

Regular Session, 2013
HOUSE BILL NO. 376
BY REPRESENTATIVE STUART BISHOP AND SENATOR ALLAIN

ACT No. 155

1 AN ACT

2 To enact R.S. 56:109.3, relative to wildlife management areas; to authorize the imposition
3 of fees for mooring vessels in the Atchafalaya Delta Wildlife Management Area; to
4 create the Atchafalaya Delta WMA Mooring Account in the Conservation Fund; to
5 provide for deposit of such fees to the fund; to provide for the use of monies in such
6 fund; to provide for the reporting of such funds; to provide an effective date; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 56:109.3 is hereby enacted to read as follows:

10 §109.3. Levy of mooring fees in the Atchafalaya Delta WMA; Atchafalaya Delta
11 WMA Mooring Account; deposit of fees to the account; uses of the monies
12 in the account

13 A. The department shall establish a mooring program for vessels in the
14 Atchafalaya Delta Wildlife Management Area. The department shall locate mooring
15 pilings where appropriate within the Atchafalaya Delta WMA and lease such pilings
16 through a mooring program that includes assignment of such mooring sites through
17 a lottery system administered by the department and through a bid process for
18 premium mooring sites as designated by the department. All costs, including but not
19 limited to materials, professional services, and construction, shall be reported to the
20 Senate Committee on Natural Resources and the House Committee on Natural
21 Resources and Environment by the first of May in any year in which such costs are
22 incurred. A maximum of forty percent of the sites, the "premium" sites, shall be
23 available through a bidding process and the remainder of the mooring sites shall be
24 available through the lottery system. The fees for such "premium" sites shall not be

1 less than one hundred ten percent of the fees of those sites available through the
2 lottery system. Mooring fees for sites acquired through the lottery system shall be
3 three hundred dollars for two pilings or five hundred dollars for three or more
4 pilings. All annual fees collected pursuant to the provisions of this Section shall be
5 deposited to the Atchafalaya Delta WMA Mooring Account created in this Section.
6 The proceeds from such fees shall be reported annually to the Senate Committee on
7 Natural Resources and the House Committee on Natural Resources and
8 Environment.

9 B. There is hereby created, as a special account in the Conservation Fund,
10 the Atchafalaya Delta WMA Mooring Account.

11 C. After compliance with the requirements of Article VII, Section 9(B) of
12 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
13 and after a sufficient amount is allocated from that fund to pay all of the obligations
14 secured by the full faith and credit of the state, which become due and payable within
15 any fiscal year, the treasurer shall pay into the Atchafalaya Delta WMA Mooring
16 Account an amount equal to the monies received by the department from the avails
17 of the Atchafalaya Delta WMA mooring fees authorized in this Section. The monies
18 in the account shall be used solely as provided in Subsection D of this Section and
19 only in the amounts appropriated by the legislature. All unexpended and
20 unencumbered monies in the account at the end of the fiscal year shall remain in the
21 account. The monies in the account shall be invested by the state treasurer in the
22 same manner as monies in the state general fund.

23 D. Subject to annual appropriation by the legislature, the monies in the
24 Atchafalaya Delta WMA Mooring Account shall be used solely for the development,
25 construction, maintenance, and dredging of mooring sites in the Atchafalaya Delta
26 WMA.

27 E. The commission may adopt and promulgate rules and regulations in
28 accordance with the Administrative Procedure Act for the implementation of the
29 provisions of this Section.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 this Act is vetoed by the governor and subsequently approved by the legislature, this Act
5 shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____