
- 594 (l) Section 372.922, relating to personal possession of
- 595 wildlife.

596 Section 8. Section 372.83, Florida Statutes, is amended to
597 read:

598 372.83 Recreational ~~Noncriminal infractions; criminal~~
599 ~~penalties; suspension and revocation of licenses and permits.--~~

600 (1) LEVEL 1 VIOLATIONS.--

601 (a) Unless otherwise provided by law, a person convicted
602 of an offense classified as a level 1 violation is guilty of a
603 noncriminal infraction, which is punishable as provided in this
604 subsection and includes violation of the following:

605 1. Commission rules or orders relating to the filing of
606 required reports or other documents for licensees or

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607 permitholders, excluding those related to commercial harvest of
608 saltwater fish or possession of captive wildlife.

609 2. Commission rules or orders relating to quota hunting
610 permits, daily use permits, hunting zone assignments, check
611 stations, possession of alcoholic beverages, campsite use, and
612 the operation of vehicles within wildlife management areas or
613 other areas managed by the commission.

614 3. Commission rules or orders relating to daily permits,
615 possession of alcoholic beverages, possession of firearms,
616 swimming activities, the operation of watercraft, and the
617 operation of vehicles within fish management areas or other
618 areas managed by the commission.

619 4. Commission rules or orders regulating vessel size or
620 specifying motor restrictions on specified water bodies.

621 5. Section 370.063, relating to special recreational
622 crawfish licenses.

623 6. Section 372.57, relating to hunting, fishing, and
624 trapping licenses.

625 7. Section 372.5717, relating to hunter safety
626 certification.

627 8. Section 372.988, relating to required clothing for
628 persons hunting deer.

629 (b) Citations issued for any violation specified in
630 paragraph (a) shall include a requirement for appearance before
631 the county court.

632 (c)1. The civil penalty for any noncriminal level 1
633 violation of the license and permit requirements of s. 372.57 is
634 \$50 for the first conviction and \$250 for each subsequent

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635 conviction in addition to the cost of the required license and
636 permit.

637 2. The civil penalty for any other noncriminal level 1
638 violation is \$50 for the first conviction and \$250 for each
639 subsequent conviction, except as otherwise provided in this
640 subsection.

641 (d) Any person issued a citation for a violation specified
642 in this subsection may:

643 1. Post a bond equal to the amount of the civil penalty
644 and appear before the court; or

645 2. Pay the civil penalty by mail or in person within 30
646 days after the date of receiving the citation, or if a bond has
647 been posted, forfeit the bond for payment by failure to appear
648 before the court.

649
650 Payment of the civil penalty without appearing before the court
651 is considered an admission of guilt and waives any further right
652 to a hearing on the violation for which the citation was issued.
653 Such admission shall not be used as evidence in any other
654 proceedings except to determine the appropriate fine for any
655 subsequent violations.

656 (e)1. Any person who willfully refuses the issuance of a
657 citation for a violation specified in this subsection commits a
658 misdemeanor of the second degree, punishable as provided in s.
659 775.082 or s. 775.083.

660 2. Any person who willfully fails to pay the civil penalty
661 within 30 days after the issuance of a citation for a violation

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662 specified in this subsection commits a misdemeanor of the second
663 degree, punishable as provided in s. 775.082 or s. 775.083.

664 (f)1. Electing or being required to appear before the
665 court shall waive the limitations on the civil penalty specified
666 in this subsection. The court shall determine whether a
667 violation has occurred and may impose a civil penalty not less
668 than those specified in this subsection and not more than \$500.

669 2. Violations must be proved beyond a reasonable doubt
670 before the court.

671 3. A person found guilty of a violation may file an appeal
672 with the circuit court.

673 (g) A person charged with violating the requirement for
674 personal possession of a license or permit under s. 372.57 may
675 not be convicted if the person presents the required license or
676 permit for verification by the hearing officer or clerk of the
677 court prior to the scheduled court proceeding. The license or
678 permit must have been issued to the person charged with
679 committing the violation and valid at the time the violation
680 occurred. The clerk of the court may assess a fee of \$5 to cover
681 related court costs under this paragraph.

682 (2) LEVEL 2 VIOLATIONS.--

683 (a) Unless otherwise provided by law, a person convicted
684 of an offense classified as a level 2 violation is guilty of a
685 misdemeanor, which is punishable as provided in this subsection
686 and includes violation of the following:

687 1. Commission rules or orders that specify season or time
688 periods for the taking of saltwater fish, freshwater game fish,
689 or wildlife.

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- 690 2. Commission rules or orders that establish bag,
691 possession, or size limits for, or restrict methods of the
692 taking of, saltwater fish, freshwater game fish, or wildlife.
- 693 3. Commission rules or orders that prohibit public access
694 for specified periods to wildlife management areas or other
695 areas managed by the commission.
- 696 4. Commission rules or orders that relate to the access to
697 wildlife management areas or other areas managed by the
698 commission.
- 699 5. Commission rules or orders relating to the feeding of
700 saltwater fish, freshwater game fish, or wildlife.
- 701 6. Commission rules or orders relating to restricted
702 hunting areas, bird sanctuaries, or critical wildlife areas.
- 703 7. Commission rules or orders relating to landing
704 requirements for saltwater fish or freshwater game fish.
- 705 8. Commission rules or orders relating to tagging
706 requirements for game and fur-bearing animals.
- 707 9. Commission rules or orders relating to the use of dogs
708 for the taking of game.
- 709 10. Any commission rules or orders not otherwise
710 classified.
- 711 11. Any prohibitions in chapter 370 not otherwise
712 classified in this section.
- 713 12. Section 370.08, relating to obstructing waterways with
714 net gear.
- 715 13. Section 370.1105, relating to finfish traps.
- 716 14. Section 370.1121, relating to bonefish.
- 717 15. Section 370.14, relating to crawfish.

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718 16. Section 370.25, relating to placement of artificial
719 reefs.

720 17. Section 372.667, relating to feeding or enticement of
721 alligators or crocodiles.

722 18. Section 372.705, relating to harassment of hunters,
723 fishers, or trappers.

724 (b)1. A person convicted of any level 2 violation without
725 any previous conviction for a level 2 violation is guilty of a
726 misdemeanor of the first degree, punishable as provided in s.
727 775.082 or s. 775.083.

728 2. A person convicted of any level 2 violation within 3
729 years after any previous conviction for a level 2 violation is
730 guilty of a misdemeanor of the first degree, punishable as
731 provided in s. 775.082 or s. 775.083 and by a minimum mandatory
732 fine of \$250 and suspension of all recreational licenses issued
733 pursuant to this chapter for not less than 1 year.

734 3. A person convicted of any level 2 violation within 5
735 years after any three previous convictions for level 2
736 violations is guilty of a misdemeanor of the first degree,
737 punishable as provided in s. 775.082 or s. 775.083 and by a
738 minimum mandatory fine of \$500 and suspension of all
739 recreational licenses issued pursuant to this chapter for not
740 less than 3 years.

741 4. A person convicted of any level 2 violation within 10
742 years after any three previous convictions for level 2
743 violations is guilty of a misdemeanor of the first degree,
744 punishable as provided in s. 775.082 or s. 775.083 and by a
745 minimum mandatory fine of \$750 and suspension of all

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746 recreational licenses issued pursuant to this chapter for not
747 less than 3 years.

748 (3) LEVEL 3 VIOLATIONS.--

749 (a) Unless otherwise provided by law, a person convicted
750 of an offense classified as a level 3 violation is guilty of a
751 misdemeanor, which is punishable as provided in this subsection
752 and includes violation of the following:

753 1. Commission rules or orders related to the prohibited
754 sale of saltwater fish.

755 2. Section 370.021(3), relating to major violations.

756 3. Section 370.021(5), relating to possession in excess of
757 certain bag limits.

758 4. Section 370.081, relating to illegal importation or
759 possession of exotic marine plants and animals.

760 5. Section 370.093, relating to the taking of saltwater
761 fish with nets.

762 6. Section 372.26, relating to imported fish.

763 7. Section 372.57(17), relating to taking while license is
764 suspended or revoked.

765 8. Section 372.662, relating to the illegal sale or
766 possession of alligators.

767 9. Section 372.99, relating to the illegal taking and
768 possession of deer and wild turkey.

769 10. Section 372.9903, relating to the illegal possession
770 and transportation of commercial quantities of freshwater game
771 fish.

772 (b)1. A person convicted of a level 3 violation without
773 any previous conviction for a level 3 violation in the past 10

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774 years is guilty of a misdemeanor of the first degree, punishable
775 as provided in s. 775.082 or s. 775.083.

776 2. A person convicted of a level 3 violation within 10
777 years after any previous conviction of a level 3 violation is
778 guilty of a misdemeanor of the first degree, punishable as
779 provided in s. 775.082 or s. 775.083 and by a minimum mandatory
780 fine of \$750 and the suspension of all recreational licenses
781 issued pursuant to this chapter for not less than 3 years.

782 3. The penalty for a violation of s. 372.57(17) shall
783 include a mandatory fine of \$1,000 and a suspension of all
784 recreational licenses issued pursuant to this chapter for 5
785 years.

786 (4) LEVEL 4 VIOLATIONS.--Unless otherwise provided by law,
787 a person convicted of an offense classified as a level 4
788 violation is guilty of a felony of the third degree, which is
789 punishable as provided in s. 775.082 or s. 775.083 and includes
790 violation of the following:

791 (a) Section 370.13, relating to the molestation of stone
792 crab gear.

793 (b) Section 370.135, relating to the molestation of blue
794 crab gear.

795 (c) Section 370.14, relating to the molestation of
796 crawfish gear.

797 (d) Section 372.57(16), relating to forgery of a license
798 or possession of a forged license.

799 (e) Section 372.99(5), relating to the sale of deer or
800 turkey that is taken illegally.

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801 (f) Section 372.99022, relating to molestation or theft of
802 freshwater gear.

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

806 ~~(a) Rules, regulations, or orders relating to the filing~~
807 ~~of reports or other documents required of persons who are~~
808 ~~licensed or who hold permits issued by the commission.~~

809 ~~(b) Rules, regulations, or orders relating to fish~~
810 ~~management areas.~~

811 ~~(c) Rules, regulations, or orders relating to quota hunt~~
812 ~~permits, daily use permits, hunting zone assignments, camping~~
813 ~~restrictions, the use of alcoholic beverages, vehicle use, and~~
814 ~~check station requirements within wildlife management areas or~~
815 ~~other areas managed by the commission.~~

816 ~~(d) Rules, regulations, or orders requiring permits free~~
817 ~~of charge to possess captive wildlife for personal use.~~

818 ~~(e) Rules, regulations, or orders establishing size or~~
819 ~~slot limits for freshwater game fish.~~

820 ~~(f) Rules, regulations, or orders regulating vessel size~~
821 ~~or specifying motor restrictions on specified water bodies.~~

822 ~~(g) Rules, regulations, or orders relating to the~~
823 ~~registration of off road vehicles and airboats operated on state~~
824 ~~lands.~~

825 ~~(h) Section 372.57, relating to hunting, fishing, and~~
826 ~~trapping licenses.~~

827 ~~(i) Section 372.988, relating to required clothing for~~
828 ~~persons hunting deer.~~

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829
830 ~~A person who fails to pay the civil penalty specified in s.~~
831 ~~372.711 within 30 days after being cited for a noncriminal~~
832 ~~infraction or to appear before the court pursuant to that~~
833 ~~section is guilty of a misdemeanor of the second degree,~~
834 ~~punishable as provided in s. 775.082 or s. 775.083.~~

835 ~~(2) A person is guilty of a misdemeanor of the second~~
836 ~~degree, punishable as provided in s. 775.082 or s. 775.083, if~~
837 ~~she or he violates any of the following rules, regulations, or~~
838 ~~orders of the commission:~~

839 ~~(a) Rules, regulations, or orders that specify season or~~
840 ~~time periods for the taking of freshwater fish or wildlife.~~

841 ~~(b) Rules, regulations, or orders that specify bag limits~~
842 ~~or restrict methods of taking freshwater fish or wildlife.~~

843 ~~(c) Rules, regulations, or orders that relate to the sale,~~
844 ~~possession for sale, purchase, transfer, transportation, or~~
845 ~~importation of freshwater fish or wildlife.~~

846 ~~(d) Rules, regulations, or orders that prohibit public~~
847 ~~access for specified periods to wildlife management areas or~~
848 ~~other areas managed by the commission.~~

849 ~~(e) Rules, regulations, or orders that require a person to~~
850 ~~pay a fee to obtain a permit to possess captive wildlife or that~~
851 ~~require the maintenance of records relating to captive wildlife.~~

852 ~~(f) All other rules, regulations, and orders of the~~
853 ~~commission, except those specified in subsection (1).~~

854 ~~(3) It is unlawful for any person to make, forge,~~
855 ~~counterfeit, or reproduce a freshwater fishing, hunting, or~~
856 ~~saltwater fishing license unless authorized by the commission.~~

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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857 ~~It is unlawful for any person to knowingly have in his or her~~
858 ~~possession a forgery, counterfeit, or imitation of such a~~
859 ~~license unless possession by the person has been fully~~
860 ~~authorized by the commission. A person who violates this~~
861 ~~subsection commits a felony of the third degree, punishable as~~
862 ~~provided in s. 775.082, s. 775.083, or s. 775.084.~~

863 (5)~~(4)~~ Unless otherwise provided in this chapter, a person
864 who violates any provision of this chapter commits ~~is guilty~~,
865 for the first offense, ~~of~~ a misdemeanor of the second degree,
866 punishable as provided in s. 775.082 or s. 775.083, and ~~is~~
867 ~~guilty~~, for the second offense or any subsequent offense, ~~of~~ a
868 misdemeanor of the first degree, punishable as provided in s.
869 775.082 or s. 775.083.

870 (6)~~(5)~~ The court may order the suspension or revocation of
871 any license or permit issued to a person pursuant to this
872 chapter, if that person commits a criminal offense specified in
873 this chapter or a noncriminal infraction specified in this
874 section.

875 (7) For purposes of this section, "conviction" means any
876 judicial disposition other than acquittal or dismissal.

877 Section 9. Section 372.573, Florida Statutes, is amended
878 to read:

879 372.573 Management area permit revenues.--The commission
880 shall expend the revenue generated from the sale of the
881 management area permit as provided for in s. 372.57(8) (g)~~(h)~~ or
882 that pro rata portion of any license that includes management
883 area privileges as provided for in s. 372.57(4) (h), (i), and (j)

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884 for the lease, management, and protection of lands for public
885 hunting, fishing, and other outdoor recreation.

886 Section 10. Subsection (2) of section 372.661, Florida
887 Statutes, is amended to read:

888 372.661 Private hunting preserve license fees;
889 exception.--

890 (2) A commercial hunting preserve license, which shall
891 exempt patrons of licensed preserves from the license and permit
892 requirements of s. 372.57(4)(c), (d), (f), (h), (i), and (j);
893 (5)(f) and (g); (8)(a), (b), and (e), ~~and (f)~~; (9)(a)2.; (11);
894 and (12) while hunting on the licensed preserve property, shall
895 be \$500. Such commercial hunting preserve license shall be
896 available only to those private hunting preserves licensed
897 pursuant to this section which are operated exclusively for
898 commercial purposes, which are open to the public, and for which
899 a uniform fee is charged to patrons for hunting privileges.

900 Section 11. Section 372.831, Florida Statutes, is created
901 to read:

902 372.831 Wildlife Violators Compact.--The Wildlife
903 Violators Compact is created and entered into with all other
904 jurisdictions legally joining therein in the form substantially
905 as follows:

906
907 ARTICLE I

908 Findings

909
910 (1) The participating states find that:

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911 (a) Wildlife resources are managed in trust by the
912 respective states for the benefit of all residents and visitors.

913 (b) The protection of the wildlife resources of a state is
914 materially affected by the degree of compliance with state
915 statutes, laws, regulations, ordinances, and administrative
916 rules relating to the management of such resources.

917 (c) The preservation, protection, management, and
918 restoration of wildlife contributes immeasurably to the
919 aesthetic, recreational, and economic aspects of such natural
920 resources.

921 (d) Wildlife resources are valuable without regard to
922 political boundaries; therefore, every person should be required
923 to comply with wildlife preservation, protection, management,
924 and restoration laws, ordinances, and administrative rules and
925 regulations of the participating states as a condition precedent
926 to the continuance or issuance of any license to hunt, fish,
927 trap, or possess wildlife.

928 (e) Violation of wildlife laws interferes with the
929 management of wildlife resources and may endanger the safety of
930 persons and property.

931 (f) The mobility of many wildlife law violators
932 necessitates the maintenance of channels of communication among
933 the various states.

934 (g) In most instances, a person who is cited for a
935 wildlife violation in a state other than his or her home state:

936 1. Is required to post collateral or a bond to secure
937 appearance for a trial at a later date;

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938 2. Is taken into custody until the collateral or bond is
939 posted; or

940 3. Is taken directly to court for an immediate appearance.

941 (h) The purpose of the enforcement practices set forth in
942 paragraph (g) is to ensure compliance with the terms of a
943 wildlife citation by the cited person who, if permitted to
944 continue on his or her way after receiving the citation, could
945 return to his or her home state and disregard his or her duty
946 under the terms of the citation.

947 (i) In most instances, a person receiving a wildlife
948 citation in his or her home state is permitted to accept the
949 citation from the officer at the scene of the violation and
950 immediately continue on his or her way after agreeing or being
951 instructed to comply with the terms of the citation.

952 (j) The practices described in paragraph (g) cause
953 unnecessary inconvenience and, at times, a hardship for the
954 person who is unable at the time to post collateral, furnish a
955 bond, stand trial, or pay a fine and thus is compelled to remain
956 in custody until some alternative arrangement is made.

957 (k) The enforcement practices described in paragraph (g)
958 consume an undue amount of law enforcement time.

959 (2) It is the policy of the participating states to:

960 (a) Promote compliance with the statutes, laws,
961 ordinances, regulations, and administrative rules relating to
962 management of wildlife resources in their respective states.

963 (b) Recognize the suspension of wildlife license
964 privileges of any person whose license privileges have been

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965 suspended by a participating state and treat such suspension as
966 if it had occurred in that person's home state.

967 (c) Allow a violator, except as provided in subsection (2)
968 of Article III, to accept a wildlife citation and, without
969 delay, proceed on his or her way, regardless of whether he or
970 she is a resident of the state in which the citation was issued,
971 provided that the violator's home state is party to this
972 compact.

973 (d) Report to the appropriate participating state, as
974 provided in the compact manual, any conviction recorded against
975 any person whose home state was not the issuing state.

976 (e) Allow the home state to recognize and treat
977 convictions recorded against its residents, which convictions
978 occurred in a participating state, as though they had occurred
979 in the home state.

980 (f) Extend cooperation to its fullest extent among the
981 participating states for enforcing compliance with the terms of
982 a wildlife citation issued in one participating state to a
983 resident of another participating state.

984 (g) Maximize effective use of law enforcement personnel
985 and information.

986 (h) Assist court systems in the efficient disposition of
987 wildlife violations.

988 (3) The purpose of this compact is to:

989 (a) Provide a means through which participating states may
990 join in a reciprocal program to effectuate the policies
991 enumerated in subsection (2) in a uniform and orderly manner.

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992 (b) Provide for the fair and impartial treatment of
 993 wildlife violators operating within participating states in
 994 recognition of the violator's right to due process and the
 995 sovereign status of a participating state.

996

997 ARTICLE II
 998 Definitions

999

1000 As used in this compact, unless the context requires otherwise:

1001 (1) "Citation" means any summons, complaint, summons and
 1002 complaint, ticket, penalty assessment, or other official
 1003 document issued to a person by a wildlife officer or other peace
 1004 officer for a wildlife violation which contains an order
 1005 requiring the person to respond.

1006 (2) "Collateral" means any cash or other security
 1007 deposited to secure an appearance for trial in connection with
 1008 the issuance by a wildlife officer or other peace officer of a
 1009 citation for a wildlife violation.

1010 (3) "Compliance," with respect to a citation, means the
 1011 act of answering a citation through an appearance in a court or
 1012 tribunal or through the payment of fines, costs, and surcharges,
 1013 if any.

1014 (4) "Conviction" means a conviction, including any court
 1015 conviction, for any offense related to the preservation,
 1016 protection, management, or restoration of wildlife which is
 1017 prohibited by state statute, law, regulation, ordinance, or
 1018 administrative rule, and such conviction shall also include the
 1019 forfeiture of any bail, bond, or other security deposited to

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1020 secure appearance by a person charged with having committed any
 1021 such offense, the payment of a penalty assessment, a plea of
 1022 nolo contendere, and the imposition of a deferred or suspended
 1023 sentence by the court.

1024 (5) "Court" means a court of law, including magistrate's
 1025 court and the justice of the peace court.

1026 (6) "Home state" means the state of primary residence of a
 1027 person.

1028 (7) "Issuing state" means the participating state that
 1029 issues a wildlife citation to the violator.

1030 (8) "License" means any license, permit, or other public
 1031 document that conveys to the person to whom it was issued the
 1032 privilege of pursuing, possessing, or taking any wildlife
 1033 regulated by statute, law, regulation, ordinance, or
 1034 administrative rule of a participating state; however, when
 1035 applied to licenses issued by the State of Florida, only those
 1036 licenses issued pursuant to ss. 372.561, 372.562, and 372.57,
 1037 Florida Statutes, shall be considered licenses.

1038 (9) "Licensing authority" means the department or division
 1039 within each participating state that is authorized by law to
 1040 issue or approve licenses or permits to hunt, fish, trap, or
 1041 possess wildlife.

1042 (10) "Participating state" means any state that enacts
 1043 legislation to become a member of this wildlife compact.

1044 (11) "Personal recognizance" means an agreement by a
 1045 person made at the time of issuance of the wildlife citation
 1046 that such person will comply with the terms of the citation.

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1047 (12) "State" means any state, territory, or possession of
 1048 the United States, the District of Columbia, the Commonwealth of
 1049 Puerto Rico, the Provinces of Canada, and other countries.

1050 (13) "Suspension" means any revocation, denial, or
 1051 withdrawal of any or all license privileges, including the
 1052 privilege to apply for, purchase, or exercise the benefits
 1053 conferred by any license.

1054 (14) "Terms of the citation" means those conditions and
 1055 options expressly stated upon the citation.

1056 (15) "Wildlife" means all species of animals, including,
 1057 but not limited to, mammals, birds, fish, reptiles, amphibians,
 1058 mollusks, and crustaceans, that are defined as "wildlife" and
 1059 are protected or otherwise regulated by statute, law,
 1060 regulation, ordinance, or administrative rule in a participating
 1061 state. Species included in the definition of "wildlife" vary
 1062 from state to state, and determination of whether a species is
 1063 "wildlife" for the purposes of this compact shall be based on
 1064 local law.

1065 (16) "Wildlife law" means any statute, law, regulation,
 1066 ordinance, or administrative rule developed and enacted for the
 1067 management of wildlife resources and the uses thereof.

1068 (17) "Wildlife officer" means any individual authorized by
 1069 a participating state to issue a citation for a wildlife
 1070 violation.

1071 (18) "Wildlife violation" means any cited violation of a
 1072 statute, law, regulation, ordinance, or administrative rule
 1073 developed and enacted for the management of wildlife resources
 1074 and the uses thereof.

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ARTICLE III

Procedures for Issuing State

(1) When issuing a citation for a wildlife violation, a wildlife officer shall issue a citation to any person whose primary residence is in a participating state in the same manner as though the person were a resident of the issuing state and shall not require such person to post collateral to secure appearance, subject to the exceptions noted in subsection (2), if the officer receives the recognizance of such person that he or she will comply with the terms of the citation.

(2) Personal recognizance is acceptable if not prohibited by local law, by any issuing agency policy, procedure, or regulation, or by the compact manual and if the violator provides adequate proof of identification to the wildlife officer.

(3) Upon conviction or failure of a person to comply with the terms of a wildlife citation, the appropriate official shall report the conviction or failure to comply to the licensing authority of the participating state in which the wildlife citation was issued. The report shall be made in accordance with procedures specified by the issuing state and shall contain information as specified in the compact manual as minimum requirements for effective processing by the home state.

(4) Upon receipt of the report of conviction or noncompliance pursuant to subsection (3), the licensing authority of the issuing state shall transmit to the licensing

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1103 | authority of the home state of the violator the information in
1104 | form and content as prescribed in the compact manual.

1105

1106 | ARTICLE IV

1107 | Procedure for Home State

1108

1109 | (1) Upon receipt of a report from the licensing authority
1110 | of the issuing state reporting the failure of a violator to
1111 | comply with the terms of a citation, the licensing authority of
1112 | the home state shall notify the violator and shall initiate a
1113 | suspension action in accordance with the home state's suspension
1114 | procedures and shall suspend the violator's license privileges
1115 | until satisfactory evidence of compliance with the terms of the
1116 | wildlife citation has been furnished by the issuing state to the
1117 | home state licensing authority. Due process safeguards will be
1118 | accorded.

1119 | (2) Upon receipt of a report of conviction from the
1120 | licensing authority of the issuing state, the licensing
1121 | authority of the home state shall enter such conviction in its
1122 | records and shall treat such conviction as though it occurred in
1123 | the home state for the purposes of the suspension of license
1124 | privileges.

1125 | (3) The licensing authority of the home state shall
1126 | maintain a record of actions taken and shall make reports to
1127 | issuing states as provided in the compact manual.

1128

1129 | ARTICLE V

1130 | Reciprocal Recognition of Suspension

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1131
1132 (1) All participating states shall recognize the
1133 suspension of license privileges of any person by any
1134 participating state as though the violation resulting in the
1135 suspension had occurred in their state and could have been the
1136 basis for suspension of license privileges in their state.

1137 (2) Each participating state shall communicate suspension
1138 information to other participating states in form and content as
1139 contained in the compact manual.

1140

1141 ARTICLE VI

1142 Applicability of Other Laws

1143

1144 Except as expressly required by provisions of this compact,
1145 nothing herein shall be construed to affect the right of any
1146 participating state to apply any of its laws relating to license
1147 privileges to any person or circumstance or to invalidate or
1148 prevent any agreement or other cooperative arrangement between a
1149 participating state and a nonparticipating state concerning
1150 wildlife law enforcement.

1151

1152 ARTICLE VII

1153 Compact Administrator Procedures

1154

1155 (1) For the purpose of administering the provisions of
1156 this compact and to serve as a governing body for the resolution
1157 of all matters relating to the operation of this compact, a
1158 board of compact administrators is established. The board shall

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1159 be composed of one representative from each of the participating
1160 states to be known as the compact administrator. The compact
1161 administrator shall be appointed by the head of the licensing
1162 authority of each participating state and shall serve and be
1163 subject to removal in accordance with the laws of the state he
1164 or she represents. A compact administrator may provide for the
1165 discharge of his or her duties and the performance of his or her
1166 functions as a board member by an alternate. An alternate shall
1167 not be entitled to serve unless written notification of his or
1168 her identity has been given to the board.

1169 (2) Each member of the board of compact administrators
1170 shall be entitled to one vote. No action of the board shall be
1171 binding unless taken at a meeting at which a majority of the
1172 total number of the board's votes is cast in favor thereof.
1173 Action by the board shall be only at a meeting at which a
1174 majority of the participating states is represented.

1175 (3) The board shall elect annually from its membership a
1176 chair and vice chair.

1177 (4) The board shall adopt bylaws not inconsistent with the
1178 provisions of this compact or the laws of a participating state
1179 for the conduct of its business and shall have the power to
1180 amend and rescind its bylaws.

1181 (5) The board may accept for any of its purposes and
1182 functions under this compact any and all donations and grants of
1183 moneys, equipment, supplies, materials, and services,
1184 conditional or otherwise, from any state, the United States, or
1185 any governmental agency and may receive, utilize, and dispose of
1186 same.

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1187 (6) The board may contract with, or accept services or
 1188 personnel from, any governmental or intergovernmental agency,
 1189 individual, firm, or corporation or any private nonprofit
 1190 organization or institution.

1191 (7) The board shall formulate all necessary procedures and
 1192 develop uniform forms and documents for administering the
 1193 provisions of this compact. All procedures and forms adopted
 1194 pursuant to board action shall be contained in a compact manual.

1196 ARTICLE VIII

1197 Entry into and Withdrawal from Compact

1199 (1) This compact shall become effective at such time as it
 1200 is adopted in substantially similar form by two or more states.

1201 (2) (a) Entry into the compact shall be made by resolution
 1202 of ratification executed by the authorized officials of the
 1203 applying state and submitted to the chair of the board.

1204 (b) The resolution shall substantially be in the form and
 1205 content as provided in the compact manual and shall include the
 1206 following:

1207 1. A citation of the authority from which the state is
 1208 empowered to become a party to this compact.

1209 2. An agreement of compliance with the terms and
 1210 provisions of this compact.

1211 3. An agreement that compact entry is with all states
 1212 participating in the compact and with all additional states
 1213 legally becoming a party to the compact.

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1214 (c) The effective date of entry shall be specified by the
1215 applying state but shall not be less than 60 days after notice
1216 has been given by the chair of the board of the compact
1217 administrators or by the secretary of the board to each
1218 participating state that the resolution from the applying state
1219 has been received.

1220 (3) A participating state may withdraw from participation
1221 in this compact by official written notice to each participating
1222 state, but withdrawal shall not become effective until 90 days
1223 after the notice of withdrawal is given. The notice shall be
1224 directed to the compact administrator of each member state. No
1225 withdrawal of any state shall affect the validity of this
1226 compact as to the remaining participating states.

1227
1228 ARTICLE IX

1229 Amendments to the Compact
1230

1231 (1) This compact may be amended. Amendments shall be
1232 presented in resolution form to the chair of the board of
1233 compact administrators and shall be initiated by one or more
1234 participating states.

1235 (2) Adoption of an amendment shall require endorsement by
1236 all participating states and shall become effective 30 days
1237 after the date of the last endorsement.

1238 (3) Failure of a participating state to respond to the
1239 chair of the board within 60 days after receipt of a proposed
1240 amendment shall constitute endorsement thereof.
1241

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CS1242 ARTICLE X1243 Construction and Severability

1244
1245 This compact shall be liberally construed so as to effectuate
1246 the purposes stated herein. The provisions of this compact shall
1247 be severable, and if any phrase, clause, sentence, or provision
1248 of this compact is declared to be contrary to the constitution
1249 of any participating state or of the United States, or if the
1250 applicability thereof to any government, agency, individual, or
1251 circumstance is held invalid, the validity of the remainder of
1252 this compact shall not be affected thereby. If this compact is
1253 declared to be contrary to the constitution of any participating
1254 state, the compact shall remain in full force and effect as to
1255 the remaining states and in full force and effect as to the
1256 participating state affected as to all severable matters.

1257
1258 ARTICLE XI1259 Title

1260
1261 This compact shall be known as the "Wildlife Violator Compact."

1262 Section 12. Section 372.832, Florida Statutes, is created
1263 to read:

1264 372.832 Compact licensing authority; ratification.--For
1265 purposes of this chapter and the interstate Wildlife Violator
1266 Compact, the Fish and Wildlife Conservation Commission is the
1267 licensing authority for the State of Florida and shall enforce
1268 the interstate Wildlife Violator Compact and do all things
1269 within its jurisdiction that are necessary to effectuate the

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1270 purposes and the intent of the compact. The commission is
 1271 authorized to execute a resolution of ratification to formalize
 1272 the state's entry into the compact.

1273 Section 13. Section 372.833, Florida Statutes, is created
 1274 to read:

1275 372.833 Compact enforcement; violation review.--Any act
 1276 done or omitted pursuant to, or in enforcing, the provisions of
 1277 the interstate Wildlife Violator Compact shall be subject to
 1278 review by the commission in accordance with chapter 120, but any
 1279 review of a suspension for the failure of a violator to comply
 1280 with the terms of a citation or a conviction pursuant to the
 1281 compact shall be limited to establishing the identity of the
 1282 person so convicted or failing to comply with a citation.

1283 Section 14. Section 370.028, Florida Statutes, is amended
 1284 to read:

1285 370.028 Enforcement of commission rules; penalties for
 1286 violation of rule.--Rules of the Fish and Wildlife Conservation
 1287 Commission shall be enforced by any law enforcement officer
 1288 certified pursuant to s. 943.13. Any person who violates or
 1289 otherwise fails to comply with any rule adopted by the
 1290 commission shall be punished pursuant to s. 370.021(2)~~(1)~~.

1291 Section 15. Subsections (3) and (4) of section 370.092,
 1292 Florida Statutes, are amended to read:

1293 370.092 Carriage of proscribed nets across Florida
 1294 waters.--

1295 (3) Notwithstanding subsections (1) and (2), unless
 1296 authorized by rule of the Fish and Wildlife Conservation
 1297 Commission, it is a major violation under this section,

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1298 | punishable as provided in s. 370.021(4)~~(3)~~, for any person,
 1299 | firm, or corporation to possess any gill or entangling net, or
 1300 | any seine net larger than 500 square feet in mesh area, on any
 1301 | airboat or on any other vessel less than 22 feet in length and
 1302 | on any vessel less than 25 feet if primary power of the vessel
 1303 | is mounted forward of the vessel center point. Gill or
 1304 | entangling nets shall be as defined in s. 16, Art. X of the
 1305 | State Constitution, s. 370.093(2)(b), or in a rule of the Fish
 1306 | and Wildlife Conservation Commission implementing s. 16, Art. X
 1307 | of the State Constitution. Vessel length shall be determined in
 1308 | accordance with current United States Coast Guard regulations
 1309 | specified in the Code of Federal Regulations or as titled by the
 1310 | State of Florida. The Marine Fisheries Commission is directed to
 1311 | initiate by July 1, 1998, rulemaking to adjust by rule the use
 1312 | of gear on vessels longer than 22 feet where the primary power
 1313 | of the vessel is mounted forward of the vessel center point in
 1314 | order to prevent the illegal use of gill and entangling nets in
 1315 | state waters and to provide reasonable opportunities for the use
 1316 | of legal net gear in adjacent federal waters.

1317 | (4) The Fish and Wildlife Conservation Commission shall
 1318 | adopt rules to prohibit the possession and sale of mullet taken
 1319 | in illegal gill or entangling nets. Violations of such rules
 1320 | shall be punishable as provided in s. 370.021(4)~~(3)~~.

1321 | Section 16. Subsection (5) of section 370.093, Florida
 1322 | Statutes, is amended to read:

1323 | 370.093 Illegal use of nets.--

1324 | (5) Any person who violates this section shall be punished
 1325 | as provided in s. 370.021(4)~~(3)~~.

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1326 Section 17. Paragraph (s) of subsection (2) of section
1327 370.12, Florida Statutes, is amended to read:

1328 370.12 Marine animals; regulation.--

1329 (2) PROTECTION OF MANATEES OR SEA COWS.--

1330 (s) Except as otherwise provided in this paragraph, any
1331 person violating the provisions of this subsection or any rule
1332 or ordinance adopted pursuant to this subsection commits a
1333 misdemeanor, punishable as provided in s. 370.021(2)~~(1)~~(a) or
1334 (b).

1335 1. Any person operating a vessel in excess of a posted
1336 speed limit shall be guilty of a civil infraction, punishable as
1337 provided in s. 327.73, except as provided in subparagraph 2.

1338 2. This paragraph does not apply to persons violating
1339 restrictions governing "No Entry" zones or "Motorboat
1340 Prohibited" zones, who, if convicted, shall be guilty of a
1341 misdemeanor, punishable as provided in s. 370.021(2)~~(1)~~(a) or
1342 (b), or, if such violation demonstrates blatant or willful
1343 action, may be found guilty of harassment as described in
1344 paragraph (d).

1345 3. A person may engage in any activity otherwise
1346 prohibited by this subsection or any rule or ordinance adopted
1347 pursuant to this subsection if the activity is reasonably
1348 necessary in order to prevent the loss of human life or a vessel
1349 in distress due to weather conditions or other reasonably
1350 unforeseen circumstances, or in order to render emergency
1351 assistance to persons or a vessel in distress.

1352 Section 18. Subsection (2) of section 370.1405, Florida
1353 Statutes, is amended to read:

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1354 370.1405 Crawfish reports by dealers during closed season
1355 required.--

1356 (2) Failure to submit a report as described in subsection
1357 (1) or reporting a greater or lesser amount of whole crawfish,
1358 crawfish tails, or crawfish meat than is actually in the
1359 dealer's possession or name is a major violation of this
1360 chapter, punishable as provided in s. 370.021(2)~~(1)~~, s.
1361 370.07(6)(b), or both. The commission shall seize the entire
1362 supply of unreported or falsely reported whole crawfish,
1363 crawfish tails, or crawfish meat, and shall carry the same
1364 before the court for disposal. The dealer shall post a cash bond
1365 in the amount of the fair value of the entire quantity of
1366 unreported or falsely reported crawfish as determined by the
1367 judge. After posting the cash bond, the dealer shall have 24
1368 hours to transport said products outside the limits of Florida
1369 for sale as provided by s. 370.061. Otherwise, the product shall
1370 be declared a nuisance and disposed of by the commission
1371 according to law.

1372 Section 19. Paragraph (c) of subsection (2) of section
1373 370.142, Florida Statutes, is amended to read:

1374 370.142 Spiny lobster trap certificate program.--

1375 (2) TRANSFERABLE TRAP CERTIFICATES; TRAP TAGS; FEES;
1376 PENALTIES.--The Fish and Wildlife Conservation Commission shall
1377 establish a trap certificate program for the spiny lobster
1378 fishery of this state and shall be responsible for its
1379 administration and enforcement as follows:

1380 (c) Prohibitions; penalties.--

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1381 1. It is unlawful for a person to possess or use a spiny
1382 lobster trap in or on state waters or adjacent federal waters
1383 without having affixed thereto the trap tag required by this
1384 section. It is unlawful for a person to possess or use any other
1385 gear or device designed to attract and enclose or otherwise aid
1386 in the taking of spiny lobster by trapping that is not a trap as
1387 defined in rule 68B-24.006(2), Florida Administrative Code.

1388 2. It is unlawful for a person to possess or use spiny
1389 lobster trap tags without having the necessary number of
1390 certificates on record as required by this section.

1391 3. It is unlawful for any person to willfully molest, take
1392 possession of, or remove the contents of another harvester's
1393 trap without the express written consent of the trap owner
1394 available for immediate inspection. Unauthorized possession of
1395 another's trap gear or removal of trap contents constitutes
1396 theft. Any person receiving a judicial disposition other than
1397 dismissal or acquittal on a charge of theft of or from a trap
1398 pursuant to this subparagraph or s. 370.1107 shall, in addition
1399 to the penalties specified in ss. 370.021 and 370.14 and the
1400 provisions of this section, permanently lose all his or her
1401 saltwater fishing privileges, including his or her saltwater
1402 products license, crawfish endorsement, and all trap
1403 certificates allotted to him or her through this program. In
1404 such cases, trap certificates and endorsements are
1405 nontransferable. Any person receiving a judicial disposition
1406 other than dismissal or acquittal on a charge of willful
1407 molestation of a trap, in addition to the penalties specified in
1408 ss. 370.021 and 370.14, shall lose all saltwater fishing

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1409 | privileges for a period of 24 calendar months. In addition, any
1410 | person, firm, or corporation charged with violating this
1411 | paragraph and receiving a judicial disposition other than
1412 | dismissal or acquittal for violating this subparagraph or s.
1413 | 370.1107 shall also be assessed an administrative penalty of up
1414 | to \$5,000. Immediately upon receiving a citation for a violation
1415 | involving theft of or from a trap, or molestation of a trap, and
1416 | until adjudicated for such a violation or, upon receipt of a
1417 | judicial disposition other than dismissal or acquittal of such a
1418 | violation, the person, firm, or corporation committing the
1419 | violation is prohibited from transferring any crawfish trap
1420 | certificates and endorsements.

1421 | 4. In addition to any other penalties provided in s.
1422 | 370.021, a commercial harvester, as defined by rule 68B-
1423 | 24.002(1), Florida Administrative Code, who violates the
1424 | provisions of this section, or the provisions relating to traps
1425 | of chapter 68B-24, Florida Administrative Code, shall be
1426 | punished as follows:

1427 | a. If the first violation is for violation of subparagraph
1428 | 1. or subparagraph 2., the commission shall assess an additional
1429 | civil penalty of up to \$1,000 and the crawfish trap number
1430 | issued pursuant to s. 370.14(2) or (6) may be suspended for the
1431 | remainder of the current license year. For all other first
1432 | violations, the commission shall assess an additional civil
1433 | penalty of up to \$500.

1434 | b. For a second violation of subparagraph 1. or
1435 | subparagraph 2. which occurs within 24 months of any previous
1436 | such violation, the commission shall assess an additional civil

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1437 penalty of up to \$2,000 and the crawfish trap number issued
1438 pursuant to s. 370.14(2) or (6) may be suspended for the
1439 remainder of the current license year.

1440 c. For a third or subsequent violation of subparagraph 1.,
1441 subparagraph 2., or subparagraph 3. which occurs within 36
1442 months of any previous two such violations, the commission shall
1443 assess an additional civil penalty of up to \$5,000 and may
1444 suspend the crawfish trap number issued pursuant to s. 370.14(2)
1445 or (6) for a period of up to 24 months or may revoke the
1446 crawfish trap number and, if revoking the crawfish trap number,
1447 may also proceed against the licenseholder's saltwater products
1448 license in accordance with the provisions of s.
1449 370.021(3)~~(2)~~(h).

1450 d. Any person assessed an additional civil penalty
1451 pursuant to this section shall within 30 calendar days after
1452 notification:

1453 (I) Pay the civil penalty to the commission; or

1454 (II) Request an administrative hearing pursuant to the
1455 provisions of s. 120.60.

1456 e. The commission shall suspend the crawfish trap number
1457 issued pursuant to s. 370.14(2) or (6) for any person failing to
1458 comply with the provisions of sub-subparagraph d.

1459 5.a. It is unlawful for any person to make, alter, forge,
1460 counterfeit, or reproduce a spiny lobster trap tag or
1461 certificate.

1462 b. It is unlawful for any person to knowingly have in his
1463 or her possession a forged, counterfeit, or imitation spiny
1464 lobster trap tag or certificate.

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1465 c. It is unlawful for any person to barter, trade, sell,
1466 supply, agree to supply, aid in supplying, or give away a spiny
1467 lobster trap tag or certificate or to conspire to barter, trade,
1468 sell, supply, aid in supplying, or give away a spiny lobster
1469 trap tag or certificate unless such action is duly authorized by
1470 the commission as provided in this chapter or in the rules of
1471 the commission.

1472 6.a. Any person who violates the provisions of
1473 subparagraph 5., or any person who engages in the commercial
1474 harvest, trapping, or possession of spiny lobster without a
1475 crawfish trap number as required by s. 370.14(2) or (6) or
1476 during any period while such crawfish trap number is under
1477 suspension or revocation, commits a felony of the third degree,
1478 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1479 b. In addition to any penalty imposed pursuant to sub-
1480 subparagraph a., the commission shall levy a fine of up to twice
1481 the amount of the appropriate surcharge to be paid on the fair
1482 market value of the transferred certificates, as provided in
1483 subparagraph (a)1., on any person who violates the provisions of
1484 sub-subparagraph 5.c.

1485 7. Any certificates for which the annual certificate fee
1486 is not paid for a period of 3 years shall be considered
1487 abandoned and shall revert to the commission. During any period
1488 of trap reduction, any certificates reverting to the commission
1489 shall become permanently unavailable and be considered in that
1490 amount to be reduced during the next license-year period.
1491 Otherwise, any certificates that revert to the commission are to
1492 be reallocated in such manner as provided by the commission.

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1493 | 8. The proceeds of all civil penalties collected pursuant
1494 | to subparagraph 4. and all fines collected pursuant to sub-
1495 | subparagraph 6.b. shall be deposited into the Marine Resources
1496 | Conservation Trust Fund.

1497 | 9. All traps shall be removed from the water during any
1498 | period of suspension or revocation.

1499 | Section 20. This act shall take effect January 1, 2007.