

# Chapter 89-147

## Senate Bill No. 353

AN ACT relating to administrative procedure; amending s. 120.52, F.S.; providing an exception to the definition of "rule" under the Administrative Procedure Act for certain agency action altering annual harvest limits for saltwater fishing; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (d) of subsection (16) of section 120.52, Florida Statutes, 1988 Supplement, is amended to read:

### 120.52. Definitions

As used in this act:

(16) "Rule" means each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the organization, procedure, or practice requirements of an agency and includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule. The term also includes the amendment or repeal of a rule. The term does not include:

(d) Agency action which has the effect of altering established hunting or fishing seasons, OR ALTERING ESTABLISHED ANNUAL HARVEST LIMITS FOR SALTWATER FISHING IF THE PROCEDURE FOR ALTERING SUCH HARVEST LIMITS IS SET OUT BY RULE OF THE MARINE FISHERIES COMMISSION, PROVIDED ~~when~~ such action is adequately noticed in the area affected through publishing in a newspaper of general circulation or through notice by broadcasting in an electronic media.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 27, 1989.

Filed in Office Secretary of State June 27, 1989.