

SENATE BILL NO. 308

BY SENATOR MARIONNEAUX

1 AN ACT

2 To amend and reenact R.S. 49:968(B)(13) and R.S. 56:5(C) and 6(28), to enact R.S.
3 49:953(H), and to repeal R.S. 49:967(D), relative to the Wildlife and Fisheries
4 Commission; to provide legislative oversight of certain rules and regulations; to
5 require the commission to adopt rules and regulations in accordance with the
6 Administrative Procedure Act; to authorize time reductions for certain rule
7 procedures; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 49:968(B)(13) are hereby amended and reenacted and R.S. 49:953(H)
10 is hereby enacted to read as follows:

11 §953. Procedure for adoption of rules

12 * * *

13 **H. The Department of Wildlife and Fisheries and the Louisiana Wildlife**
14 **and Fisheries Commission may employ the timetables and provisions of R.S.**
15 **49:953(B) in promulgating rules and regulations relative to hunting seasons,**
16 **trapping seasons, alligator seasons, shrimp seasons, oysters seasons, and finfish**
17 **seasons and size limits, and all rules and regulations pursuant thereto. Rules**
18 **adopted annually pursuant to this Subsection which open and close the offshore**
19 **and fall shrimp seasons, the oyster seasons, the marine finfish seasons, the**
20 **webless migratory game bird hunting season, and the trapping season shall be**
21 **effective for the duration of the respective season. Notwithstanding the**
22 **provisions of R.S. 49:953(B)(4), any legislative oversight hearing held on a rule**
23 **proposed under the provisions of this Subsection shall be held no earlier than**

1 five days and no later than thirty days following the date of adoption of the rule.

2 * * *

3 §968. Review of agency rules; fees

4 * * *

5 B. * * *

6 (13) The Wildlife and Fisheries Commission and the Department of
7 Wildlife and Fisheries and all of the agencies made a part of it shall submit the report
8 to the House Committee on Natural Resources and Environment and the Senate
9 Committee on Natural Resources.

10 Section 2. R.S. 56:5(C) and 6(28) are hereby amended and reenacted to read as
11 follows:

12 §5. General powers and authority

13 * * *

14 C. The commission shall adopt rules and regulations, in accordance with
15 the Administrative Procedure Act, necessary to protect certain of the state's natural
16 resources other than fish and wildlife, especially such resources as standing trees
17 which are otherwise protected by law but have no specific provision for enforcing
18 such protection.

19 §6. Special powers and duties; statistics; rules and regulations; reports

20 The commission, through its secretary:

21 * * *

22 (28) May in accordance with law impose, by rule promulgated in
23 accordance with the Administrative Procedure Act, a fee for nonresident
24 recreational hunting licenses and nonresident recreational fishing licenses. ~~The fee~~
25 ~~set by the commission shall supersede any such fee set by law. The provisions of~~
26 ~~R.S. 49:967(D) shall not apply to the adoption of the fees authorized by this~~
27 ~~Paragraph.~~ The nonresident recreational hunting licenses shall be those nonresident
28 licenses and the nonresident stamps authorized by Subpart A and Subpart A-1 of Part
29 IV of this Chapter. The nonresident recreational fishing licenses shall be those
30 nonresident licenses authorized by Subpart B of Part VI of this Chapter.

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Section 3. R.S. 49:967(D) is hereby repealed.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____