

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

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

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

14 ARTICLE IV

15 EXECUTIVE

16 SECTION 9. Fish and wildlife conservation ~~Game and~~
17 ~~fresh water fish~~ commission.--There shall be a fish and
18 wildlife conservation ~~game and fresh water fish~~ commission,
19 composed of seven ~~five~~ members appointed by the governor
20 subject to confirmation by the senate for staggered terms of
21 five years. The commission shall exercise the regulatory and
22 executive powers of the state with respect to wild animal
23 life, ~~and~~ fresh water aquatic life, and marine life, except
24 that all license fees for taking wild animal life, ~~and~~ fresh
25 water aquatic life, and marine life and penalties for
26 violating regulations of the commission shall be prescribed by
27 general law ~~specific statute~~. The commission shall establish
28 procedures to ensure adequate due process in the exercise of
29 its regulatory and executive functions. The legislature may
30 enact laws in aid of the commission, not inconsistent with
31 this section, except that there shall be no special law or

1 general law of local application pertaining to hunting or
2 fishing. The commission's exercise of executive powers in the
3 area of planning, budgeting, personnel management, and
4 purchasing shall be as provided by law. Revenue derived from
5 such license fees shall be appropriated to the commission by
6 the legislature for the purpose of management, protection, and
7 conservation of wild animal life, ~~and~~ fresh water aquatic
8 life, and marine life. The commission shall not be a unit of
9 any other state agency and shall have its own staff, which
10 includes management, research, and enforcement. Unless
11 provided by general law, the commission shall have no
12 authority to regulate matters relating to air and water
13 pollution.

14 Section 2. Section 22 is added to Article XII of the
15 Florida Constitution to read:

16 ARTICLE XII

17 SCHEDULE

18 SECTION 22. Fish and wildlife conservation
19 commission.--

20 (a) The initial members of the commission shall be the
21 members of the game and fresh water fish commission and the
22 marine fisheries commission who are serving on either of those
23 commissions on the effective date of this amendment, who may
24 serve the remainder of their respective terms. New
25 appointments to the commission shall not be made until the
26 retirement, resignation, removal, or expiration of the terms
27 of the initial members results in fewer than seven members
28 remaining.

29 (b) The jurisdiction of the marine fisheries
30 commission as set forth in statutes in effect on March 1,
31 1998, shall be transferred to the fish and wildlife

1 conservation commission. The jurisdiction of the marine
2 fisheries commission transferred to the commission shall not
3 be expanded except as provided by general law. All rules of
4 the marine fisheries commission and game and fresh water fish
5 commission in effect on the effective date of this amendment
6 shall become rules of the fish and wildlife conservation
7 commission until superseded or amended by the commission.

8 (c) On the effective date of this amendment, the
9 marine fisheries commission and game and freshwater fish
10 commission shall be abolished.

11 (d) This amendment shall take effect July 1, 1999.
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