

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 10-115

(Amending Executive Order 10-99, as Amended by Executive Orders 10-100 and 10-106; authorizing the Florida Fish and Wildlife Conservation Commission to designate Free Saltwater Fishing Days)

WHEREAS, on April 30, 2010, I issued Executive Order 10-99 declaring a state of emergency due to the threat that oil leaking from the Deepwater Horizon drilling platform and well poses a threat to the State of Florida; and

WHEREAS, I found that this event threatens the State of Florida with a major disaster and proclaimed a state of emergency exists for the counties of Escambia, Santa Rosa, Okaloosa, Walton, Bay and Gulf; and

WHEREAS, pursuant to Executive Orders 10-100 and 10-106, I amended Executive Order 10-99 to include additional counties in the state of emergency; and

WHEREAS, the Florida Fish and Wildlife Conservation Commission has advised of misinformation and unfounded concerns that Florida's saltwater fish populations and habitat may have been harmed by the Deepwater Horizon oil spill; and

WHEREAS, such unverified concerns have the potential to inflict serious, economic harm on Florida's tourism and recreational fishing industries; and

WHEREAS, as Governor, I am responsible to meet the dangers presented to this state and its people by this emergency.

NOW, THEREFORE, I, CHARLIE CRIST, as Governor of Florida, in obedience to my solemn constitutional duty to take care that the laws be faithfully executed, and pursuant to the Constitution and laws of the State of Florida, and by virtue of the authority vested in me by Article IV, Section 1 (a) of the Florida Constitution and by the State

Emergency Management Act (Chapter 252, Florida Statutes), and all other applicable laws, I do hereby promulgate the following Executive Order, to take immediate effect:

Section 1. Executive Order 10-99, as amended by Executive Orders 10-100 and 10-106, is amended to provide that, having found the special duties and responsibilities resting upon some state, county, regional and local governmental agencies in responding to the emergency may require them to deviate from the statutes, rules, ordinances and orders they administer, I delegate to such agencies the authority to waive or deviate from such statutes, rules, ordinances or orders to the extent that such actions are needed to cope with this emergency. Any waiver of statutes, rules, ordinances or order shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire thirty (30) days from the date of the expiration of Executive Order 10-99, unless extended (in increments of no more than thirty days) by the agency.

Section 2. Pursuant to Chapter 252, Florida Statutes, and Executive Order 10-99, as amended by Executive Orders 10-100 and 10-106, the Florida Fish and Wildlife Conservation Commission ("Commission") is authorized to designate Free Saltwater Fishing Days for the taking of saltwater fish for noncommercial purposes in order to encourage residents and visitors to enjoy the bountiful and healthy fishing opportunities available in Florida, "The Fishing Capital of the World." The Commission is authorized to declare Free Saltwater Fishing Days for May 29, 30 and 31, 2010 (Memorial Day weekend), and for the weekend of June 5, and 6, 2010, during which any person may take saltwater fish for noncommercial purposes without obtaining or possessing a license or permit or paying a license or permit fee as prescribed in Chapter 379.354(15), Florida Statutes.

Section 3. Except as amended herein, Executive Order 10-99, as amended by Executive Order 10-100 and Executive Order 10-106, is ratified and reaffirmed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 27th day of May, 2010.



Charlie Crist
GOVERNOR

ATTEST:
Janet K. Roberts
SECRETARY OF STATE

FILED
2010 MAY 27 PM 7:00
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA