

Regular Session, 2013

SENATE BILL NO. 128

BY SENATOR ALLAIN AND REPRESENTATIVES STUART BISHOP AND HENRY

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

FUNDS/FUNDING. Constitutional amendment to create the Artificial Reef Development Fund. (2/3 - CA13s1(A)) (12/25/14)

1 A JOINT RESOLUTION

2 Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to the
3 creation of the Artificial Reef Development Fund; to provide for the sources and uses
4 of monies in the fund; to provide conditions and requirements; to provide for an
5 effective date; and to specify an election for submission of the proposition to electors
6 and provide a ballot proposition.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8 elected to each house concurring, that there shall be submitted to the electors of the state, for
9 their approval or rejection in the manner provided by law, a proposal to add Article VII,
10 Section 10.11 of the Constitution of Louisiana, to read as follows:

11 **§10.11. Artificial Reef Development Fund**

12 **(A) Artificial Reef Development Fund. There shall be established in the**
13 **state treasury, as a special fund, the Artificial Reef Development Fund. Out of**
14 **the funds remaining in the Bond Security and Redemption Fund after a**
15 **sufficient amount is allocated from that fund to pay all obligations secured by**
16 **the full faith and credit of the state that become due and payable within any**
17 **fiscal year as required by Article VII, Section 9(B) of this constitution, the**

1 treasurer shall pay into the Artificial Reef Development Fund the monies
2 received as provided in Paragraph (B) of this Section.

3 (B) The secretary of the Department of Wildlife and Fisheries is
4 authorized to accept and receive grants, donations of monies, and other forms
5 of assistance from private and public sources that are provided to the state for
6 the purpose of siting, designing, constructing, permitting, monitoring, and
7 otherwise managing an artificial reef system.

8 (C) The monies in the Artificial Reef Development Fund shall be
9 appropriated by the legislature to the Department of Wildlife and Fisheries, or
10 its successor, and shall be allocated solely for the following:

11 (1) For the programs and purposes of siting, designing, constructing,
12 permitting, monitoring, and otherwise managing an artificial reef system.

13 (2) For the salaries of personnel assigned to the Artificial Reef
14 Development Program and for related operating expenses.

15 (3) An amount not to exceed ten percent of the monies deposited to the
16 fund each year and ten percent of the interest income to the fund may be used
17 by the department to provide funding in association with the wild seafood
18 certification program, particularly in support of wild-caught shrimp,
19 established by the department. Such funding may be used for a subsidy granted
20 to seafood harvesters or processors to assist in their efforts to comply with the
21 certification program requirements and may be used for administration of the
22 program.

23 (4) An amount not to exceed ten percent of the funds deposited to the
24 fund each year and ten percent of the interest income credited to the fund each
25 year may be used by the department to provide funding for inshore fisheries
26 habitat enhancement projects, particularly in support of the Artificial Reef
27 Development Program established by the department. Such funding may be
28 used for grants to nonprofit conservation organizations working in cooperation
29 with the department.

1 **(D) All unexpended and unencumbered monies in the Artificial Reef**
 2 **Development Fund at the end of the fiscal year shall remain in the fund. The**
 3 **monies in the fund shall be invested by the treasurer in the manner provided by**
 4 **law. All interest earned on monies invested by the treasurer shall be deposited**
 5 **in the fund. The treasurer shall prepare and submit to the department on a**
 6 **quarterly basis a printed report showing the amount of money contained in the**
 7 **fund from all sources.**

8 Section 2. Be it further resolved that this proposed amendment shall be submitted
 9 to the electors of the state at the statewide election to be held on November 4, 2014.

10 Section 3. Be it further resolved that this amendment shall become effective
 11 December 25, 2014.

12 Section 4. Be it further resolved that on the official ballot to be used at the election
 13 there shall be printed a proposition, upon which the electors of the state shall be permitted
 14 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
 15 follows:

16 Do you support an amendment that shall become effective December 25,
 17 2014, to create the Artificial Reef Development Fund, which shall consist of
 18 grants, donations of monies, and other forms of assistance from private and
 19 public sources that are provided to the state solely for the purpose of siting,
 20 designing, constructing, permitting, monitoring, and otherwise managing an
 21 artificial reef system and as supplemental funding for the wild seafood
 22 certification program and for inshore fisheries habitat enhancement projects?

23 (Adds Article VII, Section 10.11)

The original instrument was prepared by McHenry Lee. The following
 digest, which does not constitute a part of the legislative instrument, was
 prepared by Jay Lueckel.

DIGEST

Allain (SB 128)

Proposed constitutional amendment creates the Artificial Reef Development Fund, which
 is to be comprised of grants, donations of monies, and other forms of assistance from private
 and public sources and allocated for the following:

- (1) For the purposes of siting, designing, constructing, permitting, monitoring, and otherwise managing an artificial reef system.
- (2) For salaries and operating expenses associated with the program.
- (3) Not more than ten percent of the funds deposited in the fund each year and ten percent of the interest income of the account may be used to provide funding in association with the wild seafood certification program, and such funding may be used for a subsidy granted to seafood harvesters or processors to assist their efforts to comply with the certification program requirements.
- (4) Not more than ten percent of the funds deposited in the fund each year and ten percent of the interest income of the account may be used to provide funding for inshore fisheries habitat enhancement projects and may be used for grants to nonprofit conservation organizations working in cooperation with the department.

Proposed constitutional amendment provides that all unexpended and unencumbered monies in the fund at the end of the year will remain in the fund and be invested by the treasurer in the manner provided by law.

Provides that the amendment shall become effective December 25, 2014.

Specifies submission of the amendment to the voters at the statewide election to be held on November 4, 2014.

(Adds Const. Art. VII, Sec. 10.11)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Technical amendment - adds effective date.