

**Clarification to Freshwater Tournament Permit Language in 68A-9.002(4)
Consent Agenda Item C7**

68A-9.002 Permits to Take Wildlife or Freshwater Fish for Justifiable Purposes.

(1) The executive director may issue permits authorizing the taking or possession of wildlife or freshwater fish or their nests or eggs for scientific, educational, exhibition, propagation, management or other justifiable purposes. Such permits shall be subject to such terms, conditions and restrictions as may be prescribed therein, provided that no such permits shall be operative as to migratory birds unless the holder thereof has a permit from the U.S. Fish and Wildlife Service permitting the taking, exhibiting, or possession of such birds, their nests or eggs. Failure to abide by all terms and conditions stipulated in any written permit issued by the executive director shall be a violation of this section.

(2) Employees of the Commission may take wildlife or freshwater fish or their nests or eggs for scientific, educational, propagation, exhibition or other justifiable purposes when such taking has been authorized by the executive director or is essential to the performance of their assigned duties. The authority granted under this section shall not be construed to exempt any person from purchasing hunting or fishing licenses as required by Section 379.354, F.S. The executive director may issue permits authorizing the taking or managing of wildlife or freshwater fish for specified commercial purposes.

(3) Commission volunteers may take wildlife or freshwater fish or their nests or eggs for scientific, educational, propagation, exhibition or other justifiable purposes provided that:

(a) Such taking is pursuant to a volunteer program approved by the Division/Office director or his or her designee,

(b) The Division/Office director or his or her designee has approved specific conditions under which wildlife or freshwater fish or their nests or their eggs may be taken by volunteers, and

(c) The volunteers are in possession of written authorization from the volunteer program's Volunteer Program Coordinator or Volunteer Workday Leader specifying those conditions.

(4) The Executive Director shall issue permits to fishing tournaments, with ~~6-10~~ or more participants, to allow temporary possession of fish not meeting applicable size restrictions, provided that all fish caught in the tournament are live-released following weigh-in, that fish are handled in accordance with the Commission's scientific guidelines, and that post tournament reporting is completed. ~~reports of fish taken in the tournament are made available to the Commission.~~ Applications for permits shall be made online at <http://myfwc.com/license/freshwater/bass-tournament/> ~~FWC Form BT 1000, effective July 1, 1992, incorporated herein by reference and obtainable at the Commission's Tallahassee and regional offices.~~

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.02, Amended 12-25-95, 4-1-96, Formerly 39-9.002, Amended 7-1-02, 3-21-10. _____