

113TH CONGRESS
1ST SESSION

H. R. 1219

To amend the Magnuson-Stevens Fishery Conservation and Management Act to provide that each of the States of Texas, Louisiana, Mississippi, Alabama, and Florida have exclusive fishery management authority over reef fish in the Gulf of Mexico in waters that, on average, are 20 fathoms or less in depth, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2013

Mr. BONNER introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To amend the Magnuson-Stevens Fishery Conservation and Management Act to provide that each of the States of Texas, Louisiana, Mississippi, Alabama, and Florida have exclusive fishery management authority over reef fish in the Gulf of Mexico in waters that, on average, are 20 fathoms or less in depth, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gulf Fisheries Fair-
5 ness Act”.

1 **SEC. 2. STATE EXCLUSIVE FISHERY MANAGEMENT AU-**
2 **THORITY OVER REEF FISH IN THE GULF OF**
3 **MEXICO.**

4 (a) IN GENERAL.—The Magnuson-Stevens Fishery
5 Conservation and Management Act is amended—

6 (1) in section 101 (16 U.S.C. 1811)—

7 (A) in subsection (a), by inserting “and
8 subsection (c) of this section” after “section
9 102”; and

10 (B) by adding at the end the following:

11 “(c) STATE EXCLUSIVE FISHERY MANAGEMENT AU-
12 THORITY OVER REEF FISH IN THE GULF OF MEXICO.—

13 “(1) IN GENERAL.—Each of the States of
14 Texas, Louisiana, Mississippi, Alabama, and Florida
15 shall have exclusive fishery management authority
16 over all Gulf reef fish in all waters that are—

17 “(A) within the exclusive economic zone in
18 the Gulf of Mexico;

19 “(B) not further from shore than the line
20 described under paragraph (2); and

21 “(C) between the projected lines deter-
22 mined for that State under section 4(a)(2)(A)
23 of the Outer Continental Shelf Lands Act (43
24 U.S.C. 1333(a)(2)(A)).

25 “(2) DESCRIPTION OF LINE.—

1 “(A) IN GENERAL.—The Secretary shall
2 publish a description of, and map showing, a
3 continuous line in waters of the exclusive eco-
4 nomic zone in the Gulf of Mexico along the
5 coasts of the States referred to in paragraph
6 (1), that is comprised of points that are, on av-
7 erage, 20 fathoms in depth.

8 “(B) MINIMUM DISTANCE.—No point on
9 such line shall be less than 9 nautical miles
10 from the baseline from which the territorial sea
11 of the United States is measured.

12 “(3) PROHIBITION ON LIMITING AUTHORITY TO
13 FISH UNDER FEDERAL LAW.—The Secretary may
14 not suspend, revoke, terminate, or otherwise limit
15 the authority of any person under Federal law to en-
16 gage in fishing, based on fishing by the person for
17 Gulf reef fish in waters that are subject to the exclu-
18 sive fishery management authority of a State under
19 this subsection.

20 “(4) GULF REEF FISH DEFINED.—In this sub-
21 section the term ‘Gulf reef fish’ means all fish listed
22 in table 3 of appendix A to part 622 of title 50,
23 Code of Federal Regulations (as in effect on the
24 date of enactment of this subsection).”; and

1 (2) in section 302(a)(1)(E) (16 U.S.C.
2 1852(a)(1)(E)), by inserting “of this subsection and
3 section 101(c)” after “paragraph (3)”.

4 (b) DEADLINE.—The Secretary of Commerce shall
5 publish the 20-fathom line description and map required
6 under the amendment made by subsection (a)(1) by not
7 later than 30 days after the date of the enactment of this
8 Act.

9 (c) TERMINATION OF APPLICATION OF MORE RE-
10 STRICTIVE FEDERAL REGULATIONS.—Sections
11 622.4(a)(1)(iv) and 622.4(a)(2)(v) of title 50, Code of
12 Federal Regulations, as in effect on the date of enactment
13 of this Act, and any substantially similar regulation, shall
14 not apply with respect to waters described in section
15 101(c)(1) of the Magnuson-Stevens Fishery Conservation
16 and Management Act, as amended by this section.

○