



May 1, 1992
SPECIAL EDITION

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 and trapping 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 349-5640. If I am not in the office when you call, leave your name and telephone number and I will return your call.

House Bill 17 - Dastugue

Provides that suspension resolutions cannot be used to suspend a law passed by the legislature.

House Bills 45 and 300 - Dewitt

Abolishes the Wildlife and Fisheries Commission and gives its powers to the Department of Wildlife and Fisheries.

House Bill 59 - Stine

Prohibits the use of yo-yos or trigger devices for fishing during the months of January through April of each year.

House Bill 86 - Roach

Allows Wildlife and Fisheries Commission members to serve two terms instead of one. Allows Senate to reconfirm members.

House Bill 180 - Holden

Prohibits any license issued by Wildlife and Fisheries from having a person's race on it.

House Bill 198 - Jack Smith

Declares shrimp trawls and hoop nets to be part of Cajun heritage and as such, preserved in order to maintain Cajun heritage.

House Bill 199 - Jack Smith

Requires that any fish product which is made from the underside or belly of a fish shall be labeled as "fish bellies" or some other clearly identifiable term so as not to mislead the public.

House Bill 200 - Jack Smith

Lowers the percentage of undersized channel catfish (eel cats) which may be in possession from 10% to 5%.

House Bill 201 - Jack Smith

Adds a representative of the wild catfish industry to the Seafood Promotion and Marketing Board.

House Bill 203 - Jack Smith

Authorizes the Secretary of the Department of Wildlife and Fisheries to enforce the law that requires that all catfish sold in the state shall be labeled either as farm-raised or naturally-produced. Provides civil penalties.

House Bill 204 - Jack Smith

Removes the minimum count size on white shrimp and increases the maximum mesh size on shrimp from 1 1/4 inches to 1 1/2 inches stretched.

House Bill 285 - Hand and Morial

Recreates the Lake Ponchartrain Basin Foundation but provides that its members be elected by members of the foundation instead of being appointed by the Greater New Orleans Expressway Commission. Also changes the rules which cover the Foundation's budget and ability to spend money.

House Bill 291 - Odinet

Requires the Wildlife and Fisheries Commission to set aside areas east of the Mississippi River, not larger than 1/4 of the public seed grounds east of the river, for exclusive use of oyster sackers.

House Bill 296 - Dewitt

Takes away from the Wildlife and Fisheries Commission the power to adopt rules for special fishing tournament permits and the power to set rules on seasons, times, places, size limits, quotas, daily catch and possession limits and gives it to the Department of Wildlife and Fisheries.

House Bill 298 - Dewitt

Sets the following regulations for bass on Lakes Caney Creek, Chicot and Rodemacher: a 10 fish limit on the water with no more than 5 of them over 17 inches, a two day possession limit off of the water and a slot limit prohibiting the possession of bass between and including 14 and 17 inches.

House Bill 316 - Hebert

Reduces the tag fee for farm-raised alligators from \$4.00 to not more than \$1.00.

House Bill 320 - Stelly

Provides that the Universal license covers all specialties required for sport fishing and hunting.

House Bill 328 - Haik

Applies the 100 count law on white shrimp to the taking of any white shrimp in or out of state waters or possession anywhere within the state unless they are documented as being legally taken elsewhere and imported into the state.

House Bill 338 - Thompson

Allows the purchase of sportfishing licenses, hunting licenses and duck stamps by credit card over the telephone.

House Bill 364 - Triche

Outlaws the possession by fishermen of bowfin (choupique) eggs removed from the fish.

House Bill 365 - Triche

Outlaws the possession by fishermen of bowfin (choupique) eggs removed from the fish on land.

House Bill 411 - Ellington

Allows the sale of gamefish which have been raised in privately owned hatcheries, lakes or ponds.

House Bill 418 - Deville

Outlaws the use of yo-yos or trigger devices to take fish in lakes which have a slot limit or special size regulation on fish. Also defines "slot limit".

House Bill 449 - Mitch Theriot and Bergeron

Removes the size limits on speckled trout and redfish for sportfishermen.

House Bill 467 - Roach

Allows Wildlife and Fisheries Commission members to serve two terms instead of one. Also requires reconfirmation of a commissioner by the Senate if he misses a certain number of meetings or if it is requested by 2/3 of the commissioners. Also directs the Louisiana Law Institute to study and make a report on the powers of the Commission and Department.

House Bill 505 - Siracusa and others

Increases the minimum mesh size on shrimp nets from 1 1/4 inches to 1 1/2 inches stretched.

House Bill 561 - Alexander

Requires the inspection of fish and seafood processing plants at least twice monthly (if funds are available) and at least an unannounced inspection of a plant if a complaint is made.

House Bill 627 - Jack Smith

Legalizes the use of plumb staff beam trawls and defines them as trawls which "do not use otter boards but are held open laterally by a horizontal beam and vertically by two vertical beams".

House Bill 654 - Sam Theriot and others

Repeals the prohibition on taking freshwater mussels in March, April and May and directs the Wildlife and Fisheries Commission to adopt rules on the harvest of freshwater mussels. Gives the Secretary of the Department of Wildlife and Fisheries the power to revoke, deny or limit the number of mussel harvesting permits and outlaws the sale, trading or exchange of freshwater mussel meats.

House Bill 656 - Sam Theriot and others

Adds Chef Menteur Pass, the Rigolets, Unknown Pass, Pass Manchac and that area of Calcasieu Lake where the Calcasieu Ship Channel meets the Intracoastal Waterway south to the Gulf of Mexico to the saltwater zone.

House Bill 657 - Sam Theriot and others

Prohibits any person who possesses nets or traps from possessing freshwater gamefish.

House Bill 658 - Sam Theriot and others

Allows the Department of Wildlife and Fisheries to use an adjudicatory hearing instead of a civil suit to recover the civil penalties on any fish or wildlife taken illegally. Also provides that anyone who does not pay the civil penalties shall lose his license and not be issued another one until the penalty is paid, including the cost of the hearing.

House Bill 659 - Sam Theriot and others

Allows sportfishermen to harvest oysters only in leased areas with written permission of the lease holder, in personal leased areas, and in public areas, and changes the limit from two sacks to one sack per person per day.

House Bill 660 - Sam Theriot and others

Creates a class three violation for purchase of any recreational fishing or hunting license or doing any recreational fishing or hunting that requires a license for a person who has had his license taken away. Limits the penalties to recreational fishing and hunting only.

House Bill 661 - Sam Theriot and others

Puts a penalty of \$25 per fish on any redfish or speckled trout taken over the recreational limit. (This law already applies to size limits.) Provides that all such monies

collected shall go to the Conservation Fund of the Department of Wildlife and Fisheries instead of to the local parishes.

House Bill 662 - Sam Theriot and others

Prohibits the use of elevated trotlines (often called high-water lines or fence lines locally). Defines them any "trotline of which any segment of the staging line measures in excess of four feet or any portion of any hook extends above the surface of the waters."

House Bill 665 - Sam Theriot and others

Outlaws the use of stupefying (stunning) devices (equipment) to take fish.

House Bill 669 - Sam Theriot and others

Allows the sale of carcasses of non-game quadrupeds (fur animals and alligators) during the closed trapping season if authorized by the Department of Wildlife and Fisheries. Sale is currently illegal during closed season.

House Bill 671 - Sam Theriot and others

Includes marine finfish seasons in the rules that currently apply to the setting of seasons for shrimp, oyster, waterfowl and trapping.

House Bill 672 - Sam Theriot and others

Provides that class eight violations include forfeiture of anything seized in connection with the violation.

House Bill 673 - Sam Theriot and others

Provides that the lifetime recreational fishing license shall only cover the basic and saltwater licenses and not freshwater trout and recreational gear licenses and that the lifetime hunting license only cover the basic, big game and bow hunting licenses. Increases the cost of non-resident combination lifetime licenses. Provides for proof of residency and penalties and creates rules for the Lifetime License Endowment Trust Fund.

House Bill 674 - Sam Theriot and others

Outlaws dredging for clams at night.

House Bill 678 - Deville

Requires all Louisiana restaurants that serve crawfish or crawfish products to show on their menu or otherwise, where the crawfish are from, (such as another country).

House Bill 679 - Quezaire

Requires seafood peddlers to buy an occupational license of \$200, unless the peddler caught the products himself or bought them directly from fishermen or shrimpers, in which case the license shall be \$100.

House Bills 783 and 1172 - Riddle and John

Allows federal agents to enforce state wildlife and fisheries laws.

House Bill 809 - Roach

Increases the maximum size on recreational castnets from 6 feet to 8 1/2 feet radius.

House Bill 812 - Roach

Creates a \$100 annual license for wingnet or shrimping barges and limits them to residents. Requires an identification number and decal to be placed on the side of the barge. The money collected from the license will be used to administer the program and remove abandoned barges. Requires that every barge be lighted every night and not present a navigational hazard. Allows barges only to be set out during the open shrimping season and requires removal by 15 days after the season. Allows the removal and disposal of illegal barges.

House Bill 813 - Roach

Outlaws the commercial harvest of seafood without a mariculture permit in private man-made waterbodies or water control structures created with public funds to prevent erosion, hurricane protection or marsh management in the coastal zone. Requires the Wildlife and Fisheries Commission to develop rules for mariculture permits for such areas. Limits the cost of such permits to no more than \$1000.

House Bill 820 - Jack Smith

Outlaws the use of hoop nets and slat traps with a recreational license.

House Bill 912 - Deano

Removes the minimum size on softshell crabs and requires that buster crabs held by a fisherman must be held in a container separate from hard crabs and that the container be marked "peelers" or "busters". Provides that busters shall be recognized by being no further from molting than having a white line on the back paddle fin.

House Bill 994 - Bergeron and Senate Bill 593 - Chabert

Sets a winter white shrimp season which runs from October 15 through March 31. During this season, only a trawl and tail with a mesh size of 1 1/2 inches may be used.

House Bill 1031 - Siracusa and Senate Bill 588 - Chabert

Outlaws the taking of oysters from unmarked oyster leases and requires that a lease be posted with a sign saying "NO TRAWLING OR SEINING--OYSTER LEASE" at all times, to prevent trawling in seeded areas.

House Bill 1089 - Accardo and Senate Bill 738 - Landry

Reduces the minimum commercial size on bullfrogs from 5 1/2 to 5 inches and lagoon frogs or grunthers from 3 1/2 to 3 inches. Gives the power to stop the harvest of any reptile or amphibian to the Secretary of the Department of Wildlife and Fisheries, based on biology. Authorizes the Commission, after consultation with the Reptile and Amphibian Task Force to set rules and restrictions. Creates dealer and commercial collectors licenses for reptiles and amphibians. Outlaws the use of gasoline or chemicals to collect them and regulates the use of traps. Creates the Reptile and Amphibian Research Fund. Allows the collecting of greenfrogs, grassfrogs, leopardfrogs and springfrogs.

House Bill 1182 - Patti

Allows the use of unattended nets by oyster fishermen to protect oysters on leased bottoms. The nets must be on leases, have a minimum mesh size of 10 inches stretched, be marked with the lease number and orange buoys, and be run every 24 hours. A special permit will be required along with a quarterly report.

House Bill 1183 - Patti

Outlaws the use of skimmer nets over leased oyster beds the year after seeding. (Trawls and seines are already outlawed.)

House Bill 1213 - Farrar

Increases the basic nonresident sport fishing licenses by \$5.00 each and the nonresident temporary combination 2 day fishing license by \$4.00.

House Bill 1233 - Roach

Requires that any redfish caught accidentally in nets must be returned immediately to the water without injury.

House Bill 1247 - Roach

Allows the Wildlife and Fisheries Commission to set rules for the taking of fish in state offshore waters west of the Calcasieu Ship Channel.

House Bill 1248 - Roach

Allows the Wildlife and Fisheries Commission to set rules for the taking of speckled trout and other marsh fish in saltwater areas, where intense fishing competition occurs or if biological studies show a need for them.

House Bill 1249 - Roach

Increases the limit that an oyster fisherman can take, in Calcasieu Lake, from 10 sacks to 15 sacks per day, for a 3 day period following any closure that lasts more than 7 days, during what is normally the open oyster season.

House Bill 1353 - Patti

Allows any member of the Wildlife and Fisheries Commission to hold or renew oyster leases.

House Bill 1513 - Toomy and Triche

Defines an unattended net as one that is set for fishing where the license holder is not within 100 yards of the net or does not identify himself to the game warden within 5 minutes of the gamewarden flashing a blue light continually. Provides that any unattended net shall be seized and disposed of under rules set by the commission.

House Bill 1585 - W. Carter

Removes the requirement for a \$2.50 license for pole fishing.

House Bill 1599 - Mitch Theriot

Replaces the basic and saltwater sport fishing licenses with a single \$11 license. Nonresidents will still have to buy their basic and saltwater licenses separately.

House Bill 1701 - McCallum

Prohibits the theft of an alligator and provides penalties up to 10 years in prison and \$3000 fine.

House Bill 1709 - Odinet (by request) and Senate Bill 1209 - Bagneris

Provides that boats that enter or fish over lands that are underwater during high water periods are not trespassing. Also allows for the use of water banks for rest or shelter.

House Bill 1712 - Sam Theriot

Allows the discharge of water produced from oil wells into open bays and the major river passes and waterways.

House Bill 1733 - Triche

Outlaws the taking of bowfin (choupique) or their eggs in December, January and February.

House Bill 1744 - Ackal and Senate Bill 1221 - Bagneris

Requires the state land office to prepare maps that show former state water bottoms which have filled in with sediments but are still state owned.

House Bill 1747 - Thompson

Substitutes criminal penalties for civil penalties for class one violations.

House Bill 1760 - McCleary

Sets up a system for titling boats and outboard motors (much like automobiles are titled now). Also provides for the removal of abandoned vessels.

House Bill 1797 - Ackal

Creates a mariculture permit system for 5 mariculture operations of up to 50,000 acres each.

House Bill 1804 - Odinet (by request) and Senate Bill 1208 - Bagneris

Provides that "Natural navigable waterbodies include waters the bottoms of which belong to the state by virtue of its inherent sovereignty."

House Bill 1814 - Odinet (by request) and Senate Bill 1207 - Bagneris

Makes it a crime to obstruct a navigable waterbody.

Senate Bill 173 - Morial

Prohibits oyster container manufacturers, distributors, dealers, suppliers and wholesalers from selling oyster containers to any person or company not certified by the

Department of Health and Hospitals. Also prohibits the re-use of oyster containers and requires their destruction.

Senate Bill 215 - Johnson

Outlaws the disposal of used oil into city sewers and drainage systems, marine waters or any other surface or ground waters.

Senate Bill 425 - Nunez

Removes the requirement that helpers on an oyster harvesting vessel must have a \$100 oyster harvesting license regardless of age.

Senate Bill 438 - Morial and Hand

Increases membership in the Lake Ponchartrain Basin Foundation from 13 to 21 and changes the method of selection.

Senate Bill 447 - Morial

Requires that dredged material be used for wetland protection purposes.

Senate Bill 457 - Morial

Prohibits oyster container manufacturers, distributors, dealers, suppliers and wholesalers from selling containers to any person or company not certified by the Department of Health and Hospitals. Also prohibits re-using oyster containers more than one time.

Senate Bill 594 - Chabert

Changes the inside-outside shrimp line in Terrebonne Parish to the following lines starting on the north shore of Pass Wilson:

thence in a southeast direction to the most westerly point on the south shore of Pass Wilson lat. 29°03'56" N., long. 90°50'06" W.

thence in a southeasterly direction to the U.S. Coast Guard navigation light off the northwest shore of Caillou Boca lat., 29°03'10" N., long. 90°50'27" W.

thence in an easterly direction along the south shore of Isles Dernieres to a tank battery on the east end of the Isles at Wine Island Pass, lat. 29°04'19" N., long. 90°38'29" W.

thence in a northeasterly direction to the most easterly point of Wine Island rock jetties, lat. 29°05'38" N., long. 90°36'30" N.

thence in a southeasterly direction to the tank battery on the west end of Timbalier Island lat. 29°05'26" N., long. 90°32'16" W.

Senate Bill 595 - Chabert

Requires the use of a LORAN to determine if a person is shrimping in inside or outside waters.

Senate Bill 647 - Chabert

Outlaws the taking of white alligators from the wild.

Senate Bill 741 - Landry

Lowers the minimum size on channel catfish (eel cats) for both sport and commercial fishermen from 11 inches to 8 inches in Lakes Des Allemands, Cataouatche and Salvador, Bayou Des Allemands and natural waterways leading from Lake Cataouatche to Lake Salvador.

Senate Bill 743 - Landry

Requires the Wildlife and Fisheries Commission to suspend or reduce the minimum size limit on channel catfish (eel cats) if it would not harm the resource.

Senate Bill 744 - Landry

Lowers the minimum size on channel catfish (eel cats) from 11 inches to 9 inches for sport fishermen and 8 inches for commercial fishermen.

Senate Bill 805 - Ullo

Creates the Louisiana Coastal Zone Abandoned Pipeline Reclamation and Sediment Diversion Program which would use abandoned pipelines to carry freshwater and sediment from the Mississippi River to the marsh.

Senate Bill 929 - Landry

Allows eel pots to be fished in freshwater areas.

Senate Bill 1073 - Nunez and others

Creates legal definitions of "sea", "seashore" and "arms of the sea". Also clarifies language on ownership of non-navigable water bottoms.

Senate Bill 1113 - Nunez

Changes the line in the waters of Breton and Chandeleur Sounds where trammel nets, seines, gill nets and webbing is prohibited (The changes are too much to list here, call my office for a copy of the bill).

Senate Bill 1187 - Decuir

Transfers the Natural Heritage Program from the Department of Wildlife and Fisheries to the Department of Culture, Recreation and Tourism.

Senate Bill 1237 - Picard and others

Allows a state income tax credit for restoring private wetlands.

Senate Concurrent Resolution 52 - Chabert and others

Requests the Senate and House natural resources committees to study the possibility of replacing the Wildlife and Fisheries Commission with a Commercial Fisheries Board and a Recreational Fisheries Board.

Senate Concurrent Resolution 20 - Chabert

Requests the Department of Wildlife and Fisheries and the Governor's Task Force on Shrimp Management to study the use of shrimp sanctuaries.

Senate Concurrent Resolution 53 - Chabert

Requests that the Senate and House natural resources committees study whether to allow the offshore shrimping season to remain open year-round.

Senate Concurrent Resolution 51 - Chabert and Bergeron

Requests that the Senate and House natural resources committees study the possibility of the legislature setting the offshore shrimping season.

House Concurrent Resolution 59 - Sam Theriot

Urges and requests the state division of administration to allow processors of river catfish to bid competitively on state contracts with processors of farm-raised catfish.

House Concurrent Resolution 71 - Siracusa and Bergeron

Requests the Department of Health and Hospitals to develop a permitting system to allow oyster lease holders to enter closed areas to check their oyster resources.

House Concurrent Resolution 72 - Siracusa

Requests the Department of Wildlife and Fisheries to study the effects of crab dredging and report to the Crab Task Force within one year.

House Concurrent Resolution 61 - Durand

Requests the Department of Wildlife and Fisheries to study the eel population of the Atchafalaya Basin and determine if the use of eel pots should be allowed at certain times of the year.

House Concurrent Resolution 42 - Siracusa and others

Suspends the receipt form requirement of the commercial fisherman's sales card until 60 days after the 1993 legislative session.

House Concurrent Resolution 70 - Siracusa and others

Urges and requests state agencies to develop a program to classify Louisiana's water quality based on rainfall or other effects for the purposes of harvesting oysters and other mollusks.

Senate Concurrent Resolution 74 - Nunez and others

Requests the Department of Wildlife and Fisheries to study the issue of public access to coastal land and waters and marsh management permits and practices which may affect fish and crawfish harvesting.

Senate Concurrent Resolution 30 - Brinkhaus

Suspends the law that prevents the release of water produced from oil wells into natural waters until 60 days after the 1993 legislature or until the Department of Energy study is done.

Senate Concurrent Resolution 31 - Brinkhaus and House Concurrent Resolution 86 - Sam Theriot

Suspends the law that prevents the release of water produced from oil wells into open bays and major rivers, passes or waterways.

House Resolution 2 - Sam Theriot and others

Approves the Louisiana Coastal Wetlands Conservation and Restoration Plan.

House Concurrent Resolution 34 - Roach

Urges and requests state agencies to develop a job training program to teach displaced oyster fishermen other fishing methods, including oyster relaying.

House Concurrent Resolution 49 - Roach

Urges and requests state agencies to expand the existing public oyster reef in Calcasieu Lake by creating a relaying and oyster seeding program.

House Concurrent Resolution 35 - Roach

Urges and requests state agencies to set up a pilot program for oyster relaying in Calcasieu Lake.

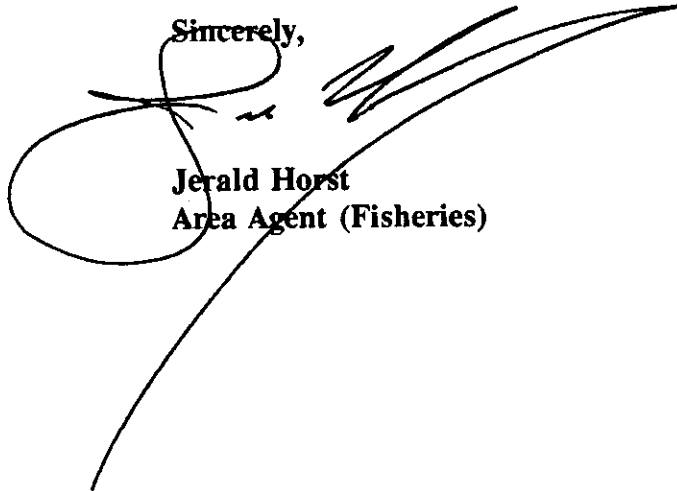
House Concurrent Resolution 33 - Roach

Urges and requests the marking of the rock jetties at the south end of Calcasieu Lake.

Senate Concurrent Resolution 10 - Johnson

Provides for the naming of a state amphibian.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'J. Horst', is written over the typed name and title.

**Jerald Horst
Area Agent (Fisheries)**

**LOUISIANA COOPERATIVE EXTENSION SERVICE
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U.S. DEPARTMENT OF AGRICULTURE
LOUISIANA STATE UNIVERSITY AND A. & M. COLLEGE
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