Background Report
Final Rule 68A-25.002
Agenda Item 18 A
June 19, 2014

Notice of Proposed Rule

FISH AND WILDLIFE CONSERVATION COMMISSION
Freshwater Fish and Wildlife
RULE NO.: RULE TITLE:
68A-25.002 General Provisions for Taking Possession and Sale of Reptiles
PURPOSE AND EFFECT: The purpose of the proposed rule is to incorporate a provision of Section 379.3751, F.S.,
allowing the number of participants engaged in the taking of alligators and eggs from the wild to be limited and
clarify the existing prohibition of selling crocodilian products manufactured in the form of a stuffed crocodilian less
than 3 feet in length. The effect of the proposed rule will be to clarify existing provisions, decrease regulations, and
provide for normal taxidermy mounting of alligators less than three feet in length.
SUMMARY: The proposed rule establishes a provision that the commission may limit the number of participants
engaged in the taking of alligators or their eggs in order to assure the optimal utilization of the alligator resource
and provides for normal taxidermy mounted alligators less than three feet in length.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE
RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely
increase directly or indirectly regulatory costs in excess of $200,000 in the aggregate within one year after the
implementation of the rule. A SERC has not been prepared by the Agency.
The Agency has determined that the proposed rule is not expected to require legislative ratification based on the
statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and
described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was
required.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a
proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.
LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.303, 379.304, 379.3012, 379.3751,
379.372, 379.3761, 379.3762 FS.
A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:
DATES AND TIMES: During the Commission’s regular meeting June 17, 2014, 1:00 p.m. – 5:00 p.m.; June 18-19,
2014, 8:30 a.m. – 5:00 p.m., each day
PLACE: Crowne Plaza – Ft. Myers at Bell Tower Shops, 13051 Bell Tower Drive, Ft. Myers, FL 33907
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to
participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by
contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the
agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director,
Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian
Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

(1) In order to assure the optimal utilization of the estimated available alligator resource, the commission may
by rule limit the number of participants engaged in the taking of alligators or their eggs from the wild. No person
shall buy, sell, take, possess, transport, or import any American alligator, or any part thereof, or the nests or eggs of
any American alligator except under permit from the executive director, as otherwise provided by this Title, or as follows:

(a) through (b) No change.

(2) Notwithstanding other provisions in this Title, untagged, lawfully-acquired, cured, and mounted crocodilian trophies; untagged, tanned crocodilian hides; and manufactured goods wholly or partly composed of crocodilian hide or other parts may be possessed, transported, and imported without a permit, but may only be sold in accordance with the following:

(a) through (b) No change.

(c) No person shall sell any crocodilian product manufactured in the form of a stuffed baby crocodilian less than three feet in length as measured from the tip of the snout to the tip of the tail that depicts an unnatural crocodilian body or body part positioning.

(3) through (11) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const, 379.303, 379.304, 379.3012, 379.3751, 379.372, 379.3761, 379.3762 FS. History–New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-25.02, Amended 6-1-86, 5-10-87, 10-8-87, 4-13-88, 2-14-89, 7-1-89, 7-1-90, 4-14-92, 4-1-96, 9-15-96, 4-12-98, 7-1-99, Formerly 39-25.002, Amended 4-30-00, 3-30-06, 5-18-06, 6-7-07, 10-23-08, 7-20-09.


NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014