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 specific statute. The commission shall establish
procedures to ensure 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, except that there shall be no special law or

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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 unit of
any other state agency and shall have its own staff, which
includes management, research, and enforcement. Unless
provided by general law, the commission shall have no
authority to regulate matters relating to air and water
pollution.

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

                         ARTICLE XII
                         SCHEDULE
                         SECTION 22. Fish and wildlife conservation

    (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 commission shall not be made until the
retirement, resignation, removal, or expiration of the terms
of the initial members results in fewer than seven members
remaining.

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

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on the effective date of this amendment shall become rules of the fish and wildlife conservation commission until superseded or amended by the 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