

## Committee Substitute for Senate Bill No. 1742

An act relating to the Fish and Wildlife Conservation Commission; transferring the Invasive Plant Control Trust Fund in the Department of Environmental Protection to the Fish and Wildlife Conservation Commission; transferring to the Fish and Wildlife Conservation Commission all powers, duties, records, personnel, property, funds, rules, issues, and contracts of the Bureau of Invasive Plant Management in the Department of Environmental Protection; ratifying actions taken pursuant to chapter 2008-150, Laws of Florida, and an interagency agreement executed pursuant thereto; amending s. 379.353, F.S.; providing that a freshwater fishing or saltwater fishing license is not required for a resident recreationally fishing within her or his county of residence with specific fishing gear; providing that a hunting, freshwater fishing, or saltwater fishing license or permit is not required for any resident saltwater fishing from land who has been determined eligible for the food stamps, temporary cash assistance, or the Medicaid programs; providing for proof of eligibility for the qualifying programs; removing the exemption from the need to possess a license for a resident fishing for a saltwater species in fresh water from land; amending s. 379.354, F.S.; providing for an annual resident shoreline fishing license and fee; reenacting s. 379.3581(7), F.S., relating to hunter safety courses, to incorporate the amendments made to s. 379.353, F.S., in a reference thereto; providing effective dates.

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

Section 1. The Invasive Plant Control Trust Fund, FLAIR number 37-2-030, in the Department of Environmental Protection is transferred to the Fish and Wildlife Conservation Commission, FLAIR number 77-2-030.

Section 2. The statutory powers, duties, and functions related to ss. 369.20, 369.22, and 369.252, Florida Statutes, which were transferred by chapter 2008-150, Laws of Florida, and all records, personnel, and property; unexpended balances of appropriations, allocations, and other funds; administrative authority; administrative rules; pending issues; and existing contracts of the Bureau of Invasive Plant Management in the Department of Environmental Protection are transferred by a type two transfer, pursuant to s. 20.06(2), Florida Statutes, to the Fish and Wildlife Conservation Commission. All actions taken pursuant to chapter 2008-150, Laws of Florida, and the interagency agreement executed pursuant thereto are ratified.

Section 3. Effective August 1, 2009, subsection (2) of section 379.353, Florida Statutes, is amended to read:

379.353 Recreational licenses and permits; exemptions from fees and requirements.—

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

(a) Any child under 16 years of age, except as otherwise provided in this part.

(b) Any person hunting or freshwater fishing on her or his homestead property, or on the homestead property of the person's spouse or minor child; or any minor child hunting or freshwater fishing on the homestead property of her or his parent.

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

(d) Any resident ~~freshwater~~ fishing for recreational purposes only, within her or his county of residence with live or natural bait, using poles or lines not equipped with a fishing line retrieval mechanism. This exemption does not apply to residents fishing in a legally established fish management area.

(e) Any person freshwater fishing in a fish pond of 20 acres or less that is located entirely within the private property of the fish pond owner.

(f) Any person freshwater fishing in a fish pond that is licensed in accordance with s. 379.356.

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

(h) Any resident saltwater fishing from land or from a structure fixed to the land who has been determined eligible by the Department of Children and Family Services for the food stamp program, temporary cash assistance, or the Medicaid programs. A benefit issuance or program identification card issued by the Department of Children and Family Services or the Florida Medicaid program of the Agency for Health Care Administration shall serve as proof of program eligibility. The client must have in his or her possession the ID Card and positive proof of identification when fishing.

(i) Any person saltwater fishing from a vessel licensed pursuant to s. 379.354(7).

(j) Any person saltwater fishing from a vessel the operator of which is licensed pursuant to s. 379.354(7).

(k) Any person saltwater fishing who holds a valid saltwater products license issued under s. 379.361(2).

(l) Any person saltwater fishing for recreational purposes from a pier licensed under s. 379.354.

~~(m) Any resident fishing for a saltwater species in fresh water from land or from a structure fixed to land.~~

~~(m)~~(n) Any resident fishing for mullet in fresh water who has a valid Florida freshwater fishing license.

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

~~(o)(p)~~ Any employee of the commission who takes freshwater fish, saltwater fish, or game as part of employment with the commission, or any other person authorized by commission permit to take freshwater fish, saltwater fish, or game for scientific or educational purposes.

~~(p)(q)~~ Any resident recreationally freshwater fishing who holds a valid commercial fishing license issued under s. 379.3625(1)(a).

Section 4. Effective July 15, 2009, paragraph (k) is added to subsection (4) of 379.354, Florida Statutes, to read:

379.354 Recreational licenses, permits, and authorization numbers; fees established.—

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

(k) Annual resident shoreline fishing license, \$7.50. The annual resident shoreline fishing license allows any resident to saltwater fish from land or from a structure fixed to the land. This license is not required for any resident issued any other license identified in this section that allows the take of saltwater fish.

Section 5. Effective July 1, 2009, for the purpose of incorporating the amendment made by this act to section 379.353, Florida Statutes, in a reference thereto, subsection (7) of section 379.3581, Florida Statutes, is reenacted to read:

379.3581 Hunter safety course; requirements; penalty.—

(7) The hunter safety requirements of this section do not apply to persons for whom licenses are not required under s. 379.353(2).

Section 6. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor May 27, 2009.

Filed in Office Secretary of State May 27, 2009.