

SEA GRANT PROGRAM

LAGNIAPPE

This special edition of the Lagniappe is devoted to new bills which are before the current legislature. As you know, fishing industries are 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 1-342-2456. Someone 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. 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 at 341-7271. If I am not in the office when you call, leave your name and telephone number and I will return your call.

House Bills 88 and 269 - Sam Theriot and Kimball

Creates a lifetime combination sport fishing and hunting license at the cost of \$500 or a lifetime fishing license for \$300.

House Bill 130 - Lemoine

Repeals the \$2.50 sport fishing license for poles.

House Bill 161 - R. Alexander

Allows the use of skin-diving spears, bow and arrow and recreational nets to take freshwater gamefish.

House Bill 240 - Roach

Increases the balance in the Fisherman's Gear Compensation Fund (State Hang Fund) from \$100,000 to \$250,000, with the money still coming from oil and gas leases and rights of way.

House Bill 258 - Haik

Provides that crab fishermen will not get a violation for possessing under-sized crab, but only for selling them.

House Bill 325 - Triche

Prevents the taking or selling of bowfin (choupique) roe or eggs until either September 6, 1996 or until the Department of Wildlife and Fisheries completes a study on the management of the resource.

House Bill 326 - Triche

Outlaws the taking of bowfin (choupique) in the months of December, January and February.

House Bill 327 - Triche

Outlaws the taking of speckled trout and redfish with gill nets.

House Bill 328 - Triche

Prohibits the use of gill nets by commercial fishermen in state waters.

House Bill 377 and Senate Bills 137, 548 and 866 - Long, Bankston and Decuir

Allows the sale of gamefish raised by Universities as part of their research programs.

House Bill 401 - R. Alexander

Lowers the penalty for using illegal fishing methods or gear.

House Bill 440 - Garrity

Makes redfish gamefish permanently.

House Bill 441 - Garrity

Lowers the commercial quota on speckled trout from 1,250,000 lbs to 500,000 lbs.

House Bill 498 -Glover

Removes the 12 inch minimum size on speckled trout for sportfishermen and allows cleaned speckled trout to be possessed on the water as long as the skin is on each fillet or cleaned fish.

House Bill 533 - Roach

Increases the maximum door size from 6 ft x 34 in. to 8 ft. x 34 in. for the outside doors on the easy-rig shrimp trawl.

House Bill 538 and Senate Bill 851 - Roach and Nunez

Creates laws for the ownership of nonnavigable water bottoms that are not sea or seashore.

House Bill 539 and Senate Bill 855 - Roach and Nunez

Clarifies the legal definition of "seashore".

House Bill 561 - John

Requires that everyone, including adults, on a motor boat less than 26 feet long wear a life jacket when the boat is underway.

House Bill 564 - Thompson

Changes the penalties for violations of the weights and measures laws on oysters to a civil penalty of not more than \$500 per day of violation. Also allows the Commissioner of Agriculture make the offender pay the costs of the hearing.

House Bill 584- Patti

Clarifies the language on severance taxes on oysters and shrimp.

House Bill 606 - Downer

Creates the "Terrebonne Parish Artificial Reef Development District" for the purpose creating artificial reefs in Terrebone Parish.

House Bill 630 - John

Prohibits carrying a loaded rifle or shotgun in a motorboat or motor vehicle.

House Bill 632 - Scogin

Requires that everyone, including adults on a recreational motorboat less than 26 feet long wear a life jacket when the boat is underway.

House Bill 634 - Scogin

Provides that the laws that currently apply to fish dealers will also apply to reptile and amphibian dealers.

House Bill 731 - Patti

Provides that no oysters, whether for food or not, may be taken unless they come from approved areas.

House Bill 737 - Dewitt

Removes the power of Wildlife and Fisheries Department and Commission to change size limits and also requires any change in time, place, size, quota, daily take and possession limits of fish or wildlife be approved by both the House and Senate Committees on Natural Resources before becoming effective.

House Bill 749 and Senate Bill 534 - Garrity and Bankston

Makes speckled trout and redfish gamefish permanently. Also gives the Wildlife and Fisheries Commission the power to set size limits and daily take and possession limits for both fish.

House Bill 750 and Senate Bill 531 - Garrity and Bankston

Makes redfish gamefish permanently and gives the Wildlife and Fisheries Commission the power to set size limits and daily take and possession limits for redfish.

House Bill 772 - Roach

Increases the minimum mesh size on trawls and butterfly nets during the fall white shrimp season from 1 1/4 inches to 1 1/2 inches effective August 1, 1992.

House Bill 780 - Dale Smith

Increases the daily bag limit on black bass to 12 fish and sets a minimum size of 8 inches. Also removes the power of the Commission to regulate seasons, closures, times, places, size, quotas, daily take and possession limits for black bass. Also removes the power of the Commission to issue special tournament fishing permits approving the possession of live bass over the legal limits.

House Bill 806 - Patti

Allows the Secretary of the Department of Wildlife and Fisheries to give permits which allow oyster and clam depuration and container relaying operations.

House Bill 909 - Roach

Requires the Department of Wildlife and Fisheries to draft regulations for Commission approval that will assure the confidentiality of fisheries data.

House Bill 933 - Cain

Repeals the civil penalties for a class one wildlife and fisheries violation and provides for criminal penalties of \$25-\$100 or 30 days in jail for first offense, \$75-\$250 or 30-60 days for second offense and \$200-\$500 and 30-90 days for third offense.

House Bill 950 - R. Alexander

Prohibits any public agency from charging fees for the use of navigable lakes.

House Bill 953 - Patti

Allows a tolerance of 10% undersize white shrimp when more than 50% by weight in possession are brown shrimp.

House Bill 954 - Patti

Changes the lines for Breton and Chandeleur Sounds in which the use of trammel nets, seines, gill nets and webbing are prohibited.

House Bill 956 - Patti

Allows trawling and seining over privately leased oyster beds unless the beds are staked off, marked or posted with durable signs stating "NO TRESPASSING"

House Bill 957 - Patti

Requires that during the harvesting of oysters from a private lease, that the lease be posted with the prominent, durable signs stating "NO TRESPASSING OYSTER LEASE"

House Bill 958 - Patti

Provides that the 100 count law does not apply to white shrimp possessed when more than 75% by weight of the shrimp possessed are a species other than white shrimp

House Bill 959 - Patti

Increases from class one to class two the penalty for violating laws on culling oysters from natural reefs, seed oyster and reservation laws and the use of dredges.

House Bill 960 - Patti

Requires the Department of Wildlife and Fisheries to adopt rules for zones, seasons, permits, fees, penalties, use of nets and other regulations for the taking mullet.

House Bill 961 - Patti

Outlaws the use of dredges for crab fishing. Clarifies the definitions of crab dropnets and crab traps.

House Bill 998 - Siracusa and Kimball

Authorizes 20 private mariculture operations and allows the Department of Wildlife and Fisheries to issue 20 shellfish harvesting permits which allow the owners to harvest shellfish however they want from their enclosed areas.

House Bill 1012 - Jack Smith

Requires the Department of Wildlife and Fisheries to issue combination commercial gear licenses for gill nets, hoop nets, seines, slat traps and other legal finfish gear at a fee equal to the sum of the individual gear licenses.

House Bill 1055 - Triche

Puts a minimum size of 22 inches on bowfin (choupique)

House Bill 1074 - Haik

Increases the penalties for violation of the laws on the minimum mesh size and maximum length of gill nets to \$5000 to \$7000 and 2 to 6 months in jail for each offense.

House Bill 1131 - Laborde

Gives federal game wardens the power to enforce state wildlife and fisheries laws.

House Bill 1177 - Roach

Requires a \$25 commercial gear license for all cast nets over six feet in diameter. Also sets a possession limit of 50 pounds of shrimp per boat per day when using a recreational cast net under 6 feet in diameter.

House Bill 1185 - Roach

Sets a fee of \$4 per alligator skin tag, with the money collected going to a newly created Louisiana Alligator Resource Fund. Also removes the requirement that alligator parts and alligator eggs require tags.

House Bill 1196 - Dastugue

Allows people with written permission from an oyster lease holder to harvest oysters without buying the \$100 oyster harvesting license.

House Bill 1234 - Glover

Creates a limited access and qualifications program to get a commercial fishing license. Beginning January 1, 1993, commercial licenses may be issued only to people who have not had a license for the last year or to people who have a valid license and can show that 25% of their income for the previous year came from fishing. A license holder who does not meet qualifications must wait one year before applying again. Exceptions will be provided for cases of severe economic hardship.

House Bill 1235 - Glover

Increases the maximum size of a sport shrimp trawl from 16 feet to 25 feet.

House Bill 1271 - Higgonbuthom

Defines a "trigger device" as a piece of gear to harvest finfish.

House Bill 1284 - Ellington

Requires catfish processors to pay catfish producers within 14 days after delivery of the product.

House Bill 1287 - Ellington

Creates weighing procedures for farm-raised catfish.

House Bill 1350 - Odinet

Increases the penalties for using a butterfly net in closed waters to the same as using a trawl in closed waters.

House Bill 1354 - Melancon

Requires that packaging standards for seafood in Louisiana shall include the health and nutritional values of the product as provided by LSU Home Economics Services. Also requires that any seafood product sold in the state at both the retail and wholesale level shall be labeled as farm-raised or naturally-produced and contain the amount and type of additives.

House Bill 1365 - Roach

Requires that water bottoms be cleared of all obstructions when an oil or gas well is removed and that the location be checked by having a trawl dragged over the area.

House Bill 1379 - Patti (By request)

Provides that "pieces of shell" cannot be counted in the 15% maximum allowable of dead shells and undersized oysters in any cargo lot of oysters taken from natural reefs.

Also places a 33% maximum on the amount of shell with no oysters attached in a quantity of seed oysters.

House Bill 1509 - Patti

Requires the possession of both a basic sport fishing license and a freshwater trout license when fishing in designated freshwater trout areas.

House Bill 1529 - R. Alexander

Increases the penalties for the taking of fresh and saltwater gamefish by illegal methods.

House Bill 1533 - Sam Theriot

Removes the requirement to have a special permit to sell the skins of alligators under four feet.

House Bill 1536 - Triche

Requires confiscation and loss of anything seized in connection with a class 6 or class 7 violation.

House Bill 1540 - John

Establishes that the effective period of emergency rules for setting seasons on speckled trout, black drum, coastal pelagic fish and reef fish shall be for length of the season.

House Bill 1548 - Salter

Repeals the \$200 fee for nonresident wholesale minnow dealers.

House Bill 1563 - Melancon

Requires a basic sport fishing license for a sport fisherman to use drop nets, minnow traps, eel pots, cans, buckets and pipes.

House Bill 1566 - Melancon

Adds a person from the Louisiana Natural Freshwater Catfish Association to the Louisiana Seafood Promotion and Marketing Board.

House Bill 1571 and Senate Bill 967 - Long, Foster and others.

Creates the Louisiana Alligator Market Development Authority.

House Bill 1573 - Adley

Requires that failure to pay the fine on a class one violation will result in immediate loss of all recreational hunting and fishing licenses and that the person can get no new licenses until the fine is paid.

House Bill 1574 - Adley

Makes most boating violations a class one violation.

House Bill 1592 - Roach

Defines the terms and sets Louisiana standards for saltwater fishery conservation and management. Gives the power to the Wildlife and Fisheries Commission to set seasons, times, places, size, quotas, and daily and possession limits for speckled trout and redbfish. Also allows the commission to regulate the methods of fishing for all finfish.

House Bill 1593 - Roach

Limits the use of gill nets to no more than a formation, or connection of four nets, each with a maximum length of 600 feet in Lakes Ponchartrain, St. Catherine, Maurepas, Sabine and Calcasieu including the part of the Calcasieu Ship Channel which actually adjoins Calcasieu Lake, West and East Pass of the Calcasieu River and Oyster Bayou in Cameron Parish.

House Bill 1594 - Roach

Sets a commercial gear fee of \$250 for each gill net. In order to buy a gear license for a gill net, a person must show that 25% of his income or at least \$5000 came from commercial fishing in one of the three years before the application.

Half of the money from this gear license will be used to enforce fish and wildlife laws in the coastal area. Also limits a person to possession of a formation or connection of no more than four gill nets in the areas listed in House Bill 1593.

House Bill 1595 - Roach

Requires a wholesale or retail seafood dealer to collect a 5¢ per pound fee on all Louisiana saltwater commercial fish when he sells them. The dealer can keep 1 1/2% of the amount collected as compensation, and the rest will go to the Department of Wildlife and Fisheries to be used to enforce laws related to the commercial fishing industry and for saltwater fisheries regulation and management.

House Bill 1596 - Roach

Gives game wardens the power to seize all gear used to take seafood when a person is caught fishing without a valid commercial fisherman's license.

House Bill 1597 - Roach

Defines an unattended net as one where the fisherman is not within 100 yards of his net while the net is in the water.

House Bill 1622 - Roach

Increases the fine for a class 5-B violation.

House Bill 1670 - Benoit

Repeals licensing requirement and regulations for a wholesaler's agent who buys shrimp.

House Bill 1765 - Ater

Reorganizes trespass laws. Repeals the crime of recreational trespass and provides for the crime of criminal trespass and illegal posting.

House Bill 1793 - Glover

Outlaws the taking of marine life from any water body in the coastal zone, if the public can no longer get into the area because of the construction of a project that used public money.

House Bill 1794 - Glover

Repeals the commercial speckled trout quota and allows commercial fishermen who held commercial licenses before January 1, 1991 the same daily bag limit on speckled trout and redfish as sports fishermen. (At present, this is 5 redfish and 25 speckled trout)

House Bill 1808 - Patti

Allows the Department of Health to collect shellfish meat samples from all public or private shellfish water bottoms. Requires the Department of Health to get permission from private lease holders at least 10 days before taking samples.

House Bill 1836 - Martin

Sets a maximum fee of \$2 for alligator skin tags.

House Bill 1869 - Patti

Exempts seafood processors from paying state sales taxes on materials and supplies if the owner of the plant also owns commercial fishing vessels.

House Bill 1916 - Roach

Allows the Wildlife and Fisheries Commission to open the oyster tonging season in Calcasieu Lake between October 15 and November 1.

Senate Bill 108 - Hinton

Allows any Louisiana citizen who is serving in the military to fish or hunt for free, when on leave from a post outside of the state.

Senate Bill 174 - Nunez

Removes the requirement that helpers on board an oyster boat must have a \$100 oyster harvesters license.

Senate Bill 305 - Landry

Requires the Wildlife and Fisheries Commission to suspend or reduce the minimum size on channel catfish in those areas of the state where biological data shows that such an action would not harm the resource.

Senate Bill 306 - Landry

Lowers the minimum size on channel catfish from 11 inches to 8 inches.

Senate Bill 442 - Bagert

Prohibits the dumping of plastics or garbage such as ropes, nets, garbage bags, paper, glass, metal, dunnage, lining or packing materials into state waters from any vessel.

Senate Bill 523 - Bagert

Requires a person to take a "Boaters and Fisherman's Pledge for a Clean Gulf" before they can get or renew a motorboat identification number.

Senate Bill 549 - Bankston

Allows aquacultured gamefish to be imported into the state.

Senate Bill 787 - Foster

Exempts sales of menhaden bait to wholesalers and retailers in 100-pound lots from advance sales tax collection.

Senate Bill 852 - Nunez

Allows fishermen using pompano nets in Chandeleur and Breton Island waters to have sharks, spanish mackerel and cobia in their possession.

Senate Bill 853 - Nunez

Defines a gill net as not having more than two layers.

Senate Bill 916 -Chabert

Prohibits anyone from trawling or seining over any area of privately leased oyster grounds in the year following seeding of the area, if it is staked off, marked as posted. Provides that the law requiring that one-tenth of the leased bottom be placed under cultivation in one year does not apply if the area is closed because of health reasons. Requires that the certificate of shell planting shall be filed each year after seeding and that failure to seed and file shall result in loss of the lease. The lease will also be lost on the second offense of not properly marking the lease.

Senate Bill 973 - Decuir and others

Provides for legal reclamation of lands lost through erosion, subsidence or sea level rise.

Senate Bill 982 - Lauricella

Allows the use of fishing gear within 500 feet of private water control structures, dams and weirs which are placed on private water bottoms.

House Concurrent Resolution 65 - Toomy

Provides that the Louisiana Marine Fisheries Museum shall be located in Jefferson Parish and that the Jefferson Parish Marine Fisheries Advisory Board shall be the developing and coordinating agency.

Senate Concurrent Resolution 92 - Landry

Creates a task force to study the reptile and amphibian educational/scientific/pet trade in Louisiana.

House Concurrent Resolution 32 - Roach

Directs the Department of Wildlife and Fisheries to review shrimp management plans data and make an evaluation.

House Concurrent Resolution 16 - Siracusa

Re-creates the special committee to study the transfer of oyster industry regulation to the Department of Agriculture.

Senate Concurrent Resolutions 64 and 108 - Nunez and McPherson

Asks the U. S. Congress to repeal the user fee on recreational boats longer than 16 feet.

Senate Concurrent Resolution 94 - Sevario and McPherson

Requests the Department of Wildlife and Fisheries to raise the limit on black bass from eight to ten.

House Resolution 25 - Diez

Urges and requests the Louisiana Wildlife and Fisheries Commission to increase the number of black bass that a person may take in one day.

Senate Concurrent Resolution 35 - Bagert

Declares 1992 as the "Year of the Gulf".

LOUISIANA COOPERATIVE EXTENSION SERVICE
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