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 shall also exercise
regulatory and executive powers of the state with respect to
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

CODING: Words stricken are deletions; words underlined are additions.
inconsistent with this section, except that there shall be no special 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 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 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.