ENROLLED

Regular Session, 2011

ACT No. 375

HOUSE BILL NO. 289

BY REPRESENTATIVE MORRIS

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

AN ACT

To amend and reenact R.S. 56:10(B)(15), 104(A)(3) and (8)(a), 649.3(B), and 650(A) and (B)(1), relative to the Lifetime License Endowment Trust Fund and the Conservation Fund; to provide for certain fees charged to disabled residents; to provide for deposit of revenues to that fund and to the Conservation Fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:10(B)(15), 104(A)(3) and (8)(a), 649.3(B), and 650(A) and (B)(1) are hereby amended and reenacted to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; particular funds; warrants; vouchers; surplus funds

* * *

B.

* * *

(15) There is hereby created within the Conservation Fund a special account known as the "litter abatement and education account" which shall consist of donations collected from the sale of the environmental education license plate provided for in R.S. 47:463.43; revenue received by the Conservation Fund from the Department of Public Safety and Corrections, office of motor vehicles as provided in R.S. 32:412; revenue received by the Conservation Fund from fines for violations of the provisions of Part I of Chapter 21 of Subtitle II of Title 30 as provided in R.S. 30:2532; funds from public or private donations and any other source which may specify deposit to this account; and any remaining balance in the Louisiana Environmental Education Fund as of August 15, 2011. The revenues shall be subject

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to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for litter abatement and enforcement; public service announcements; develop, review, approve, and implement a plan for statewide environmental education; for the training of operators of vehicles regarding littering; to finance local littering enforcement activities in order to promote public safety, order, and general welfare by making the streets, roads, rivers, streams, bayous, lakes, waterways, and highways of Louisiana clean, safe, and free of debris, litter, and other material falling from or being thrown from vehicles; and to award grants to nonprofit organizations and public agencies for the development, dissemination, and assessment of such education programs.

* * *

§104. License fees; reciprocity; exceptions

A. No license shall be issued under this Part unless there has been previously paid a fee or fees as hereinafter set forth:

* * *

(3) In the case of a resident, except as specified in Subsection B of this Section, a fee of fourteen dollars is required to hunt, take, possess, or transport deer, turkey, or bobcat. This license, which shall be known as a big game license, shall be required in addition to the basic hunting license. In addition and except as provided for in Paragraph (8) of this Subsection, a fee of ten dollars and fifty cents may be charged a resident for the issuance of a special primitive firearms license to take deer during the special deer season for primitive firearms as provided in R.S. 56:103(C)(2).

* * *

(8)(a) A resident who is totally and permanently disabled and receiving a disability benefit from the federal social security system or a disability retirement income from a retirement system whose members are exempt from federal social security, either pursuant to the Railroad Retirement Insurance Act, 45 U.S.C. 231, or because they are employees of a state or a political subdivision of the state that

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has not voluntarily agreed to participate in federal social security under 42 U.S.C. 418, may purchase a basic hunting license which will also include a WMA hunting permit for a fee of five dollars in order to hunt, take, possess, or transport wild birds and quadrupeds on which open seasons are declared. In addition to the basic hunting license fee, any such person may also purchase a resident big game hunting license for a fee of five dollars ~~and~~ , a resident bow hunting license for a fee of five dollars, or a special primitive firearms license for a fee of five dollars.

* * *

§649.3. Combination lifetime hunting and sports fishing license

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B. A combination lifetime hunting and sports fishing license holder shall be entitled to the individual gear license privileges under the recreational gear license as provided in R.S. 56:302.3. However, an additional fee shall be levied for lifetime privileges for each recreational fishing gear license in an amount that is equal to ten times the cost of an annual license issued under the provisions of R.S. 56:302.3. ~~Of the revenues received from the additional gear license fees, one-tenth shall be deposited to the Conservation Fund to be used by the department for its fiscal operations. The remaining nine-tenths of the revenues collected shall be deposited to the Lifetime License Endowment Fund, R.S. 56:650.~~

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§650. Lifetime License Endowment Trust Fund

A.(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~~ under the provisions of this Part 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, pay monthly into a public trust fund created within the Louisiana Department of Wildlife and Fisheries Conservation~~

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~~Fund and designated as the Lifetime License Endowment Trust Fund, after making the deductions provided in Paragraph (2) of this Subsection.~~ deposit as provided in Paragraph (2) of this Subsection, an amount equal to the revenues collected under the provisions of this Part. The funds credited to the Lifetime License Endowment Trust Fund shall be expended as provided in this Section.

(2)(a) Of the revenues received from the issuance of each lifetime license other than a senior lifetime license, ~~The state treasurer shall deduct fifty percent of the revenues collected by the commission and shall credit such amount~~ one hundred dollars shall be credited to the Lifetime License Endowment Trust Fund, and the remaining funds shall be credited to the Conservation Fund to be used for the purpose of administering and enforcing the provisions of this Chapter or for such other purposes as may be determined by the Department of Wildlife and Fisheries, ~~or by law,~~ in accordance with requirements of the hunting and fishing or other special license fees that would have been required for the hunting and fishing privileges covered by the provisions of R.S. 56:649.1, 649.2, 649.3, or 649.4.

(b) Of the revenues received from the issuance of each senior lifetime combination license, five dollars shall be credited to the Conservation Fund, and the remaining revenues shall be credited to the Lifetime License Endowment Trust Fund.

(c) Of the revenues received from the additional gear license fees levied in R.S. 56:649.3(B), one-tenth shall be deposited to the Conservation Fund to be used by the department for its fiscal operations. The remaining nine-tenths of the revenues collected shall be deposited to the Lifetime License Endowment Trust Fund. ~~However, for senior lifetime combination licenses, five dollars shall be credited to the Conservation Fund. After deducting the amounts provided in this Paragraph, the balance of the funds collected for each license shall be credited to the Lifetime License Endowment Trust Fund as provided in this Section.~~

B.(1) The Lifetime License Endowment Trust Fund is hereby established as a public trust fund, the principal of which shall be invested at interest in perpetuity and shall not be expended. The state treasurer shall, on a monthly basis, credit the ~~Louisiana Department of Wildlife and Fisheries~~ Conservation Fund with all interest

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revenues generated by investment of the principal of the Lifetime License Endowment Trust Fund.

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Section 2. The provisions of this Act shall supersede and control to the extent of any conflict with any provisions of Act ___ which originated as House Bill No. 292 of the 2011 Regular Session of the Legislature.

Section 3. This Act shall become effective on July 1, 2011.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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