

Florida Fish and Wildlife Conservation Commission

Legislative Affairs Office

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2013 Session Legislative Proposal

Title: Additional Free Saltwater and Freshwater Fishing Days

Submitted by: Division of Marine Fisheries Management

I. Summary of the Proposal

This proposal would authorize the Fish and Wildlife Conservation Commission to increase the total allowable number of license-free recreational saltwater fishing days available to the public from two to four annually, and to increase the number of license-free recreational freshwater fishing days available to the public from two to four annually.

II. Present Situation

Section 379.354(15), F.S., currently allows the Florida Fish and Wildlife Conservation Commission (Commission) to designate two saltwater and two freshwater recreational fishing days per year, during which a recreational fishing license requirement is waived. All other laws regulating fishing such as seasons, bag limits, and size limits remain in effect for all anglers during the free fishing days.

Recreational license-free fishing days are an excellent opportunity for Florida's residents and visitors to be introduced to the lifetime sport of saltwater and freshwater fishing.

They create an immediate economic impact on the State by drawing tourists to Florida and by getting residents and visitors alike out on the water, traveling, purchasing fuel, staying in hotels, and buying fishing gear. Free fishing days also create a long-term economic impact by introducing new participants to the sport of fishing, who may later buy fishing gear, boats, as well as repeatedly traveling to their favorite fishing spots.

These license-free fishing days are also a great way to emphasize the importance of outdoor recreation, conservation, and the economic benefits of recreational fishing in Florida, the Fishing Capital of the World.

The Commission often designates license-free fishing days that fall on holiday weekends or are during a time of year where fishing opportunities are high and popular fish are available for harvest. This increases the amount of participation. For example, the selected 2012 freshwater fishing days were April 7 (Easter weekend) and June 9. The saltwater fishing days are June 2 and September 1 (Labor Day weekend). Both June free fishing days surrounded National Fishing and Boating Week, which is promoted by the Recreational Boating and Fishing Foundation and includes significant national media and

numerous events nationwide. In 2011, 38 states had at least one free-fishing day during this annual event. June 2, 2012, fell on the first weekend of the popular red snapper season in the Gulf of Mexico, while bay scallops and spiny lobster will be open for harvest on September 1, 2012.

Commission outreach events as well as national media and public service announcements are used to promote the free fishing dates.

Recreational saltwater fishing has an economic impact of more than \$5.7 billion and 54,000 jobs. Recreational freshwater fishing has an economic impact of more than \$2.6 billion and almost 25,000 jobs. Currently, there are an estimated 1,286,000 residential saltwater anglers; 716,000 out-of-state saltwater anglers; 1,155,000 residential freshwater anglers; and 262,000 out-of-state freshwater anglers.

The price of a recreational fishing licenses follow:

Resident Fishing Licenses		
	Annual	
Annual Freshwater Fishing	\$17.00	
Annual Saltwater Fishing	\$17.00	
Nonresident Freshwater Fishing Licenses		
Nonresident Annual Freshwater Fishing	\$47.00	
Nonresident 3-Day Freshwater Fishing	\$17.00	
Nonresident 7-Day Freshwater Fishing	\$30.00	
Nonresident Saltwater Fishing Licenses		
Nonresident Annual Saltwater Fishing	\$47.00	
Nonresident 3-Day Saltwater Fishing	\$17.00	
Nonresident 7-Day Saltwater Fishing	\$30.00	

III. Effect of Proposed Changes

This proposal would provide statutory authorization for the Commission to offer a total of four license-free recreational saltwater fishing days and four license-free recreational freshwater fishing days to the public.

The addition of two saltwater and two freshwater license free fishing days a year will benefit the State and its anglers by providing an immediate economic boost in the form of residents and visitors alike traveling, purchasing fuel, staying in hotels, and buying fishing gear. This economic impact will carry over into the future by creating new interest and participants in the sport of fishing, who may later buy fishing gear, boats, as well as repeatedly traveling to their favorite fishing spots.

Additional license-free fishing days will also further promote the importance of outdoor recreation, conservation, and the economic benefits of recreational fishing in Florida, the Fishing Capital of the World.

IV. Impact on All Pertinent Statutes/Rules/Constitution

FWC proposes the following amendment to section 379.354(15), F.S.:

Florida Statute 379.354 Recreational licenses, permits, and authorization numbers; fees established --

(15): FREE FISHING DAYS.—The commission may designate by rule no more than 2 4 consecutive or nonconsecutive days in each year as free freshwater fishing days and no more than 2 4 consecutive or nonconsecutive days in each year as free saltwater fishing days. Notwithstanding any other provision of this chapter, any person may take freshwater fish for noncommercial purposes on a free freshwater fishing day and may take saltwater fish for noncommercial purposes on a free saltwater fishing day, without obtaining or possessing a license or permit or paying a license or permit fee as prescribed in this section. A person who takes freshwater or saltwater fish on a free fishing day must comply with all laws, rules, and regulations governing the holders of a fishing license or permit and all other conditions and limitations regulating the taking of freshwater or saltwater fish as are imposed by law or rule.

A. Does the proposed legislation conflict with existing federal law or regulations? If so, what laws and/or regulations?

No

B. Does the proposed legislation raise significant constitutional concerns under the United States or Florida Constitutions (e.g. separation of powers, access to the courts, equal protection, free speech, establishment clause, and impairment of contracts)?

No

C. Is the proposed legislation likely to generate litigation and, if so, from what interest groups or parties?

No

V. Affected Agencies and Groups

Various saltwater and freshwater fishing groups, organizations, and stakeholders will be interested in this issue, primarily because of the added interest in fishing the days will create.

VI. Fiscal Impact

A. On FWC

The immediate fiscal impact on FWC is unknown. There may be a positive fiscal impact long-term, however, via an increase in the number of anglers introduced to the sport who later purchase a license. Funds from the purchase of licenses are used by the Commission to continue to maintain healthy fisheries and to continue outreach and education of the public.

B. On Other State Agencies

None

C. On Private Sector

The private sector, both residents and non-residents will be able to enjoy additional saltwater and freshwater fishing days without being required to purchase a license. License-free fishing days will also likely result in immediate and long-term positive economic impacts due to increased interest in angling purchases from fishing tackle to vacationing at a favorite fishing spot.

D. On Local Governments

None

E. Tax/Fee Issues

This proposal exempts fishing license purchases for an additional four days of the year – two additional days for saltwater licenses and two additional days for freshwater licenses.