

RÉSUMÉ DIGEST

ACT 100 (HB 61)

2022 Regular Session

Kerner

Existing law creates the Fishermen's Gear Compensation Fund to pay compensation for damages suffered by a commercial fisherman as a result of hitting or snagging on an obstruction or a hazard in waters of the state resulting from natural occurrences, oil and gas activities, or other activities where the obstruction is unknown. Prior law provided that payments into the Underwater Obstruction Removal Fund will cease on June 30, 2022.

New law extends payments into the Underwater Obstruction Removal Fund to June 30, 2023, and extends the existence of the Fishermen's Gear Compensation Fund to June 30, 2023.

New law sunsets the Fishermen's Gear Compensation Fund and creates the Fishermen's Gear Compensation and Underwater Obstruction Removal Dedicated Fund Account.

New law authorizes the secretary of the Dept. of Natural Resources to levy an annual fee in the amount of \$400 upon each lessee or operator for any agreement for mineral or energy production or for subsurface storage entered into by the State Mineral and Energy Board and each grantee of a state right-of-way, for each lease and right-of-way on July 1, 2023, and which are located within the coastal zone boundary. Further prohibits the secretary from levying the fee upon a political subdivision of the state.

New law provides for the eligibility of claimants and the requirements for disbursement of funds.

New law requires the department to maintain an accurate accounting of all structures and facilities on state waterbottoms and to classify all potential hazards to commercial fishing.

New law provides a termination date of June 30, 2027, for the program and fund account.

New law specifies that the assistant secretary of the office of coastal management will administer the program and fund account for purposes of fishermen's gear compensation, and the assistant secretary of the office of conservation will administer the program and fund account for purposes of underwater obstruction removal.

The portions of the Act changing the date the state treasurer shall deposit funds in the Underwater Obstruction Removal fund and the instruction to the Louisiana State Law Institute to alphabetize certain definitions will become effective on July 1, 2022. Additionally, the portions of the Act that modify the La. Underwater Obstruction Removal Program, the powers and duties of the secretary of natural resources, and the repeal of provisions of the Fishermen's Gear Compensation Fund will become effective on July 1, 2023.

(Amends the heading of Part VIII of Chapter 1 of Title 30 of the Louisiana Revised Statutes of 1950, R.S. 30:101.1, 101.2(A), 101.3(1) and (4), 101.4(Section heading) and (A), 101.5(A)(1), 101.6(A)(5) and (6), and 101.9(Section heading), (A) and (C)(4), and R.S. 36:354(E)(2); Adds R.S. 30:101.3(7) and (8), 101.6(A)(8) and (9), 101.9(D)(5), and 101.11-101.15; Repeals R.S. 56:700.1-700.6)