

May 14, 1985

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LAGNIAPPE

SPECIAL EDITION

This special edition of the Lagniappe is devoted to the new bills which are before the current Legislature. As you know, the fishing industry is very sensitive to legislation, so some of these bills may be very important to you. If you need information on any of these bills, call 1-800-272-8186 or 1-342-2456. The first number is toll-free, but is often busy. Someone at either number will be able to answer your questions on the progress of the bill or bills that interest you and when they will be heard in committee. You may also call either of these numbers to deliver a YES or NO message on a bill to your legislator. If you have any other questions on how the legislature works or how a bill becomes law, feel free to contact me at my office, 341-7271.

House Bill 217 - Theriot and House Bill 1046 - Laborde and others

Adds one member from the "Associated Crawfish Processors of Louisiana" to the Louisiana Crawfish Promotion and Research Board.

House Bill 218 - Theriot and House Bill 1047 - Laborde and others

Adds one member from the "Associated Crawfish Processors of Louisiana" to the Louisiana Seafood Louisiana Seafood Promotion and Marketing Board.

House Bill 278 - Benoit

Repeals the law passed last year which would require all crawfish traps to have a minimum mesh size of 3/4 inch.

House Bill 319 - Haik

Changes the legal mesh size on saltwater fish seines from a flat 1 inch square (2" stretched) to a minimum of 1 inch square (2" stretched) and a maximum of 1 1/4 inches (2 1/2" stretched).

House Bill 321 - Haik

Provides that saltwater gill nets may be left unattended.

House Bill 322 - Haik

Changes the minimum commercial size limit on blue catfish and yellow catfish (goujon) from 14 inches to 12 inches.

House Bill 493 - Downer

Provides that an unattended net is one where the fisherman is not within 100 feet of the net while it is in the water.

Eliminates the law that says nets (including wing nets) may be left unattended if they are attached to a wharf at a camp.

Provides that any net which is unattended, be confiscated and destroyed, including associated equipment such as net frames and foundations.

House Bill 495 - Downer

Prohibits the possession of any white shrimp smaller than 100 count by any buyer or fishermen in the state of Louisiana no matter where they are caught. (This includes shrimp caught out of state or in Federal offshore waters.)

House Bill 496 - Downer

Provides that all equipment being used in connection with any violation of Wildlife and Fisheries laws except a first offense, class one violation (the very smallest violation) be seized and forfeited to the Wildlife and Fisheries Commission.

House Bill 497 - Downer

Changes the period that a person can lose his license because of a Wildlife and Fisheries violation from a maximum of one year to a maximum of three years from the time of conviction.

House Bill 498 - Downer

Provides that a license issued by the Department of Wildlife and Fisheries can be revoked for the period for which it was issued, if the license holder violates, under the license, any of the public health and sanitary laws or regulations.

House Bill 634 - F. Thompson

Provides the following penalties for failing to pay assessments on artificial bait sales for the Crawfish Promotion and Promotion Board.

A penalty of 5% of the amount due plus 1% per month, after the first month, that the amount remains due. The penalty may be waived by written recommendation of the Crawfish Promotion and Research Board.

House Bill 687 - Kember

Requires that any one who sells crawfish at the retail level must buy a license from the Department of Agriculture. The money from the licenses will go into a "Crawfish Marketing Fund" and the commissioner of agriculture will use the funds to assist in the marketing of crawfish and to provide for certification and grading of crawfish.

House Bill 698 - Bolin

Provides that retailers may sell meat from fur animals (coons, for example) up to 30 days after the last day of trapping season.

House Bill 792 - Downer

Requires all crab traps to have a float of at least 6 inches in diameter and at least half-gallon volume size.

Requires that each trap and float must be permanently marked with the crab fisherman's name, address, phone number and license number (or social security number for sport crabbers with under 5 traps).

Provides that crab traps can only be run between sunrise and noon of each day.

Provides that no crab trap can be placed closer than 100 feet from another trap. Also, no trap may be placed closer than 150 feet from any navigational path that has been marked by a stake, pole or other visible means.

Provides that game wardens can inspect any crab trap at any time and confiscate those not properly marked or used.

House Bill 839 - Hainkel

Redefines a purse seine and prohibits their use in both inside and outside state waters for taking of finfish other than menhaden and herring-like species.

House Bills 840 and 1133 - Hainkel and Benoit and others and Senate Bill 453 - Lauricella and others

Redefines a purse seine.

House Bill 916 - Martin

Allows the Crawfish Promotion and Research Board to expel a member for good cause such as missing three straight meetings.

House Bill 917 - Martin

Changes the requirement that one person on the Crawfish Promotion and Research Board be appointed from the New Orleans Retail Seafood Dealers Association to a requirement that one person on the Board must be an owner or operator of a seafood retail market.

House Bill 918 - Martin

Authorizes the Commissioner of Agriculture to audit the records of persons who collect artificial crawfish bait assessments.

House Bill 919 - Martin

Provides for an assessment (tax) of 2 cents on each bag used by crawfish fishermen and crawfish farmers. The money collected will go to the La. Crawfish Promotion and Research Board.

House Bill 920 - Martin

Provides for an assessment (tax) on natural bait (such as fish) of 25 cents per hundred pounds of bait. This assessment will be paid by the crawfish fishermen or crawfish farmers and the money collected will go to the La. Crawfish Promotion and Research Board.

House Bill 1131 - Benoit and others and Senate Bill 562 - Lauricella and others

Exempts Wildlife and Fisheries Commission and Department from legislative oversight on rule and regulation changes concerning trapping, alligator, shrimp, oyster and finfish seasons and size limits.

House Bill 1134 - Benoit and others

Redefines unattended net. The current law says an unattended net is one where the owner cannot be located in the immediate area. This bill would define an unattended net as one which does not have buoys of hunter orange color on each end or a net which has not been run for 30 hours or more.

House Bill 1135 - Benoit and others and Senate Bill 781 - Lauricella and others

Provides that when a person holds a saltwater anglers license or a finfish sellers license, all saltwater finfish in his possession will automatically be assumed to have been caught in Louisiana.

House Bills 1171 and 1273 - Patti and Guidry

Clarifies the law on sizes of trawls used in Vermilion and East and West Cote Blanche Bays.

House Bill 1208 - M. Hebert

Requires owners of pipelines, wells or platforms on state water bottoms to buy a performance bond worth 150% of the estimated cost of removal of the equipment. This is to prevent them from becoming abandoned underwater obstructions.

House Bill 1237 - Benoit and others and Senate Bill 956 - Lauricella and others

Prohibits the harvest and sale of shellfish harvested from areas not approved by the state health officer.

House Bill 1238 - Benoit and others and Senate Bill 1046 - Lauricella and others

Clarifies the law in relation to the authority of the Wildlife and Fisheries Commission, Secretary and Department employees.

House Bills 1241 and 1242 - Lowenthal

Creates the Louisiana Saltwater Finfish Registration and Marketing Act. Requires that all saltwater finfish sold or shipped must be tagged by the commercial fisherman or seafood dealer. Dealers must tag the fish with the name, address, telephone number, license number and social security number of the fisherman who caught the fish and also how much the fisherman was paid.

House Bill 1243 - Lowenthal and Senate Bill 734 - McLeod and Picard

Prohibits the taking of all saltwater finfish and garfish in the Calcasieu River System by any means other than hook and line. Prohibits the sale of all saltwater finfish and garfish taken from the system. Lowers the limit on speckled trout and redbfish from 50 per day to 25 per day.

House Bill 1304 - Hand

Prohibits shell dredging in Lakes Pontchartrain and Maurepas.

House Bill 1318 - M. Hebert

Provides that when an oyster lease holder gives written permission to someone to work his lease, he must include a starting and stopping date on the permission slip.

House Bill 1320 - Patti and Hebert

Increases the maximum legal size of shrimp trawls in Breton and Chandeleur

Sounds from 50 feet to 75 feet.

House Bill 1424 - Lemoine

Requires that anyone who processes crawfish must buy a license from the Department of Agriculture. The money from these licenses will go into "Crawfish Marketing Fund" and the commissioner of agriculture will use the funds to assist in the marketing of crawfish and to provide for certification and grading of crawfish.

House Bill 1456 - Cain (by request)

Prohibits the taking of raccoons and opossum during daylight hours.

House Bill 1481 - Carter

Requires the owner of a vessel which has sunk in a navigable waterway to remove it within 10 days or face penalty.

House Bill 1508 - Hand

Requires an environmental impact statement before permits can be issued for shell dredging in the coastal zone. Also makes changes in the review methods involved in such permits.

House Bill 1509 - Lebleu and Ullo

Defines vessel hull insurance and eases the requirements for non-profit domestic mutual insurers. This makes self-insurance more possible.

House Bill 1526 - Benoit

Creates the Louisiana Crawfish Market Development Authority under the chairmanship of the commissioner of agriculture. Its primary purpose is to lend money and technical assistance for the construction and operation of wholesale crawfish packaging, warehousing, distribution and marketing facilities. Also creates the Louisiana Crawfish Market Development Fund.

House Bill 1534 - Fernandez

Requires mitigation by shell dredgers. Mitigation simply means that the shell dredgers must do something to improve the environment in some way, since shell dredging may be injuring it.

House Bill 1685 - Baker

Allows the use of trawls with 3/4 inch mesh (1 1/2" stretched) to catch crawfish in non-shrimping waters between January 15 and June 1 of each year.

House Bill 1718 - Landrieu

Legalizes the use of "chopstick trawls".

House Bill 1726 - Ullo and Senate Bill 857 - Bagert

Changes the Lake Pontchartrain Sanctuary to include everything between the Lake Pontchartrain Causeway bridge and Hwy. 90 bridge at Lake Catherine.

House Bill 1748 - Lebleu

Creates the "right to fish law". Requires the legislature to request a recommendation from the Department of Wildlife and Fisheries whenever legislation is introduced which would outlaw a method now used to catch fish commercially. Also requires the Department to recommend outlawing the equipment only if the method is biologically damaging the population of the species beyond repair.

Protects a person fishing with legal methods from legal action by someone who buys land nearby.

Prohibits any parish or city government from passing laws which close fishing businesses or declare them a nuisance.

House Bill 1802 - Lowenthal and others

Prohibits the taking of saltwater finfish and garfish in the Calcasieu River System by any means other than hook and line unless the Department of Wildlife and Fisheries allows other methods. Provides that the amount of finfish taken per person for commercial purposes shall be determined by the Department. Lowers the recreational limit from 50 to 25 speckled trout and redbfish to 25 per day.

House Bill 1833 - Patti and Guidry

Makes trawls and butterfly nets the only legal means of shrimping except for bait cast nets and experimental permit nets.

House Bill 1855 - Guidry and Senate Bill 640 - Chabert

Closes the shrimp season in outside state waters from January 15 until the beginning of the May season.

House Bill 1882 - D. Hebert

Changes the minimum mesh size in commercial crawfish traps and nets from 3/4 inch to 1 1/4 inch.

Changes the minimum mesh size on saltwater fish seines from 1 inch square (2" stretched) to 1 1/2 inches square (3" stretched).

Changes the mesh size on saltwater shrimp seines from a minimum of 3/4 inch (square) and a maximum of 1 inch (square) to a minimum of 1 1/4 inches and a maximum of 1 1/2 inches.

Senate Bill 307 - Hinton and Scogin

Permits the use of dogs for the taking of nutria in daylight hours during the open trapping season.

Senate Bill 351 - Bagert

Redefines the purse seine.

Senate Bill 352 - Bagert

Prohibits the use of purse seines for the taking of finfish except for menhaden and herring-like species.

Senate Bill 353 - Bagert

Repeals the law which allows the secretary of the Department of Wildlife and Fisheries to issue permits to persons interested in the development of new fisheries for underutilized species, or the development of new gear.

Senate Bill 354 - Bagert

Amends the law which allows the Department of Wildlife and Fisheries to issue experimental permits for new gear. The amendment states that "new gear" shall mean gear which has not been licensed or permitted prior to September 1, 1985.

Senate Bill 355 - Bagert

Adds Breton and Chandeleur Sounds to the "inside waters" area where the use of purse seines is prohibited.

Senate Bill 638 - Bagert

Makes it against the law to sell any redfish or speckled trout to any other state that does not allow commercial fishing for these fish.

Senate Bill 728 - Nunez

Creates the "Louisiana Landing Law" which requires that all fish and shrimp caught in Louisiana waters must be brought to Wildlife and Fisheries checkpoints to be weighed, counted and recorded before they can leave the state. Any boat leaving Louisiana waters with an uncertified catch may be seized along with the catch.

Senate Bill 783 - Lauricella

Redefines a trawl and makes all gear other than trawls, butterfly nets and cast nets illegal.

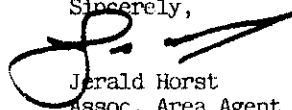
Senate Bill 802 - Nunez

Repeals the oyster law which allows oyster lease holders to designate others to work his beds, the laws which allow oysters to be taken off of seed grounds, the law on recreation oystering and the penalty section of these laws.

Senate Concurrent Resolution 13 - Bagert

Suspends for one year the power of the Department of Wildlife and Fisheries to give permits for the development of new fisheries and new gear.

Sincerely,



Jerald Horst
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