The Water & Natural Resources Committee recommends the following:

**Council/Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to fish and wildlife; amending s. 370.01, F.S.; defining "commercial harvest"; amending s. 370.021, F.S.; revising penalties for violations related to commercial harvest; correcting cross-references; amending s. 370.061, F.S.; correcting a cross-reference; amending s. 372.57, F.S.; specifying seasonal recreational activities for which a license or permit is required; increasing fees for certain annual licenses; providing fees for certain permits; providing for crossbow season permits; providing penalties for the production, possession, and use of fraudulent fishing and hunting licenses; providing penalties for the taking of game and fish with a suspended or revoked license; amending s. 372.571, F.S.; correcting a cross-reference; amending s. 372.5717, F.S.; authorizing the Fish and Wildlife Conservation Commission to defer the hunter safety course requirement for a specified time period and issue a
restricted hunting license; limiting the number of
deferrals an individual is allowed; permitting hunting
with a restricted license under certain circumstances;
deleting the mandatory minimum number of instructional
hours for the required hunter safety course; providing an
exemption for the display of hunter safety certification;
providing penalties for violations; creating s. 372.825,
F.S.; establishing penalties for violations related to the
possession of captive wildlife; revising the penalties for
violations related to hunter safety course requirements;
amending s. 372.83, F.S.; revising the penalties for
violations of law and Fish and Wildlife Conservation
Commission rules and orders relating to recreational
activities; providing circumstances requiring a court
appearance; authorizing suspension or revocation of
license or permit; defining "conviction"; amending ss.
372.573 and 372.661, F.S.; correcting cross-references;
creating s. 372.831, F.S.; creating the interstate
Wildlife Violators Compact; providing findings, policy,
and purpose; providing definitions; providing requirements
and procedures for issuing and participating states for
issuance of violation citations; providing for reciprocal
recognition of certain license suspension related to fish
and wildlife activities; providing for applicability of
laws; providing procedures for compact administration;
establishing a board of compact administrators; providing
requirements and procedures with respect thereto;
providing for compact entry, withdrawal, ratification, and
amendment; providing for compact construction and
severability; providing the compact title; creating s.
372.832, F.S.; providing for compact licensing authority;
creating s. 372.833, F.S.; providing for compact
enforcement and violation review; amending ss. 370.028,
370.092, 370.093, 370.12, 370.1405, and 370.142, F.S.;
correcting cross-references; providing an effective date.

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

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

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

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

Section 2. Present subsections (1) through (4) of section
370.021, Florida Statutes, are renumbered as subsections (2)
through (5), respectively, and amended, present subsections (5)
through (12) are renumbered as subsections (6) through (13),
respectively, and a new subsection (1) is added to that section, to read:

370.021 Administration; rules, publications, records; penalties; injunctions.--

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

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

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

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

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

(3) MAJOR VIOLATIONS.--In addition to the penalties provided in paragraphs (2)(a) and (b), the court shall assess
additional penalties against any person, firm, or corporation convicted of major violations as follows:

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

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

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

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

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

1. Shortnose sturgeon (Acipenser brevirostrum);
2. Atlantic sturgeon (Acipenser oxyrhynchus);
3. Common snook (Centropomus undecimalis);
4. Atlantic loggerhead turtle (Caretta caretta caretta);
5. Atlantic green turtle (Chelonia mydas mydas);
6. Leatherback turtle (Dermochelys coriacea);
7. Atlantic hawksbill turtle (Eretmochelys imbricata imbracata);
8. Atlantic ridley turtle (Lepidochelys kempi); or
9. West Indian manatee (Trichechus manatus latirostris),
an additional penalty of $100 for each unit of marine life or part thereof.

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

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

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

1. Upon a first conviction, for up to 30 calendar days.
2. Upon a second conviction which occurs within 12 months after a prior violation, for up to 90 calendar days.
3. Upon a third conviction which occurs within 24 months after a prior conviction, for up to 180 calendar days.
4. Upon a fourth conviction which occurs within 36 months after a prior conviction, for a period of 6 months to 3 years.
(i) Upon the arrest and conviction for a major violation involving stone crabs, the licenseholder must show just cause why his or her license should not be suspended or revoked. For the purposes of this paragraph, a "major violation" means a major violation as prescribed for illegal stone crabs; any single violation involving possession of more than 25 stone crabs during the closed season or possession of 25 or more whole-bodied or egg-bearing stone crabs; any violation for trap molestation, trap robbing, or pulling traps at night; or any combination of violations in any 3-consecutive-year period wherein more than 75 illegal stone crabs in the aggregate are involved.

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

(k) Upon the arrest and conviction for a major violation involving blue crabs, the licenseholder shall show just cause why his or her saltwater products license should not be suspended or revoked. This paragraph shall not apply to an
individual fishing with no more than five traps. For the purposes of this paragraph, a "major violation" means a major violation as prescribed for illegal blue crabs, any single violation wherein 50 or more illegal blue crabs are involved; any violation for trap molestation, trap robbing, or pulling traps at night; or any combination of violations in any 3-consecutive-year period wherein more than 100 illegal blue crabs in the aggregate are involved.

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

(m) For a violation involving the taking or harvesting of any marine life species, as those species are defined by rule of the commission, the harvest of which is prohibited, or the taking or harvesting of such a species out of season, or with an illegal gear or chemical, or any violation involving the possession of 25 or more individual specimens of marine life species, or any combination of violations in any 3-year period involving more than 70 such specimens in the aggregate, the suspension or revocation of the licenseholder's marine life endorsement as provided in paragraph (h).
Notwithstanding the provisions of s. 948.01, no court may suspend, defer, or withhold adjudication of guilt or imposition of sentence for any major violation prescribed in this subsection. The proceeds from the penalties assessed pursuant to this subsection shall be deposited into the Marine Resources Conservation Trust Fund to be used for marine fisheries research or into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107, as applicable.

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

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

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

2. The person possesses a trip ticket issued in Alabama and filled out to match the quantity of mullet being
transported, and the person is able to present such trip ticket immediately upon entering this state.

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

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

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

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

a. For a first major violation within a 7-year period, a civil penalty of $2,500 and suspension of all saltwater products
license privileges for 90 calendar days following final
disposition shall be imposed.

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

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

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

A court may suspend, defer, or withhold adjudication of guilt or
imposition of sentence only for any first violation of s. 16,
Art. X of the State Constitution, or any rule or statute
implementing its restrictions, determined by a court only after
consideration of competent evidence of mitigating circumstances
to be a nonflagrant or minor violation of those restrictions
upon the use of nets. Any violation of s. 16, Art. X of the State Constitution, or any rule or statute implementing its restrictions, occurring within a 7-year period commencing upon the conclusion of any judicial proceeding resulting in any outcome other than acquittal shall be punished as a second, third, or subsequent violation accordingly.

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

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

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

(d) Upon reinstatement of saltwater license privileges suspended pursuant to a violation of this subsection, a licensee owning or operating a vessel containing or otherwise transporting in or on Florida waters any gill net or other entangling net, or containing or otherwise transporting in nearshore and inshore Florida waters any net containing more
than 500 square feet of mesh area shall remain restricted for a period of 12 months following reinstatement, to operating under the following conditions:

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

2. A violation of the reinstatement period provisions shall be punishable pursuant to paragraphs (2)-(4)-(a) and (b).

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

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

370.061 Confiscation, seizure, and forfeiture of property and products.--

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

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

Section 4. Paragraphs (h), (i), and (j) of subsection (4), paragraphs (e) through (i) of subsection (8), paragraph (b) of section 370.061, Florida Statutes, are amended to read:
subsection (11), and paragraph (b) of subsection (12) of section 372.57, Florida Statutes, are amended, and subsections (16) and (17) are added to that section, to read:

372.57 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:

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

(i) Annual gold sportsman's license, $87. The gold sportsman's license authorizes the person to whom it is issued to take freshwater fish, saltwater fish, and game, subject to the state and federal laws, rules, and regulations, including rules of the commission, in effect at the time of taking. Other authorized activities include activities authorized by a management area permit, a muzzle-loading gun season permit, a turkey permit, a Florida waterfowl permit, an archery season permit, a crossbow season permit, a snook permit, and a crawfish permit.
(j) Annual military gold sportsman's license, $18.50. The gold sportsman's license authorizes the person to whom it is issued to take freshwater fish, saltwater fish, and game, subject to the state and federal laws, rules, and regulations, including rules of the commission, in effect at the time of taking. Other authorized activities include activities authorized by a management area permit, a muzzle-loading gun \underline{\text{season}} \text{ permit}, a turkey permit, a Florida waterfowl permit, an archery season permit, a crossbow season permit, a snook permit, and a crawfish permit. Any resident who is an active or retired member of the United States Armed Forces, the United States Armed Forces Reserve, the National Guard, the United States Coast Guard, or the United States Coast Guard Reserve is eligible to purchase the military gold sportsman's license upon submission of a current military identification card.

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

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

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

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

3. An annual muzzle-loading gun \underline{\text{season}} \text{ permit} for a resident or nonresident to hunt within the state \underline{\text{during any with}}
a muzzle-loading gun season is $5. Hunting with a muzzle-loading gun is limited to game seasons in which hunting with a modern firearm is not authorized by the commission.

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

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

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

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

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

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

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

(11) RESIDENT LIFETIME HUNTING LICENSES.—

(b) The following activities are authorized by the purchase of a lifetime hunting license:
1. Taking, or attempting to take or possess, game consistent with the state and federal laws and regulations and rules of the commission in effect at the time of the taking.

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

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

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

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

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

(16) FORGING OF LICENSES.--It is unlawful for any person to make, forge, or counterfeit a freshwater fishing, hunting, or saltwater fishing license. Such a license may be reproduced only as authorized by the commission. It is unlawful for any person to knowingly have in his or her possession a forgery, counterfeit, or imitation of such a license unless possession by the person has been fully authorized by the commission. A person who violates this subsection commits a level 4 violation as classified and punishable under s. 372.83.
(17) TAKING OF GAME AND FISH WHILE LICENSE SUSPENDED OR REVOKED.--A person may not take game, freshwater game fish, saltwater fish, or fur-b耳ing animals within this state while the license required to do so is suspended or revoked. A person who violates this subsection commits a level 3 violation as classified and punishable under s. 372.83.

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

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

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

372.5717 Hunter safety course; requirements; penalty.--
(2) (a) A person born on or after June 1, 1975, may not be issued a license to take wild animal life with the use of a firearm, gun, bow, or crossbow in this state without having first successfully completed a hunter safety course as provided in this section, and without having in his or her personal possession a hunter safety certification card, as provided in this section.

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

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

(6) All persons subject to the requirements of subsection (2) must have in their personal possession proof of compliance with this section, while taking or attempting to take wildlife with the use of a firearm, gun, bow, or crossbow and must display a valid hunter safety certification card, unless the hunter safety course requirement is deferred pursuant to this subsection.
section, to county tax collectors or their subagents in order to purchase a Florida hunting license. After the issuance of a license, the license itself shall serve as proof of compliance with this section. A holder of a lifetime license whose license does not indicate on the face of the license that a hunter safety course has been completed must have in his or her personal possession a hunter safety certification card, as provided by this section, while attempting to take wild animal life with the use of a firearm, gun, bow, or crossbow.

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

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

372.825  Captive wildlife penalties.--

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

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

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

(a) Commission rules or orders that require a person to pay a fee to obtain a permit to possess captive wildlife or that require the maintenance of records relating to captive wildlife.
(b) Commission rules or orders relating to captive wildlife not specified in paragraph (a).

(c) Section 372.86, relating to possessing or exhibiting certain reptiles.

(d) Section 372.87, relating to licensing of certain reptiles.

(e) Section 372.88, relating to bonding requirements.

(f) Section 372.89, relating to safe housing requirements.

(g) Section 372.90, relating to transportation.

(h) Section 372.901, relating to inspection.

(i) Section 372.91, relating to limitation of access to certain reptiles.

(j) Section 372.912, relating to certain reptile hunts.

(k) Section 372.921, relating to exhibition or sale of wildlife.

(l) Section 372.922, relating to personal possession of wildlife.

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

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

(1) LEVEL 1 VIOLATIONS.--

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

1. Commission rules or orders relating to the filing of required reports or other documents for licensees or
permitholders, excluding those related to commercial harvest of
saltwater fish or possession of captive wildlife.

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

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

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

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

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

7. Section 372.5717, relating to hunter safety
certification.

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

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

(c)1. The civil penalty for any noncriminal level 1
violation of the license and permit requirements of s. 372.57 is
$50 for the first conviction and $250 for each subsequent
2. The civil penalty for any other noncriminal level 1 violation is $50 for the first conviction and $250 for each subsequent conviction, except as otherwise provided in this subsection.

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

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

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

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

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

2. Any person who willfully fails to pay the civil penalty within 30 days after the issuance of a citation for a violation
specified in this subsection commits a misdemeanor of the second
degree, punishable as provided in s. 775.082 or s. 775.083.

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

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

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

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

(2) LEVEL 2 VIOLATIONS.--

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

1. Commission rules or orders that specify season or time
periods for the taking of saltwater fish, freshwater game fish,
or wildlife.
2. Commission rules or orders that establish bag, possession, or size limits for, or restrict methods of the taking of, saltwater fish, freshwater game fish, or wildlife.

3. Commission rules or orders that prohibit public access for specified periods to wildlife management areas or other areas managed by the commission.

4. Commission rules or orders that relate to the access to wildlife management areas or other areas managed by the commission.

5. Commission rules or orders relating to the feeding of saltwater fish, freshwater game fish, or wildlife.

6. Commission rules or orders relating to restricted hunting areas, bird sanctuaries, or critical wildlife areas.

7. Commission rules or orders relating to landing requirements for saltwater fish or freshwater game fish.

8. Commission rules or orders relating to tagging requirements for game and fur-bearing animals.

9. Commission rules or orders relating to the use of dogs for the taking of game.

10. Any commission rules or orders not otherwise classified.

11. Any prohibitions in chapter 370 not otherwise classified in this section.

12. Section 370.08, relating to obstructing waterways with net gear.

13. Section 370.1105, relating to finfish traps.

14. Section 370.1121, relating to bonefish.

15. Section 370.14, relating to crawfish.
16. Section 370.25, relating to placement of artificial reefs.

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

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

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

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

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

4. A person convicted of any level 2 violation within 10 years after any three previous convictions for level 2 violations is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083 and by a minimum mandatory fine of $750 and suspension of all recreational licenses issued pursuant to this chapter for not less than 1 year.
recreational licenses issued pursuant to this chapter for not
less than 3 years.

(3) LEVEL 3 VIOLATIONS.--

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

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

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

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

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

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

6. Section 372.26, relating to imported fish.

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

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

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

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

(b)1. A person convicted of a level 3 violation without
any previous conviction for a level 3 violation in the past 10
years is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

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

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

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

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

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

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

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

(e) Section 372.99(5), relating to the sale of deer or turkey that is taken illegally.
(f) Section 372.99022, relating to molestation or theft of freshwater gear.

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

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

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

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

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

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

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

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

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

(i) Section 372.988, relating to required clothing for persons hunting deer.
A person who fails to pay the civil penalty specified in s. 831
372.711 within 30 days after being cited for a noncriminal
371  infraction or to appear before the court pursuant to that
372  section is guilty of a misdemeanor of the second degree,
373  punishable as provided in s. 775.082 or s. 775.083.
374
375  (2) A person is guilty of a misdemeanor of the second
376  degree, punishable as provided in s. 775.082 or s. 775.083, if
377  she or he violates any of the following rules, regulations, or
378  orders of the commission:
379
380  (a) Rules, regulations, or orders that specify season or
381  time periods for the taking of freshwater fish or wildlife.
382
383  (b) Rules, regulations, or orders that specify bag limits
384  or restrict methods of taking freshwater fish or wildlife.
385
386  (c) Rules, regulations, or orders that relate to the sale,
387  possession for sale, purchase, transfer, transportation, or
388  importation of freshwater fish or wildlife.
389
390  (d) Rules, regulations, or orders that prohibit public
391  access for specified periods to wildlife management areas or
392  other areas managed by the commission.
393
394  (e) Rules, regulations, or orders that require a person to
395  pay a fee to obtain a permit to possess captive wildlife or that
396  require the maintenance of records relating to captive wildlife.
397
398  (f) All other rules, regulations, and orders of the
399  commission, except those specified in subsection (1).
400
401  (3) It is unlawful for any person to make, forge,
402  counterfeit, or reproduce a freshwater fishing, hunting, or
403  saltwater fishing license unless authorized by the commission.
It is unlawful for any person to knowingly have in his or her possession a forgery, counterfeit, or imitation of such a license unless possession by the person has been fully authorized by the commission. A person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

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

372.573 Management area permit revenues.--The commission shall expend the revenue generated from the sale of the management area permit as provided for in s. 372.57(8)(g) or that pro rata portion of any license that includes management area privileges as provided for in s. 372.57(4)(h), (i), and (j)
for the lease, management, and protection of lands for public
hunting, fishing, and other outdoor recreation.

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

372.661 Private hunting preserve license fees;

exception.--

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

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

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

ARTICLE I
Findings

(1) The participating states find that:
(a) Wildlife resources are managed in trust by the respective states for the benefit of all residents and visitors.  
(b) The protection of the wildlife resources of a state is materially affected by the degree of compliance with state statutes, laws, regulations, ordinances, and administrative rules relating to the management of such resources.  
(c) The preservation, protection, management, and restoration of wildlife contributes immeasurably to the aesthetic, recreational, and economic aspects of such natural resources.  
(d) Wildlife resources are valuable without regard to political boundaries; therefore, every person should be required to comply with wildlife preservation, protection, management, and restoration laws, ordinances, and administrative rules and regulations of the participating states as a condition precedent to the continuance or issuance of any license to hunt, fish, trap, or possess wildlife.  
(e) Violation of wildlife laws interferes with the management of wildlife resources and may endanger the safety of persons and property.  
(f) The mobility of many wildlife law violators necessitates the maintenance of channels of communication among the various states.  
(g) In most instances, a person who is cited for a wildlife violation in a state other than his or her home state:  

1. Is required to post collateral or a bond to secure appearance for a trial at a later date;
2. Is taken into custody until the collateral or bond is posted; or

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

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

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

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

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

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

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

(b) Recognize the suspension of wildlife license privileges of any person whose license privileges have been
suspended by a participating state and treat such suspension as if it had occurred in that person's home state.

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

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

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

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

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

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

(3) The purpose of this compact is to:

(a) Provide a means through which participating states may join in a reciprocal program to effectuate the policies enumerated in subsection (2) in a uniform and orderly manner.
(b) Provide for the fair and impartial treatment of wildlife violators operating within participating states in recognition of the violator's right to due process and the sovereign status of a participating state.

ARTICLE II
Definitions

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

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

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

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

(4) "Conviction" means a conviction, including any court conviction, for any offense related to the preservation, protection, management, or restoration of wildlife which is prohibited by state statute, law, regulation, ordinance, or administrative rule, and such conviction shall also include the forfeiture of any bail, bond, or other security deposited to
secure appearance by a person charged with having committed any such offense, the payment of a penalty assessment, a plea of nolo contendere, and the imposition of a deferred or suspended sentence by the court.

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

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

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

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

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

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

(11) "Personal recognizance" means an agreement by a person made at the time of issuance of the wildlife citation that such person will comply with the terms of the citation.
(12) "State" means any state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Provinces of Canada, and other countries.

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

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

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

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

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

(18) "Wildlife violation" means any cited violation of a statute, law, regulation, ordinance, or administrative rule developed and enacted for the management of wildlife resources and the uses thereof.
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
ARTICLE IV
Procedure for Home State

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

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

(3) The licensing authority of the home state shall maintain a record of actions taken and shall make reports to issuing states as provided in the compact manual.
(1) All participating states shall recognize the suspension of license privileges of any person by any participating state as though the violation resulting in the suspension had occurred in their state and could have been the basis for suspension of license privileges in their state.

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

ARTICLE VI
Applicability of Other Laws

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

ARTICLE VII
Compact Administrator Procedures

(1) For the purpose of administering the provisions of this compact and to serve as a governing body for the resolution of all matters relating to the operation of this compact, a board of compact administrators is established. The board shall
be composed of one representative from each of the participating
states to be known as the compact administrator. The compact
administrator shall be appointed by the head of the licensing
authority of each participating state and shall serve and be
subject to removal in accordance with the laws of the state he
or she represents. A compact administrator may provide for the
discharge of his or her duties and the performance of his or her
functions as a board member by an alternate. An alternate shall
not be entitled to serve unless written notification of his or
her identity has been given to the board.

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

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

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

(5) The board may accept for any of its purposes and
functions under this compact any and all donations and grants of
moneys, equipment, supplies, materials, and services,
conditional or otherwise, from any state, the United States, or
any governmental agency and may receive, utilize, and dispose of
same.
(6) The board may contract with, or accept services or personnel from, any governmental or intergovernmental agency, individual, firm, or corporation or any private nonprofit organization or institution.

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

ARTICLE VIII
Entry into and Withdrawal from Compact

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

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

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

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

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

3. An agreement that compact entry is with all states participating in the compact and with all additional states legally becoming a party to the compact.
(c) The effective date of entry shall be specified by the applying state but shall not be less than 60 days after notice has been given by the chair of the board of the compact administrators or by the secretary of the board to each participating state that the resolution from the applying state has been received.

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

ARTICLE IX
Amendments to the Compact

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

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

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

Construction and Severability

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

ARTICLE XI

Title

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

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

372.832  Compact licensing authority; ratification.--For purposes of this chapter and the interstate Wildlife Violator Compact, the Fish and Wildlife Conservation Commission is the licensing authority for the State of Florida and shall enforce the interstate Wildlife Violator Compact and do all things within its jurisdiction that are necessary to effectuate the
purposes and the intent of the compact. The commission is authorized to execute a resolution of ratification to formalize the state's entry into the compact.

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

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

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

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

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

370.092 Carriage of proscribed nets across Florida waters.--

(3) Notwithstanding subsections (1) and (2), unless authorized by rule of the Fish and Wildlife Conservation Commission, it is a major violation under this section,
punishable as provided in s. 370.021(4)(2), for any person, firm, or corporation to possess any gill or entangling net, or any seine net larger than 500 square feet in mesh area, on any airboat or on any other vessel less than 22 feet in length and on any vessel less than 25 feet if primary power of the vessel is mounted forward of the vessel center point. Gill or entangling nets shall be as defined in s. 16, Art. X of the State Constitution, s. 370.093(2)(b), or in a rule of the Fish and Wildlife Conservation Commission implementing s. 16, Art. X of the State Constitution. Vessel length shall be determined in accordance with current United States Coast Guard regulations specified in the Code of Federal Regulations or as titled by the State of Florida. The Marine Fisheries Commission is directed to initiate by July 1, 1998, rulemaking to adjust by rule the use of gear on vessels longer than 22 feet where the primary power of the vessel is mounted forward of the vessel center point in order to prevent the illegal use of gill and entangling nets in state waters and to provide reasonable opportunities for the use of legal net gear in adjacent federal waters.

(4) The Fish and Wildlife Conservation Commission shall adopt rules to prohibit the possession and sale of mullet taken in illegal gill or entangling nets. Violations of such rules shall be punishable as provided in s. 370.021(4)(2).

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

370.093 Illegal use of nets.--

(5) Any person who violates this section shall be punished as provided in s. 370.021(4)(2).
Section 17. Paragraph (s) of subsection (2) of section 370.12, Florida Statutes, is amended to read:

370.12  Marine animals; regulation.--
(2) PROTECTION OF MANATEES OR SEA COWS.--

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

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

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

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

Section 18. Subsection (2) of section 370.1405, Florida Statutes, is amended to read:
370.1405 Crawfish reports by dealers during closed season required.--

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

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

370.142 Spiny lobster trap certificate program.--

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

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

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

3. It is unlawful for any person to willfully molest, take possession of, or remove the contents of another harvester's trap without the express written consent of the trap owner available for immediate inspection. Unauthorized possession of another's trap gear or removal of trap contents constitutes theft. Any person receiving a judicial disposition other than dismissal or acquittal on a charge of theft of or from a trap pursuant to this subparagraph or s. 370.1107 shall, in addition to the penalties specified in ss. 370.021 and 370.14 and the provisions of this section, permanently lose all his or her saltwater fishing privileges, including his or her saltwater products license, crawfish endorsement, and all trap certificates allotted to him or her through this program. In such cases, trap certificates and endorsements are nontransferable. Any person receiving a judicial disposition other than dismissal or acquittal on a charge of willful molestation of a trap, in addition to the penalties specified in ss. 370.021 and 370.14, shall lose all saltwater fishing
privileges for a period of 24 calendar months. In addition, any person, firm, or corporation charged with violating this paragraph and receiving a judicial disposition other than dismissal or acquittal for violating this subparagraph or s. 370.1107 shall also be assessed an administrative penalty of up to $5,000. Immediately upon receiving a citation for a violation involving theft of or from a trap, or molestation of a trap, and until adjudicated for such a violation or, upon receipt of a judicial disposition other than dismissal or acquittal of such a violation, the person, firm, or corporation committing the violation is prohibited from transferring any crawfish trap certificates and endorsements.

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

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

b. For a second violation of subparagraph 1. or subparagraph 2. which occurs within 24 months of any previous such violation, the commission shall assess an additional civil penalty for each violation.
penalty of up to $2,000 and the crawfish trap number issued
pursuant to s. 370.14(2) or (6) may be suspended for the
remainder of the current license year.

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

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

   (I) Pay the civil penalty to the commission; or
   (II) Request an administrative hearing pursuant to the
provisions of s. 120.60.

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

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

b. It is unlawful for any person to knowingly have in his
or her possession a forged, counterfeit, or imitation spiny
lobster trap tag or certificate.
c. It is unlawful for any person to barter, trade, sell, supply, agree to supply, aid in supplying, or give away a spiny lobster trap tag or certificate or to conspire to barter, trade, sell, supply, aid in supplying, or give away a spiny lobster trap tag or certificate unless such action is duly authorized by the commission as provided in this chapter or in the rules of the commission.

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

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

7. Any certificates for which the annual certificate fee is not paid for a period of 3 years shall be considered abandoned and shall revert to the commission. During any period of trap reduction, any certificates reverting to the commission shall become permanently unavailable and be considered in that amount to be reduced during the next license-year period. Otherwise, any certificates that revert to the commission are to be reallocated in such manner as provided by the commission.
8. The proceeds of all civil penalties collected pursuant to subparagraph 4. and all fines collected pursuant to subparagraph 6.b. shall be deposited into the Marine Resources Conservation Trust Fund.

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

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