

Notice of Development of Rulemaking FWC

- 1) Notice of Rule Development must be advertised in the Florida Administrative Weekly twenty-one days prior to meetings. Workshops are held across the State. FWC takes public input. Typically the public comment is presented to the FWC Commissioners at their next scheduled meeting prior to the publication of draft rule.
FWC has placed the notice in a timely manner. The workshops are our opportunity to express our views on proposed rule changes. We need to show up and voice our opinions.
- 2) The proposed rule changes then must be advertised in the Florida Administrative Weekly. They will include the draft language.
- 3) Public hearings are held around the State.
Again, we must show up and voice our concerns or opposition to proposed rule changes.
- 4) Draft rule changes go before the FWC Commissioners for a vote at a schedule meetings. The draft rule changes will be on the agenda.
We are able to address any rule changes we oppose during public comment. The FWC Commissioners have a history of listening to the stakeholders. The difficult part is the Commissioner's meeting tend to be at one end of the State or the other, making it difficult for many to attend.
- 5) If there are any changes made to the draft rule, the notice must be published again in the Florida Administrative Weekly.
- 6) Then the CHALLENGE process. Challenges are heard with the Circuit Court. The Challenger has the burden of proof that the agency rule is invalid. The purpose of the proceedings is to determine if the rule change is constitutional in that it addresses a legitimate State interest and is done on a rational basis.
- 7) Either side may file an appeal of the Circuit Court ruling.

Below is the notice from the Florida Administrative Weekly. It contains major topics for captive wildlife. We must make a strong showing at the meetings.

[5619518, 68A-6.0011 - Florida Administrative Rules, Law, Code, Register – FAC, FAW, eRulemaking](#)

Notice of Development of Rulemaking

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO: RULE TITLE

[68A-6.0011](#): Possession of Wildlife in Captivity; Permit Requirements

[68A-6.002](#): Categories of Captive Wildlife

[68A-6.0021](#): Possession or Transfer of Class I Wildlife as Personal Use Wildlife; Transfer of Wildlife

[68A-6.0022](#): Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements

[68A-6.0023](#): General Regulations Governing Possession of Captive Wildlife

[68A-6.0024](#): Commercialization of Wildlife; Public Contact; Bonding or Financial Responsibility Guarantee

[68A-6.0025](#): Captive Wildlife Sanctuaries; Retired Performing Wildlife Identification

[68A-6.003](#): Facility and Structural Caging Requirement for Class I, II and III Wildlife

[68A-6.004](#): Standard Caging Requirements for Captive Wildlife

[68A-6.0041](#): Exceptions to Standard Caging Requirements for Captive Wildlife

[68A-6.005](#): Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals

[68A-6.007](#): Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern

[68A-6.0071](#): Record Keeping and Reporting Requirements

PURPOSE AND EFFECT: The purpose and effect of this rule development is to address the possession, housing and transportation of captive wildlife. The proposed rules will clarify record keeping, documentation of experience, and housing requirements for the possession of captive wildlife. The proposed rules will address changes in classification of captive wildlife and public contact with captive wildlife. Additionally, the proposed new rule establishes requirements for the operation of captive wildlife sanctuaries.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be covered in the proposed rules include possession, transportation and housing of captive wildlife; public contact with captive wildlife; and captive wildlife sanctuaries.

SPECIFIC AUTHORITY: [Art. IV, Sec. 9, Florida Constitution, 372.021, 372.86, 372.88, 372.92, 372.921, 372.922 FS.](#)

LAW IMPLEMENTED: [Art. IV, Sec. 9, Florida Constitution, 372.021, 372.16, 372.86, 372.87, 372.88, 372.92, 372.921, 372.922 FS.](#)

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 9, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: South Florida Water Management District, Building B-1 (1st Floor Auditorium), 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: June 10, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: State of Florida, Department of Management Services, Joseph D’Alessandro Building (Room 165), 2295 Victoria Avenue, Fort Myers, FL

DATE AND TIME: June 11, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Kissimmee Civic Center, 201 E. Dakin Avenue, Kissimmee, FL 34741

DATE AND TIME: June 12, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Florida Department of Agriculture, Division of Plant Industry (1st Floor Auditorium), 1911 S.W. 34th Street, Gainesville, FL 32608

DATE AND TIME: June 13, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission, Bryant Building, 2nd Floor Auditorium (Room 272), 620 S. Meridian Street, Tallahassee, FL 32399

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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish

and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida
32399-1600, (850)488-6253

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT
AVAILABLE.**