

SENATE BILL NO. 207

BY SENATOR ALLAIN AND REPRESENTATIVE BISHOP

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 56:10(B)(1)(g) and to enact R.S. 56:10(B)(16), relative to saltwater fishing licenses; to direct dedicated monies of the Saltwater Fish Research and Conservation Fund to the administration of only certain programs; to limit the use of monies in the fund; to provide for terms, conditions, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:10(B)(1)(g) is hereby amended and reenacted and R.S. 56:10(B)(16) is hereby enacted to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; particular funds; **limitations on purposes for use of monies in particular funds;** warrants; vouchers; surplus funds

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B.(1) Subject to the exception contained in Article VII, Section 9(A) of the Constitution of Louisiana, all funds collected by the commission from every source shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall, prior to placing such remaining funds in the state general fund, conform to the following:

* * *

(g) Between June 1, 2014, and May 31, 2018, pay annually into the Conservation Fund, into a special account designated as the "Saltwater Fish Research

1 and Conservation Fund", an amount equal to the fees collected pursuant to R.S.
2 56:302.1(C)(1)(c). ~~Such funds shall be used by the office of fisheries for data~~
3 ~~collection and management and conservation of recreational saltwater fish species.~~

4 * * *

5 **(16)(a) The monies in the Saltwater Fish Research and Conservation**
6 **Fund shall be used solely for the administration and conducting of the**
7 **Louisiana Recreational Creel Survey (LACREEL) and the Recreational**
8 **Offshore Landing Permit program (ROLP).**

9 **(b) The monies allocated to the programs described in Subparagraph (a)**
10 **of this Paragraph shall not be used on or for any of the following purposes:**

11 **(i) To create any exempted fishing permit program or pilot program as**
12 **recognized and granted by the United States Department of Commerce through**
13 **the National Oceanic and Atmospheric Administration - National Marine**
14 **Fisheries Service, that establishes a limited access or entry program for licensed**
15 **fishermen, either voluntarily or required, fishing in territorial waters, including**
16 **the boundary from the shoreline to a distance nine miles into the Gulf of**
17 **Mexico, as established by federal law.**

18 **(ii) To create limited entry programs, including but not limited to**
19 **lotteries, established for any of the following:**

20 **(aa) The issuance of fish harvest tags.**

21 **(bb) The issuance of fish harvest tags on a "first-come, first-served**
22 **basis" for more than eighty percent of the total allowable catch of an individual**
23 **species of fish.**

24 **(cc) The limitation of the days at sea that further restrict access to a**
25 **number of days that differs from seasons established for all licensed fishermen**
26 **by the department or the Gulf of Mexico Fishery Management Council.**

27 **(dd) The creation of fisheries unit efforts or effort units or any other**
28 **program that limits access for licensed fishermen to fish other than the**
29 **beginning and end dates of established seasons as determined by the secretary**
30 **in consultation with the commission or seasons set by the Gulf of Mexico**

1 Fishery Management Council.

2 (ee) The creation or enforcement of any individual fishing quota or
3 individual transferrable quota systems for licensed fishermen, licensed charter
4 boat fishing guides, and federally permitted licensed charter boat operations in
5 which vessels used in that operation are registered in the state.

6 (ff) The establishment of any mandatory reporting programs by licensed
7 fishermen, including required advanced notification of any department
8 personnel prior to commencement of a fishing trip by licensed fishermen.

9 (gg) The creation of any mandatory reporting program in which licensed
10 fishermen are required to report their catch immediately upon returning to
11 port after fishing unless during a dockside intercept conducted by department
12 personnel conducting dockside intercept surveys on behalf of LACREEL or
13 ROLP.

14 (c) If the department violates Subparagraph (b) of this Paragraph, the
15 treasurer shall not release any more monies credited to the Saltwater Fish
16 Research and Conservation Fund to the department, until such time as the
17 department ceases its violation.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____