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

It is proposed by the Florida Constitution Revision Commission
that:

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

ARTICLE IV
EXECUTIVE

SECTION 9. Fish and wildlife conservation Game and
fresh water fish commission.--There shall be a fish and
wildlife conservation game and fresh water fish commission,
composed of seven five members appointed by the governor
subject to confirmation by the senate for staggered terms of
five years. The commission shall exercise the regulatory and
executive powers of the state with respect to wild animal
life, and fresh water aquatic life, and marine life, except
that all license fees for taking wild animal life, and fresh
water aquatic life, and marine life, and penalties for
violating regulations of the commission shall be prescribed by
general law or specific statute. The commission shall establish
procedures to assure adequate due process in the exercise of
its regulatory and executive functions. The legislature may
enact laws in aid of the commission, not inconsistent with
this section; provided however, that there shall be no special

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law or general law of local application pertaining to hunting or fishing. The commission's exercise of executive powers in the area of planning, budgeting, personnel management, and purchasing shall be as provided by law. Revenue derived from such license fees shall be appropriated to the commission by the legislature for the purpose of management, protection and conservation of wild animal life, and fresh water aquatic life, and marine life. The commission shall not be a subunit of any other state agency and shall have its own staff, which includes management, research, and enforcement. The commission shall have no authority to regulate matters relating to air and water pollution and to excessive and unnecessary noise. It is the intent of this provision to avoid duplicative regulation and agency action.

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

ARTICLE XII

SCHEDULE

SECTION 22. Fish and wildlife conservation commission.--

(a) The initial members of the commission shall be the members of the game and fresh water fish commission and the Marine Fisheries Commission who are serving on either of those commissions on the effective date of this amendment, who may serve the remainder of their respective terms. New appointments to the fish and wildlife conservation commission shall not be made until retirement, resignation, removal, or expiration of current terms of the members of the game and fresh water fish commission and the marine fisheries commission so that only seven members of the fish and wildlife conservation commission remain and, in that event, the

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governor shall appoint members of the commission as the terms of the remaining seven members expire or otherwise become vacant.

(b) After the effective date of this amendment, the authority of the marine fisheries commission, as set forth in statutes in effect on the effective date of this amendment, shall be transferred to the fish and wildlife conservation commission. All provisions of law relating to the marine fisheries commission and game and freshwater fish commission shall remain in force and effect on the effective date of this article until superseded or amended by the fish and wildlife conservation commission.

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

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