



State of Tennessee
PUBLIC CHAPTER NO. 338

SENATE BILL NO. 1140

By Summerville

Substituted for: House Bill No. 903

By Niceley, Curtis Johnson, Holt

AN ACT to amend Tennessee Code Annotated, Title 70, Chapter 2, relative to the commercial fishing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 2, is amended by adding the following new language as new Part 3:

70-2-301. The Wildlife Resources Commission is directed to promulgate reasonable rules and regulations necessary to promote commercial fishing activity as an economically viable commercial enterprise in Tennessee.

70-2-302.

(a) The agency shall request approval from the Convention for the International Trade of Endangered Species (CITES) to establish a length limit of no less than thirty-six (36) inches and an annual season length no shorter than November 15 to April 15. Should the approval not be granted, the agency is authorized to negotiate conditions under which the approval would be granted.

70-2-303.

(a) Tennessee residents shall be given preference in licensing with a limit on the number of non-resident permits.

(b) All nets shall be properly buoyed to promote safety on the waters of the state.

(c) The agency shall develop a plan to study sustainability, population conditions, and juvenile survival rates on waters not currently open to commercial roe fishing. With the assistance of the commercial fishing community in harvest surveys, such study shall include at least the following objectives:

(1) Description of the size structure and age structure of the existing paddlefish population;

(2) Determination of paddlefish population parameters including growth, recruitment, and natural mortality; and

(3) Assessment of the likelihood that the paddlefish population can provide a sustainable commercial fishery.

70-2-304. To insure that the views of the commercial fishing community are appropriately communicated as well as to assist the wildlife resources agency in developing rules and regulations on commercial fishing, there is created a commercial fishing advisory committee. The committee members shall be named by the wildlife resources executive director and shall include, but not be limited to, licensed commercial fishers and roe fishers, dealers, and buyers. The members of the committee shall serve as volunteers and shall not be paid or reimbursed for time served as committee members.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act

which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

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PASSED: May 18, 2011



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 30th day of May 2011



BILL HASLAM, GOVERNOR