

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 life
23 and fresh water aquatic life, and shall also exercise
24 regulatory and executive powers of the state with respect to
25 marine life, except that all license fees for taking wild
26 animal life, ~~and~~ fresh water aquatic life, and marine life and
27 penalties for violating regulations of the commission shall be
28 prescribed by general law ~~specific statute~~. The commission
29 shall establish procedures to ensure adequate due process in
30 the exercise of its regulatory and executive functions. The
31 legislature may enact laws in aid of the commission, not

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

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

17 ARTICLE XII

18 SCHEDULE

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

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

30 (b) The jurisdiction of the marine fisheries
31 commission as set forth in statutes in effect on March 1,

1 1998, shall be transferred to the fish and wildlife
2 conservation commission. The jurisdiction of the marine
3 fisheries commission transferred to the commission shall not
4 be expanded except as provided by general law. All rules of
5 the marine fisheries commission and game and fresh water fish
6 commission in effect on the effective date of this amendment
7 shall become rules of the fish and wildlife conservation
8 commission until superseded or amended by the commission.

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

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