

SENATE BILL NO. 128

BY SENATOR ALLAIN AND REPRESENTATIVES ABRAMSON, BARRAS, BERTHELOT, BILLIOT, STUART BISHOP, BROADWATER, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHAMPAGNE, COX, DOVE, FRANKLIN, GAROFALO, GISCLAIR, GUINN, HARRISON, HENRY, HENSGENS, HILL, JONES, LAMBERT, NANCY LANDRY, LOPINTO, MONTOUCET, JIM MORRIS, REYNOLDS, SCHEXNAYDER, ST. GERMAIN, THIBAUT AND WHITNEY

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

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A JOINT RESOLUTION

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

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

**§10.11. Artificial Reef Development Fund**

**(A) Artificial Reef Development Fund. There shall be established in the state treasury, as a special fund, the Artificial Reef Development 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 that become due and payable within any fiscal year as required by Article VII, Section 9(B) of this constitution, the treasurer shall pay into the Artificial Reef Development Fund the monies received as provided in Paragraph (B) of this Section.**

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

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

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

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

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

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

28          (D) All unexpended and unencumbered monies in the Artificial Reef  
29          Development Fund at the end of the fiscal year shall remain in the fund. The  
30          monies in the fund shall be invested by the treasurer in the manner provided by

1           law. All interest earned on monies invested by the treasurer shall be deposited  
 2           in the fund. The treasurer shall prepare and submit to the department on a  
 3           quarterly basis a written report showing the amount of money contained in the  
 4           fund from all sources.

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

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

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

13                       Do you support an amendment to establish the Artificial Reef Development  
 14                       Fund in the state treasury by depositing in to the fund monies that have been  
 15                       received by the Department of Wildlife and Fisheries in the form of grants,  
 16                       donations, or other assistance to provide funding for programs dedicated to  
 17                       managing an artificial reef system, the wild seafood certification program,  
 18                       and inshore fisheries habitat enhancement projects?

19                       (Adds Article VII, Section 10.11)

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES