

111TH CONGRESS
2D SESSION

S. 3046

To direct the Secretary of Commerce to study the South Atlantic red snapper fishery and to limit the authority of the Secretary to promulgate any interim rules for the fishery, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2010

Mr. NELSON of Florida introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Secretary of Commerce to study the South Atlantic red snapper fishery and to limit the authority of the Secretary to promulgate any interim rules for the fishery, 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 “South Atlantic Red
5 Snapper Fishery Protection Act”.

6 **SEC. 2. SOUTH ATLANTIC RED SNAPPER FISHERY.**

7 (a) STOCK ASSESSMENT.—

1 (1) REQUIREMENT.—The Secretary of Com-
2 merce shall conduct a benchmark stock assessment
3 of the South Atlantic red snapper fishery that shall
4 include fishery independent data.

5 (2) REPORT TO CONGRESS.—The Secretary of
6 Commerce shall submit to Congress a report on the
7 findings of the assessment required by paragraph
8 (1).

9 (b) LIMITATION ON INTERIM RULES TO CLOSE
10 FISHERY.—

11 (1) IN GENERAL.—The Secretary of Commerce
12 may not promulgate any interim rule under section
13 305(c) of the Magnuson-Stevens Fishery Conserva-
14 tion and Management Act (16 U.S.C. 1855(c)) or
15 any final rule that prohibits fishing in the South At-
16 lantic red snapper fishery—

17 (A) prior to the date the Secretary submits
18 to Congress the report required by subsection
19 (a)(2); and

20 (B) unless such report demonstrates the
21 need for any such an interim or final rule.

22 (2) EXISTING INTERIM RULES.—Any interim
23 rule promulgated under section 305(c) of the Mag-
24 nuson-Stevens Fishery Conservation and Manage-
25 ment Act (16 U.S.C. 1855(c)) that prohibits fishing

1 in the South Atlantic red snapper fishery that was
2 promulgated prior to the date of the enactment of
3 this Act shall have no force or effect.

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