Regular Session, 2011

HOUSE BILL NO. 293

BY REPRESENTATIVE DOVE

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

FISHING/VESSELS: Authorizes the Wildlife and Fisheries Commission to regulate the taking of certain species of fish and to require the use of vessel monitoring systems in certain circumstances

AN ACT

To amend and reenact R.S. 44:4.1(B)(33) and to enact R.S. 56:6(34) and 433.1(A)(4), relative to the powers and authority of the Wildlife and Fisheries Commission; to authorize the commission to regulate and permit the taking of certain species of fish; to authorize the commission to require the use of vessel monitoring systems on vessels engaged in commercial harvest from the public oyster seed grounds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:4.1(B)(33) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(33) R.S. 56:301.4, 306.5, 309.4, 433.1(A)(4), 637

* * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Section 2. R.S. 56:6(34) and 433.1(A)(4) are hereby enacted to read as follows:

§6. Special powers and duties; statistics; rules and regulations; reports

The commission, through its secretary:

* * *

(34) May promulgate rules and regulations, subject to the provisions of the Administrative Procedure Act, to manage and collect harvest information for recreational landings of state and federal cooperatively managed species in coordination with the Gulf of Mexico Fishery Management Council, and to set seasons, times, places, quotas, daily take, possession limits, permitting, reporting procedures, landing requirements, tagging requirements, and other rules and regulations pursuant thereto necessary to manage and collect harvest information on recreational landings.

* * *

§433.1. Oyster seed ground vessel permit; Oyster Seed Ground Vessel Permit Appeals Board

A.

* * *

(4) In an effort to collect data to enable the department to better manage the public oyster resource, the commission may adopt rules and regulations which require the use of a vessel monitoring system for use by a vessel taking oysters for commercial purposes under the authority of the oyster seed ground vessel permit. Any data collected by the department shall be confidential and shall not be subject to the Public Records Law.

* * *

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Dove HB No. 293

Abstract: Authorizes the Wildlife and Fisheries Commission to promulgate rules relative to certain activities related to commercial and recreational fishing.

Proposed law authorizes the Wildlife and Fisheries Commission to promulgate rules to manage recreational landings of fish species managed cooperatively with the Gulf of Mexico Fishery Management Council.

Proposed law also authorizes the Wildlife and Fisheries Commission to promulgate rules which would require the use of a vessel monitoring system by oyster harvester vessels taking oysters from the natural public reefs or the public seed grounds or reservations.

Proposed law also provides for a public records exception for data collected pursuant to the vessel monitoring.

(Amends R.S. 44:4.1(B)(33); Adds R.S. 56:6(34) and 433.1(A)(4))

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