

# MEMORANDUM



**To:** Florida Fish and Wildlife Conservation Commissioners

**From:** Diane R. Eggeman, Director, Hunting and Game Management  
Colonel Curtis Brown, Director, Law Enforcement

**Date:** December 6, 2017

**Subject:** Draft Rule: Technical Changes Relating to Live Sale of Alligators

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## **Purpose:**

Present the Commission with staff proposed rule changes to simplify permitting requirements for contracted nuisance alligator trappers to sell nuisance alligators alive and remove an unneeded exemption to experience requirements for a License to Possess Class I and/or Class II Wildlife for Exhibition or Public Sale (ESA) which was added specifically to provide for sale of nuisance alligators.

## **Summary:**

Currently, contracted nuisance alligator trappers who are contracted by FWC to remove specific alligators are allowed to sell alligators alive to persons or facilities authorized to hold and exhibit live alligators provided that they have also obtained an ESA license pursuant to Florida Administrative Code (FAC) Rule 68A-6.0022. Recently staff identified language in that rule that has the unintended consequence of also exempting individuals who are not contracted nuisance alligator trappers from needing to have an appropriate amount of experience handling captive alligators before they can obtain an ESA license. It was never the intention of staff to expand issuance of ESA licenses to individuals who did not have appropriate experience in handling live alligators. Staff will propose two rule amendments:

**FAC Rule 68A-6.0022 Possession of Class I, II, or III Wildlife in Captivity: Permit Requirements.** The proposed draft rule amendment would remove the experience requirement exemption for persons with licenses issued under section 379.3751, F.S. (statute authorizing all Alligator Management Program-related licenses)

**FAC Rule 68A-25.003 Taking and Disposal of Nuisance Alligators Statewide.** The proposed draft rule amendment would allow contracted nuisance alligator trappers to sell lawfully taken nuisance alligators alive to permitted facilities or other authorized persons.

## **Staff Recommendation:**

Staff is requesting Commission approval to advertise the proposed amendments and file for adoption as soon as possible. If the rule amendments are approved for both advertisement and final adoption, Commission staff will file the rules for adoption as allowed by s. 120.54(3) Florida Statutes, without further public hearing.

## **Staff Contact and/or Presenter:**

Harry J. Dutton, Game Management and Public Hunting Section, Hunting and Game Management  
Major Rob Beaton, Captive Wildlife Section, Law Enforcement