

# LOUISIANA COOPERATIVE EXTENSION SERVICE

LOUISIANA STATE UNIVERSITY & A. & M. COLLEGE, U.S. DEPARTMENT OF AGRICULTURE,  
Room 800 AND LOUISIANA PARISHES COOPERATING Phone Number:  
Gretna, LA 70053 367-6611 Ext: 355

May 23, 1980

## LAGNIAPPE - SPECIAL EDITION

This Special Edition of the LAGNIAPPE is devoted to the new bills which are before the current Legislative Session. As you know, the fishing industry is highly sensitive to legislation, so some of these bills may be very important. If you need more information on any of these bills, call 1-800-272-8186. This is a toll-free number in Baton Rouge and they will be able to answer your questions on a particular bill or send you a copy of it.

### House Bill 6 - Theriot

Changes the maximum mesh size on saltwater seines to two inches square (4 inches stretched) from one inch square.

### House Bill 235 - Diez

Prohibits the operation of a motorboat with an area flooded by waters over floodstage. (Note - This may have an impact on crawfishermen in the Atchafalaya Basin, since they fish in the flooded woods over privately owned land.)

### House Bill 253 - Fowler

Requires that a person show proof of residency before purchasing a Louisiana resident commercial fishing license. A current Louisiana driver's license or voter registration certificate is considered proof.

### House Bill 263 - Ullo

Authorizes the Louisiana Wildlife and Fisheries Commission to adopt rules and regulations for a special bait dealer's permit and to allow the taking of bait by qualified permit holders during the closed season between the spring and fall shrimp seasons.

### House Bill 278 - LeBleu

Provides for the state sales tax exemption on fishing gear and equipment used for fishing for fish used directly and indirectly as food. (Note - This bill simply gives the menhaden fishermen the same state sales tax exemption that other commercial fishermen have had for several years.)

### House Bill 444 - Ullo (By Request)

Places the following severance taxes on seafood:

- 1) crabs—3 cents per bushel
- 2) crabs shipped out of state—20 cents per bushel
- 3) speckled trout, redfish, red snapper, white trout—6 cents per pound.
- 4) speckled trout, redfish, red snapper, white trout shipped out of state—32 cents per pound.
- 5) oysters from private reefs—12 cents per barrel.
- 6) oysters from natural reefs—20 cents per barrel.
- 7) shrimp shipped out of state—\$2.50 per 210 pound barrel.

### House Bill 489 - Lowenthal

Provides for the same trespass law to be used across the state and does away with the special laws which before only applied to some parishes. Criminal trespass is the unauthorized and intentional "taking physical possession of any land or structure without

permission or the unauthorized and intentional entry into the same type area. Also considered criminal trespass, is the destroying or damaging of posted signs.

In case of emergency on the water, a person may use the banks of a waterway in a posted area.

The property owner shall put up posted signs along the boundary of the property with letters at least 5 inches in height and give public notice of the location and boundary of the property. The signs must be 3 to 9 feet above the ground or water level and no more than 300 feet apart. Also, each sixth sign shall have the name and address of the posting party.

In woodland areas, the owner must also whitteline his property every 50 feet. In marsh land areas, posted signs must also be placed at every major point of entry.

Penalty for first offense is \$50 to \$100. Second offense is \$100 to \$250, third offense is up to 60 days in jail.

House Bill 525 - Guidry

Includes the Atchafalaya Basin south of Highway 190 in the Coastal Zone.

House Bill 541 - Sheridan, Scogin

Prohibits the use of slat traps in state waters which form the boundary between a parish and an adjoining state where the adjoining state prohibits their use.

House Bill 819 - Bella

Authorizes the St. Mary Parish Government to make regulations and laws to punish trespass on posted lands or non-navigable waters.

House Bill 1047 - LeBleu

Provides that the slats in a slat trap must be at least 1½ inches apart.

House Bill 1050 - Siracusa

Provides that all commercial shrimp fishing licenses must be purchased from January through March 1 for the year in which they are used. Newly aquired vessels will have 45 days in which to get their licenses.

House Bill 1051 - Siracusa

Provides for a flat \$100 license for hoop net fishermen rather than so much per net as it is now.

House Bill 1052 - Siracusa

Requires that any vessel located in Louisiana waters and having shrimp on board must have the appropriate Louisiana fishing licenses.

House Bill 1053 - Siracusa

Provides for the creation of a "Louisiana Commercial Shrimping Industry Study Commission" to study the problems facing the Louisiana commercial shrimping industry.

House Bill 1054 - Siracusa

Expands the powers of the Secretary of the Department of Wildlife and Fisheries to issue experimental permits not only for underutilized species of seafood, but for traditional ones as well.

House Bill 1055 - Siracusa

Changes the maximum size of butterfly nets from 12 ft. by 12 ft. to 144 square feet.

House Bill 1141 - Guidry, Grisbaum, Simoneaux, Senators Casey and Windhorst

Allows alligators to be skinned during the closed season for fur trapping. (During the gator season)

House Bill 1142 - Guidry, Grisbaum, Simoneaux, Senators Casey and Windhorst

Redefines a fur buyer to include a person who buys alligator skins. Also includes alligators in non-game quadrupeds class (fur animals).

House Bill 1143 - Guidry (By Request), Grisbaum, Simoneaux, Senators Casey and Windhorst

Provides for non-resident alligator hunters permit of \$150.

House Bill 1144 - Guidry, Grisbaum, Simoneaux, Senators Casey and Windhorst

Changes the requirement that every dealer or buyer having raw, green, undressed alligator hides in his possession after the season closes to file regular reports to the Department, to every person who holds raw, green, undressed hides shall file reports.

House Bill 1147 - Guidry, Grisbaum, Simoneaux, Senators Casey and Windhorst

Changes the requirement that fur and skin dealers give a complete report to the Department for audit purposes from within 90 days after the season closes, to within 60 days after the close of the season.

House Bill 1148 - Guidry (By Request), Grisbaum, Simoneaux, Senators Casey and Windhorst

Changes the severance tax on furs and hides shipped out of state from one cent on muskrats, opossums, skunks, beavers, ring-tail cats, bobcats, foxes and coyotes, two cents on nutria and twenty-five cents on otters and alligators, to ten cents each on alligators, beavers, bobcats, coyotes, foxes, mink, muskrats, nutria, opossum, otter, racoons, skunks and weasels.

House Bill 1150 - Guidry, Grisbaum, Simoneaux, Senators Casey and Windhorst

Allows licensed fur trappers to hold live fur animals (except alligators) in captivity during trapping season. The animals must have been caught by legal trapping methods and the animals must be released or skinned by the last day of trapping season unless the trapper applies for a "non-game quadruped breeder or exhibitors license." Then the trapper may hold the animals as long as his license is good.

A licensed trapper may also sell any live animals (except alligators) he is holding to any licensed non-game quadruped breeder or exhibitor during the open trapping season. The buyer must keep his bill of sale for one year.

House Bill 1153 - Guidry, Grisbaum, Simoneaux, West, Brady, Gunter, Senators Casey and Windhorst

Gives police powers to all duly commissioned Wildlife officers of the Department of Wildlife and Fisheries. The previous law gave such powers only to duly commissioned officers of the Enforcement Division.

House Bill 1160 - Patti, Senator Nunez

Does away with the minimum measurement of two feet wide for oyster dredges when an oyster fisherman is working his own lease. Before using any dredge narrower than 3 feet however, the fisherman must get a special permit and keep it ready for inspection when the dredge is in use.

House Bill 1161 - Patti, Senator Nunez

Fixes the rate of oyster leases at one to five dollars per acre per year. The rate of renewal will apply to all leases executed by the Secretary of the Department (after the fixing of the rate.) The area for each lease shall be rounded off to the nearest full acre.

House Bill 1162 - Patti, Senator Nunez

Gives the owner of an expiring oyster lease the first right of renewal of the lease.

House Bill 1163 - Patti, Senator Nunez

Reorganizes oyster laws into new sections.

House Bill 1164 - Patti, Senator Nunez

Inserts the word "initial" in front of applicant in the section that describes what an applicant must do to get an oyster lease.

House Bill 1165 - Patti, Senator Nunez

Gives oyster lease holder the first right of renewal on a lease when the present lease expires for 15 year periods as long as the lease is capable of supporting oyster populations.

Provides that if the Department Secretary does not execute the renewal lease within 60 days from the date of expiration that the lease is automatically renewed.

Also provides that the survey for renewal may be made before the present lease expires, so as not to hold up the renewal.

House Bill 1166 - Patti, Senator Nunez

Reduces the penalties for violations of section 442 (unlawful packing and taking of oysters) and section 439 (unlawful taking of oysters or signs from leases, instructions to captains and crews) from a fine of \$100 to \$5000 and/or 90 days to 2 years in jail, to a fine of \$100 to \$1000 and/or jail sentence of 60 days to one year.

House Bill 1167 - Patti, Senator Nunez

States the Department must compensate lease holders for leases taken over for seed grounds rather than the Department may compensate leaseholders.

House Bill 1168 - Patti

Provides that the Breton and Chandeleur Sounds be kept open for shrimping from the beginning of the May season to the closing of the August season.

House Bill 1169 - Patti

Changes the minimum mesh size on shrimp trawls in the May season from 3/4-inch bar (1½-inches stretched) to 5/8-inch bar (1¼-inches stretched).

Changes the maximum size of butterfly nets from 12 ft. by 12 ft. to 144 square.

House Bill 1227 - Kember

Includes Iberville Parish within the Coastal Zone.

House Bill 1238 - Siracusa

Changes the minimum mesh size allowed (in the May shrimp season) on trawls, beam trawls, shrimp seines and butterfly nets to  $5/8 - \frac{3}{4}$  inch bar ( $1\frac{1}{4}$ -inch stretched).

Changes the minimum mesh size in seines (in the August season) from 1-inch bar (2-inches stretched) to  $3/4$ -inch bar ( $1\frac{1}{2}$ -inches stretched). Also changes the minimum mesh size in butterfly nets in the August season from  $5/8$ -inch bar ( $1\frac{1}{4}$ -inches stretched) to  $11/16$ -inch bar ( $1-3/8$ -inches stretched).

Also prohibits the use of butterfly nets over 12 ft. long or tall.

House Bill 1315 - J.J. Guidry

Provides for a minimum mesh size of  $3/4$ -inch on crawfish traps.

Provides for establishment of commercial crawfishing license and tags for his traps (no limit on number). Only licensed commercial crawfishermen may sell their catch.

Also makes it against the law for a dealer to buy crawfish from anyone not having a commercial crawfishing license.

House Bill 1405 - Haik

Changes minimum size on blue catfish from 14 inches to 12-inches.

House Bill 1584 - Hebert

States that pet-turtle farmers must treat their turtles for sale with the Siebling method to prevent Salmonella and Arizona infections.

House Bill 1642 - Haik, J.P. Guidry, Tauzin, J.J. Guidry

Provides that seasonal workers (like commercial fishermen) be exempted from the law which prohibits drawing of unemployment by self-employed people.

House Bill 1715 - Hebert

Changes the minimum number of days in the May season from 50 to 40.

Senate Bill 189 - Landry

Provides for color coded and numbered floats on crab traps. The color and number on the float shall also be conspicuously displayed on the boat running the traps, so that the color and number can easily be seen from the air and water.

Senate Bill 449 - Nicholson

Does away with the fees for commercial crab licenses.

Senate Bill 663 - Nunez

Provides for establishment of a Commercial Fishermen's Fuel Compensation Fund, which will provide financial assistance to the owners of commercial fishing vessels.

The money for the fund will come from severance taxes on

seafood, and state and federal funds.

The fund will pay resident commercial fishermen once a year to compensate for rising fuel costs.

Senate Bill 666 - Nunez

Provides the smallest oyster dredge that can be used on unleased public oyster grounds is two feet, as measured along the tooth bar.

Senate Bill 790 - Nunez, Casey, Windhorst, and Representatives J.J. Guidry, Grisbaum, Simoneaux

Same as House Bill 1153

Senate Bill 791 - Nunez, Casey, Windhorst and Reps. J.J. Guidry, Grisbaum, Simoneaux

Same as House Bill 1147

Senate Bill 792 - Nunez, Casey, Windhorst and Reps. J.J. Guidry, Grisbaum, Simoneaux

Same as House Bill 1144

Senate Bill 793 - Nunez, Casey, Windhorst and Reps. J.J. Guidry, Grisbaum, Simoneaux

Same as House Bill 1142

Senate Bill 796 - Nunez, Casey, Windhorst and Reps. J.J. Guidry, Grisbaum, Simoneaux

Same as House Bill 1148

Senate Bill 799 - Nunez, Casey, Windhorst and Reps. J.J. Guidry, Grisbaum, Simoneaux

Same as House Bill 1143

SB 967 + 970

Senate Bill 971 - Nunez

Same as House Bill 1052

Senate Bill 972 - Nunez

Same as House Bill 1050

Senate Bill 973 - Nunez

Same as House Bill 1055

Senate Bill 974 - Nunez

Changes the minimum legal size of hard crabs from 5 to 5½ inches point to point. Lowers the minimum legal size of blue catfish from 14 to 12 inches.

Senate Bill 997 - Nunez (By Request)

Restricts payments from the gear compensation fund for damaged fishing gear to damage caused by obstructions due to oil and gas activities only.

Lowers the assessments on the oil companies' leases and rights-of-way from a maximum of \$1000 to \$200 for replenishment of the fund.

Authorizes rules and regulations that allow for paying a fisherman for hitting the same obstruction more than once only under extraordinary circumstances.

Senate Bill 1003 - Nunez, Rep. Patti

Same as House Bill 1160

Senate Bill 1004 - Nunez, Rep. Patti

Same as House Bill 1165

Senate Bill 1005 - Nunez, Rep. Patti

Same as House Bill 1161

Senate Bill 1006 - Nunez, Rep. Patti

Same As House Bill 1163

Senate Bill 1007 - Nunez, Rep. Patti

Same as House Bill 1162

Senate Bill 1008 - Nunez, Rep. Patti

Same as House Bill 1169

Senate Bill 1009 - Nunez, Rep. Patti

Same as House Bill 1164

Senate Bill 1010 - Nunez, Rep. Patti

Same as House Bill 1167

Senate Bill 1020 - Nunez, Rep. Patti

Provides that the Department must compensate oyster lease-holders for leases given up for seed grounds. Also provides that the amount of compensation will be based on current day value of the oysters, seed oysters, shell and other improvements as determined by an independent marine surveyor determined by lease-holder.

Senate Concurrent Resolution 48 - Nunez

Requests Governor Treen to request SBA to declare the south Louisiana Parishes where shrimping is a major industry, a disaster area due to heavy spring rains.

House Concurrent Resolution 78 - Patti, J.J. Guidry, J.P. Guidry, Haik, Siracusa, Theriot, Ullo, Williams, Sheridan and Lebleu

*Same as Above*

Senate Concurrent Resolution 56 - Nicholson

Asks the U.S. Congress to give its utmost consideration to helping Louisiana commercial fishermen with their ever-increasing fuel bills.

Sincerely,

Jerald Horst  
Assoc. Area Agent  
(Fisheries)

The Louisiana Cooperative Extension Service follows a non-discriminatory policy in programs and employment.