

# Florida Fish and Wildlife Conservation Commission

July 14 - 15, 2005

## Legislative Proposals for 2006 Session:

### 1) Blue Crab License and Penalty –

This legislative proposal establishes fees and penalties for the commercial blue crab effort management program approved by the Florida Fish and Wildlife Conservation Commission in June 2005. The successful implementation of the management program in July 2006 is contingent on legislative action.

The proposal establishes a hard shell blue crab endorsement fee of \$125, a soft shell blue crab endorsement fee of \$250, and a trap tag fee of \$0.50 per tag. Twenty-five dollars (\$25) from each endorsement would be dedicated to the blue crab trap retrieval program. Along with adding blue crab traps to the post-season trap retrieval program already in place for spiny lobster and stone crabs, the proposal includes a fee of \$10 for every trap retrieved during the post season; however, the retrieval fee would be waived for the first five traps belonging to a holder of a blue crab trap endorsement. The trap retrieval fees are consistent with those in the spiny lobster and stone crab trap fisheries.

The proposal establishes an administrative penalty of up to \$5000 and a suspension of commercial saltwater fishing privileges for up to 24 months to be assessed for a violation of untagged traps, using or making counterfeit trap tags, false application for replacement trap tags, or false reporting of endorsement transfer value. The penalty would apply for any judicial disposition other than acquittal or dismissal. These penalties would provide consistency with those in the stone crab fishery. They would also provide consistency with those in the spiny lobster fishery, subject to passage of a separate proposal for administrative penalties for counterfeit lobster trap tags.

### 2) Black Sea Bass Trap Retrieval Program Fee

This legislative proposal adds black sea bass traps to the post-season trap retrieval program including a \$10-per-trap retrieval fee. The proposal does not waive the fee for the first five traps retrieved because, unlike other fisheries that have allotted \$25 of their respective endorsement fees to trap retrieval, there is no black sea bass endorsement fee.

### 3) Lobster Counterfeit Trap Tag Penalty –

The possession or use of spiny lobster trap tags not issued by the Florida Fish and Wildlife Conservation (Commission) is currently prohibited. A violation involving counterfeit trap tags carries a criminal penalty of a third degree felony; however there is no corresponding administrative penalty.

The use of counterfeit trap tags to fish more traps than otherwise allowed constitutes an unlawful and unfair advantage over fishers who conscientiously adhere to existing rules and regulations.

This proposal would establish an administrative penalty of up to \$5000 and a suspension of commercial saltwater fishing privileges for up to 24 months to be assessed for possession or use of altered, forged, counterfeit or imitation spiny lobster trap tags and the making, altering, forging, counterfeiting or reproducing of spiny lobster trap tags. This penalty would apply for receipt of a judicial disposition other than acquittal or dismissal. Establishing this penalty would provide consistency of administrative penalties with the stone crab trap fishery and with the requested administrative penalty for the blue crab trap fishery.

4) Hunter Safety Course Standards –

This proposal is to delete the requirement that each Hunter Safety course must consist of a minimum 12 hours of instruction. This approach would not weaken the course but provide flexibility to tailor the hunter safety course curriculum to curriculum standards established by the International Hunter Education Association (IHEA) and adopted by the U.S. Fish and Wildlife Service, Division of Federal Aid. These standards would determine the minimum hours of instruction required for hunter safety certification and ensure the accreditation of the program by the IHEA, therefore addressing reciprocity issues by assuring that all other states and countries accept the Florida Hunter Safety course as proof of safe hunter certification.

5) Hunter Safety Mentoring -

This proposal would provide a 1 year mentor option that defers the hunter safety course requirement for 1 year and allows a person to purchase a hunting license at the regular price and hunt with someone who has met the hunter safety course requirements. The person receiving the mentor option would be allowed to hunt for no more than 1 year without successfully completing a hunter safety course and would be required to hunt under the supervision of a licensed hunter who has completed the course or a hunter who is old enough (born after June 1, 1975) to be exempt from the course requirement.

6) Derelict Vessels –

This proposal would provide local governments the authority to declare vessels derelict on their waterways, to remove such vessels without prior FWC approval, and would allow those local governments to recover their costs for such removal. Several Southwest Florida counties have requested this proposal to allow for derelict vessel problems to be handled at the local level. This issue was one part of a broader bill during the 2005 Session that did not pass

## **Work-In-Progress Legislative Proposals:**

### 7) Senior Platinum Sportsman's License

Currently, Florida residents who are 65 years of age or older are exempt from having to purchase hunting and fishing licenses. This proposal would eliminate this exemption and offer an option for residents 65 and older to purchase a Senior Platinum Sportsman's License at a reduced price or otherwise require them to purchase an individual hunting or fishing license at full price. These new license sales would allow Florida to receive additional federal aid from Sport Fish and Wildlife Restoration funds.

The Senior Platinum Sportsman's License would be established as a new annual combination license at a discounted price of \$25 per license (compared to \$82 for a Gold Sportsman's License). This license would provide the same privileges offered under the Gold Sportsman's License including hunting, saltwater fishing, freshwater fishing, wildlife management area permit, archery permit, muzzleloading gun permit, turkey permit, Florida waterfowl permit, snook permit, and crawfish permit.

License revenues generated from sales of the Senior Platinum Sportsman's License would be dedicated to support outdoor youth conservation programs. Revenues generated from individual hunting and fishing licenses sold to seniors would be directed to current uses.

### 8) Crossbow -

The Commission directed staff to develop rule change proposals that would allow the use of crossbows during archery and muzzleloading gun seasons. In addition, staff is proposing a rule change that would allow the use of hand-drawn bows during muzzleloading gun season. If these rule changes are considered and adopted at the February 2006 Commission meeting, changes in the statutes regarding permit fees for archery and muzzleloading gun seasons would be necessary

### 9) Manatee License Plate –

Along with the graphic redesign of the manatee license plate, this proposal would change the wording on the bottom of the plate from "Save the Manatee" to "Protect Manatees". Staff is in the process of communicating with interested stakeholders to gauge their level of support.

### 10) Penalty Review –

Consistency Among Hunting and Fishing Recreational Penalties  
- Update

## **Legislative Proposals for 2007 Session:**

### 11) Boating Citation Accounting and Transmission System (BCATS) –

This proposal would require a statewide accounting system that would process uniform boating citations electronically and uniformly in all 67 counties. The process would mirror the existing traffic citation entry system and eliminate the redundancy inherent throughout the current antiquated system. FWC would contract with the Florida Association of Court Clerks to provide data entry processing, disposition results, and financial reports related to FWC boating citations. There are still issues to be finalized, including funding, so the proposal will not be ready for the 2006 Session.

## **Other Issues**

Report on Interim Project Combining Chapters 370 (saltwater fisheries) and 372 (wildlife and freshwater fisheries)

- Update