

By the Committee on Executive and Commissioner Henderson

A proposal to revise

1                   ARTICLE IV, s. 9, Fla. Const.; creating the  
2                   Fish and Wildlife Conservation Commission to be  
3                   composed initially of the existing members of  
4                   the Game and Fresh Water Fish Commission and  
5                   the Marine Fisheries Commission and providing  
6                   for the powers and duties of the commission.

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8                   It is proposed by the Florida Constitution Revision Commission  
9                   that:

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11                   Section 1. Section 9 of Article IV of the Florida  
12                   Constitution is revised by amending that section to read:

13                   ARTICLE IV  
14                   EXECUTIVE

15                   SECTION 9. Fish Game and wildlife conservation ~~fresh~~  
16 ~~water fish~~ commission.--

17                   (a) The wild animal life, freshwater aquatic life, and  
18 marine aquatic life of the state belong to all of the people  
19 of the state and should be conserved and managed for the  
20 benefit of the people of the state and its future generations.

21                   (b)1. There shall be a fish and wildlife conservation  
22 commission composed of seven members appointed by the governor  
23 subject to confirmation by the senate for staggered terms of  
24 five years.

25                   2. Notwithstanding paragraph (b)1., the initial  
26 members of the commission shall be the members of the game and  
27 freshwater fish commission and the marine fisheries commission  
28 who are serving on either of those commissions on the  
29 effective date of this amendment, who shall serve the  
30 remainder of their respective terms, and appointments to the  
31 commission shall not be made until all current terms of the

1 members of the game and fresh water fish commission and the  
2 marine fisheries commission have expired so that only seven  
3 members of the commission remain and, in that event, the  
4 governor shall appoint members of the commission as the terms  
5 of the remaining seven members expire.

6 (c) The commission shall exercise the regulatory and  
7 executive powers of the state with respect to wild animal  
8 life, freshwater aquatic life, and marine aquatic life, except  
9 that all license fees for taking wild animal life, freshwater  
10 aquatic life, and marine aquatic life, and penalties for  
11 violating regulations of the commission shall be prescribed by  
12 specific statute. The commission shall not be a sub-unit of  
13 any other state agency and shall have its own staff that  
14 includes management, research, enforcement, and public  
15 information functions. The legislature may enact laws in aid  
16 of the commission not inconsistent with this section. The  
17 commission's exercise of executive powers in the area of  
18 planning, budgeting, personnel management, and purchasing  
19 shall be as provided by law. Revenue derived from such license  
20 fees shall be appropriated to the commission by the  
21 legislature for the purpose of management, protection, and  
22 conservation of wild animal life, freshwater aquatic life, and  
23 marine aquatic life.

24 (d) The powers and duties of the marine fisheries  
25 commission shall be exercised by the fish and wildlife  
26 conservation commission. The commission shall exercise other  
27 regulatory and management authority relating to marine  
28 resources, as provided by law. There shall be a game and fresh  
29 water fish commission, composed of five members appointed by  
30 the governor subject to confirmation by the senate for  
31 staggered terms of five years. The commission shall exercise

1 the regulatory and executive powers of the state with respect  
2 to wild animal life and fresh water aquatic life, except that  
3 all license fees for taking wild animal life and fresh water  
4 aquatic life and penalties for violating regulations of the  
5 commission shall be prescribed by specific statute. The  
6 legislature may enact laws in aid of the commission, not  
7 inconsistent with this section. The commission's exercise of  
8 executive powers in the area of planning, budgeting, personnel  
9 management, and purchasing shall be as provided by law.  
10 Revenue derived from such license fees shall be appropriated  
11 to the commission by the legislature for the purpose of  
12 management, protection and conservation of wild animal life  
13 and fresh water aquatic life.

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