

Regular Session, 2014

SENATE BILL NO. 395

BY SENATOR ALLAIN

FUNDS/FUNDING. Provides relative to the Fishermen's Gear Compensation Fund. (7/1/14)

1 AN ACT

2 To amend and reenact R.S. 56:700.2(A)(4) and (C)(2) and to enact R.S. 56:700.6, relative  
3 to the Fishermen's Gear Compensation Fund; to provide a termination date for  
4 deposits from the fund; to provide an exemption for certain fees; to provide a  
5 termination date for the fund; to provide terms, conditions, and requirements; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:700.2(A)(4) and (C)(2) are hereby amended and reenacted and  
9 R.S. 56:700.6 is hereby enacted to read as follows:

10 §700.2. Establishment, continuance, and purposes of fund; geographical coverage;  
11 assessments

12 A. There is hereby established in the state treasury a Fishermen's Gear  
13 Compensation Fund into which amounts paid pursuant to this Section shall be  
14 deposited. The fund shall be available to the secretary only for the following  
15 purposes:

16 \* \* \*

17 (4) The On July 1, 2014, and on each July first thereafter and ending

1       **after June 30, 2018, the** state treasurer shall annually deposit, the amount of two  
 2       hundred fifty thousand dollars into the Underwater Obstruction Removal Fund as  
 3       provided in R.S. 30:101.9. The department shall seek to match these funds with  
 4       whatever federal or state funds may be available for such purposes.

\*       \*       \*

6                   C.

\*       \*       \*

8               (2)**(a)** To create a workable balance immediately upon establishment of the  
 9       fund, the secretary shall be authorized and empowered to levy a fee upon each lessee  
 10      of a state mineral lease and each grantee of a state right of way, for each lease and  
 11      right of way in effect at the time of the effective date of this Part and which are  
 12      located within the coastal zone boundary, in an amount of three hundred dollars. **The**  
 13      **secretary shall not be authorized and empowered to levy the fee upon a political**  
 14      **subdivision of the state.**

15              **(b)** ~~In addition, the~~ **The** state treasurer shall be authorized to pay into the fund  
 16      a sum in the amount of one hundred thousand dollars from proceeds remaining in the  
 17      Bond Security and Redemption Fund after compliance with dedications of mineral  
 18      royalties, leases, bonuses and rights of way and other sums payable to the state as  
 19      lessor of mineral leases and grantor of rights of way as required pursuant to R.S.  
 20      30:136(B) and R.S. 30:136.1(A), (B), and (C), after a sufficient amount has been  
 21      allocated from the Bond Security and Redemption Fund to pay all obligations  
 22      secured by the full faith and credit of the state which become due and payable within  
 23      the fiscal year.

\*       \*       \*

25       **§700.6 Termination date**

26              **The provisions of this Part shall terminate and have no effect after June**  
 27      **30, 2018.**

28      Section 2. This Act shall become effective on July 1, 2014.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by McHenry Lee.

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## DIGEST

Allain (SB 395)

Present law establishes the Fishermen's Gear Compensation Fund to provide compensation to commercial fishermen whose gear is damaged due to certain underwater obstructions.

Present law requires the treasurer to deposit \$250,000 annually from the Fisherman's Gear Compensation Fund to the Underwater Obstruction Removal Fund.

Proposed law changes present law to specify that on July 1, 2014, and on each July first thereafter and ending June 30, 2018, the state treasurer shall deposit the \$250,000 into the Underwater Obstruction Removal Fund.

Present law authorizes the secretary of DWF to levy a fee of \$300 on each lessee of a state mineral lease and each grantee of a state right of way that are located within the coastal zone boundary.

Proposed law exempts political subdivisions from the \$300 fee.

Proposed law establishes June 30, 2018, as a termination date for the Fishermen's Gear Compensation Fund.

Effective July 1, 2014.

(Amends R.S. 56:700.2(A)(4) and (C)(2); adds R.S. 56:700.6)