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SEA GRANT PROGRAM

LAGNIAPPE

NEW FISHERIES LAWS

The following bills were passed by the Regular Session of the 1995 Louisiana Legislature and will go into effect August 15 (unless otherwise noted). If you would like more information on these new laws, call me at my office in Marrero.

Senate Bill 94 (Act 956) - Brinkhaus

Allows bowfishing during daylight hours for freshwater gamefish between June 1 and the last day in February except in trophy or quality bass lakes, border lakes subject to reciprocal management agreements with the bordering state and the waters of the Lake Verret watershed and the Atchafalaya Basin. Sets limits of 2 each on largemouth bass, spotted bass, white bass, yellow bass and stripped bass, 5 on crappie (sac-a-lait) and 10 on bream.

Senate Bill 409 (Act 509) - Foster

Outlaws night shrimping in most of the waters of Vermillion, East and West Cote Blanche and Atchafalaya Bays. Effective immediately.

Senate Bill 427 (Act 72) - Uilo and Hainkel

Authorizes the Jefferson Parish Council to establish a law that limits vessel wakes to 15 inches at a distance of 25 from the vessel in waterways within or next to the Jean Lafitte National Park.

Senate Bill 463 (Act 514) - McPherson

Requires the Department of Wildlife and Fisheries to review every two years, costs and expenses associated with all fees, licenses, and permits and make recommendations for changes.

Senate Bill 757 (Act 462) - McPherson & others

Prohibits the Department of Wildlife and Fisheries from selling a gear license to the resident of any state which does not allow that gear in their state. Also provides that effective May 1, 1995, the Department of Wildlife and Fisheries may only issue gear licenses (saltwater) for gill nets, trammel nets, strike nets and seines to people who held such a license in two of the years 1992, 1993, and 1994.

Senate Bill 934 (Act 89) - Cain & others

Creates a 3-day basic nonresident sportfishing license for \$10.00

Senate Bill 1237 (Act 1304) - Brinkhaus & others

Creates the "Oyster Lease Damage Evaluation Board" to establish a system of compensation for damage to oyster leaseholders by oil and gas exploration and production activities.

Senate Bill 1375 (Act 543) - Greene & others

Adds two wild crawfish fishermen to the Louisiana Crawfish Promotion and Research Board. Transfers control of wild crawfish harvesters from the Department of Agriculture and Forestry to the Department of Wildlife and Fisheries. Requires that wild crawfish harvesters must buy \$25 gear license to use crawfish traps. Places a minimum mesh size on crawfish traps of 3/4-inch and limits the opening of crawfish trap flues to 2 inches.

House Bill 42 (Act 550) - Long

Requires all nets used in Black, Clear and Prairie Lakes to be tagged with the fisherman's name, address, and fishing license number.

House Bill 235 (Act 197) - Salter & others

Allows people who have artificial arms or legs or permanent braces in order to get around to receive free sport fishing licenses.

House Bill 236 (Act 117) - Salter & others

Allows the Wildlife and Fisheries Commission to enter into agreements with Texas on special fishing licenses and fees for Toledo Bend and Caddo Lake.

House Bill 254 (Act 751) - Stelly & others

Allows recreational fishing and hunting licenses to be suspended for failure to pay child support.

House Bill 256 (Act 118) - Hopkins

Increases the legal limit for yo-yo's and trigger devices on Caddo Lake from 12 to 24. Outlaws leaving them unattended except for the period between 1/2 hour after official sunset until 2 hours after official sunrise.

House Bill 259 (Act 119) - Montgomery & others

Allows facilities that handle mentally retarded people to apply for a permit to allow those people to fish under their supervision without a license. Effective immediately.

House Bill 260 (Act 120) - Roach

Requires the Department of Health and Hospitals to report the results of testing of oysters in Calcasieu Lake at least 45 days before oyster season opens. Effective immediately.

House Bill 277 (Act 200) - Riddle

Allows the commercial harvest of bowfin (choupique) in Avoyelles, Terrebonne and Tangipahoa parishes year round.

House Bill 356 (Act 660) - Salter & others

Allows the purchase of sport fishing and hunting licenses with credit cards and by telephone over a "900" line.

House Bill 491 (Act 1029) Long & others

Allows Louisiana residents who are totally and permanently disabled and receiving social security disability benefits to buy a basic sport fishing license for \$2.50 and a saltwater license for \$2.50.

House Bill 576 (Act 137) - Salter

Provides that a person cannot have civil wildlife penalties placed on him for an act if he is found not guilty of a criminal violation of that act.

House Bill 598 (Act 1318) - Roach & Patti

Creates a constitutional amendment (which will be voted on in October 1995) that allows the legislature to pass local and special laws on the offenses of taking fish and wildlife illegally.

House Bill 701 (Act 1039) - Sam Theriot & others

Creates a "charter boat fishing guide" license. The cost is \$250 for operators of vessels that carry 6 or less passengers and \$500 for operating a vessel that carries more than 6 passengers. Also creates a \$2.50 nonresident charter fishing trip license for non-residents on charter boats. Effective immediately.

House Bill 744 (Act 1043) - Mitch Theriot

Defines a "work box" as a crate used by commercial crab fishermen to sort their catch and provides that crabs in the work box do not have to meet the minimum size while on the boat.

House Bill 745 (Act 1044) - Mitch Theriot

Allows a 2% bycatch by commercial crabbers of berry (sponge) crabs in his work box.

House Bill 747 (Act 772) - Mitch Theriot

Allows sheriffs and parish tax collectors to take credit cards for the payment of fishing and hunting licenses, as well as for any other payment or fee collected by those offices.

House Bill 815 (Act 1316) - Triche & Cross

Defines an unattended net as one where the fisherman is more than 200 feet away from it.

Creates a \$3 "Louisiana Marine Resources Conservation Act Stamp" which saltwater sport fishermen must buy until June 30, 1998. The money collected from this stamp will go to the Department of Wildlife and Fisheries Enforcement Division and to a "Commercial Fisherman's Economic Assistance Fund.

To qualify for assistance from the fund, a person must have purchased a saltwater gill net license in two of the years 1993, 1994, and 1995 and during two of those years earned more than 50% of their earned income from any type of commercial fishing. Also, a person must have been a Louisiana resident on June 30, 1995 and cannot have had a conviction on any fishery-related offense of class 3 or greater.

For fishermen who qualify, the fund will provide job training assistance until July 1, 1997. Any person who accepts job training assistance cannot later purchase a commercial rod and reel or gill net license. Nets which have been made useless or illegal by other parts of this act will be purchased from fishermen until January 1, 1996.

Gives federal enforcement agents the power to enforce state fisheries laws. Provides that any sport fisherman who sells his catch shall lose his license forever.

Creates a \$250 mullet strike net license for gill nets of a mesh size no smaller than 3½ inches stretched. Creates a \$250 pompano strike net license for gill nets with a minimum mesh size of 5 inches stretched. Creates a \$250 rod and reel license for saltwater commercial fishing. To qualify for the rod and reel license a person must prove that they held a gill net license in two of the years 1993, 1994 and 1995 and that they earned more than 50% of their income from commercial fishing in two of those years. Any person who has a fishery-related conviction of class 3 or greater cannot get a rod and reel license. Also provides that a non-resident cannot purchase any gear license if his state prohibits the use of that gear.

Requires the Secretary of the Department of Wildlife and Fisheries to create rules for the issuing of permits to transport gill nets, trammel nets, strike nets and seines across state waters into federal waters. Makes the possession of any such net in saltwater areas

of the state without a license or permit a class 6 violation. This is a \$1000-\$2000 fine and/or 120 days in jail and loss of anything seized in connection with the violation.

Makes it illegal to use any net to interfere with another person's fishing. Makes it illegal to use or possess in saltwater areas any trammel net, gill net or seine constructed of monofilament, multifilament or other materials except for nets being transported to federal waters and nets used for scientific or educational purposes.

Sets two seasons for the commercial harvest of speckled trout with mullet strike nets. The first season is November 20, 1995 to March 1, 1996. The second season is November 18, 1996 to March 1, 1997. Each season may be closed early if one million pounds of speckled trout are landed. These nets may not be used at night or between 5:00 a.m. Saturday and 6:00 p.m. Sunday. Only rod and reel commercial harvest is allowed after the season and only if the one million pound quota isn't met. Only one 1200 net is allowed per boat and a \$100 special permit (\$400 for non-resident) is required. Each net must be tagged and the department shall not issue a tag to anyone with a social security number. To get a permit a person must prove that he had a saltwater gill net license two of the years 1993, 1994, or 1995 and that he earned more than 50% of his income from commercial fishing in two of those years and he must not have had a fishery related conviction of class 3 violation or greater. Any person convicted of any offense involving fisheries laws or regulations shall forever lose any right to commercially harvest speckled trout.

During these two seasons and during the 1995-96 and 1996-97 seasons for taking mullet, other fish such as black drum, sheepshead and flounder may be taken with a 1200 foot pompano strike net (5 inch stretched mesh). This gear for these fish cannot be used at night or from 5:00 a.m. Saturday to 6:00 p.m. Sunday. To fish these fish a person must have proof that he held a saltwater gill net license in two of the years 1993, 1994, and 1995, that he earned at least 50% of his income from commercial fishing and cannot have had a fishery violation of class 3 or larger. Each net must be tagged and the department shall not issue a tag to a person with a social security number. This gear license and the use of this gear (5 inch mesh pompano strike net) shall be outlawed after March 1, 1997.

The Wildlife and Fisheries Commission shall make a report to the legislature that has the following information on black drum, sheepshead and flounder:

- a) the spawning potential ratio
- b) biological conditions and profile of the species and stock assessment
- c) if the report shows a spawning potential ratio below 30%, the department shall close the season for at least one year

Sets a commercial mullet season which shall begin on the third Monday of October of each year and close on the third Monday in January. Mullet may only be taken commercially with a mullet strike net (minimum 3 1/2 inches stretched mesh). A \$100 permit (\$400 for non-residents) is required to take mullet commercially. Only one 1200 foot strike net is allowed per vessel.

The Wildlife and Fisheries Commission shall make an annual report to the legislature no later than March first that contains the following information on mullet:

- a) the spawning potential ratio
- b) a biological condition and profile of the species and stock assessment
- c) if the report shows a spawning potential ratio of below 30%, the department shall close the season for at least one year

In order to get a mullet strike net, a person must show proof that he had a saltwater gill net in two of the years 1993, 1994, and 1995 and that he earned at least 50% of his income from commercial fishing in two of those years. Each net must be tagged and the department shall not issue a tag to anyone with a social security number. Mullet may not be taken commercially at night and from 5:00 a.m. Saturday to 6:00 p.m. Sunday. Any person convicted of any offense involving fisheries law or regulations loses his right to fish mullets commercially forever.

Mullet licenses and permits shall not be transferable from one person to another for 3 years beginning August 15, 1995 or until a transfer system is developed by the Wildlife and Fisheries Commission, except in the case of hardship and then only between spouse, parent/legal guardian or child/legal dependent of the person. No profit can come from transfer of licenses.

Allows the use of a 2400 foot pompano strike net(5 inches stretched mesh) in the waters of Breton and Chandeleur Islands in waters 2500 feet from land (not including islands) and over 7 feet deep. The season shall begin August 1 and end October 31 of each year. Only pompano may be in possession of the fishermen. No night fishing is allowed and each net must have a tag on it. The department shall not issue a tag to anyone with a social security number.

Changes the "Right to Fish Law" so that it is no longer required to have a biological opinion before any method of harvesting any finfish, shrimp, oysters or crabs can be outlawed.

Provides that on March 2, 1997, all netting other than the taking of mullet with a mullet strike net and pompano with a pompano strike net is banned unless the legislature acts to legalize netting in some form.

Directs the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to make studies on the impact of strike netting on all saltwater finfish except redfish and to report to the legislature by March 1, 1997. Included shall be recommendations on whether the commercial fisheries provided for in this act shall be increased, continued, or ended.

House Bill 829 (Act 583) - Roach & McPherson

Outlaws the use of gill nets, trammel nets, strike nets and seines in that portion of Calcasieu Lake located in Calcasieu Parish.

House Bill 976 (Act 234) - Patti & Nunez

Provides a class 3 penalty for the illegal use of a trawl, seine or skimmer net on privately leased oyster beds in the year after seeding, if the area is staked off, marked or posted as required by law. Formerly the person was only liable for damages. Also allows lease holders to land oysters out of state from their own leases.

House Bill 1190 (Act 1066) - Bergeron

Requires any operator of a soft shell crab shedding facility to buy a \$100 soft shell crab shedder's license. Requires records to be kept of buster crab purchases from fishermen.

House Bill 1340 (Act 1078) - Downer & others

Allows recreational fishing and hunting licenses to be suspended for failure to pay child support.

House Bill 1360 (Act 1080) - Hebert

Clarifies laws on the use of bait nets by sport fishermen. Limits saltwater bait seines to 30 feet long and provides that they must be used on foot and with no mechanical assistance or pulley.

House Bill 1424 (Act 352) - Thomas & others

Exempts alligator and nutria from the requirement that animals be slaughtered by a licensed butcher or in a licensed slaughterhouse.

House Bill 1450 (Act 604) - Ackal & others

Requires resident commercial reptile and amphibians catchers under the age of 16 to purchase a \$10 license. (Those 16 and older must already purchase a \$25 license). Creates a \$30 Reptile and Amphibian Transport License. Requires a special permit to take undersized bull frogs and lagoon frogs (cruk-cruks) from private property for stocking purposes. Requires registration and inspection of out of state shipments of reptiles and amphibians ordinarily used for human consumption.

House Bill 1451 (Act 1140) - Ackal & others

Describes the boundary of Breton and Chandeleur Sounds for the purpose of trawling with 65 foot trawls. Effective immediately.

House Bill 1544 (Act 173) - Roach

Requires that before a coastal restoration project can be put in the restoration plan, that the project must have a statement on how public and private landowners will benefit from it.

House Bill 1613 (Act 357) - Riddle & Sam Theriot

Creates an income tax check off for donations to the Operation Game Thief Fund.

House Bill 1755 (Act 362) - R. Alexander

Outlaws the use of snagging devices to take game fish except catfish.

House Bill 1803 (Act 873) - Durand

Provides that from January 1, 1996 through December 31, 1998 no person shall be issued a commercial crab trap license unless that person had such a license for the year 1993, 1994, or 1995.

House Bill 2253 (Act 379) - Odinet & Patti

Allows oyster meats to be sold by the count, retail at the time of final sale but outlaws pre-packing of oysters sold by the count unless the package is labeled with the net weight of the oyster meat contained in the package. Requires that shell stock oysters must be sold by volume measurement, weight or count. Requires that shucked oysters shall be labeled by volume or weight and that a maximum of 15% free liquid by weight is permitted in the container.

House Bill 2254 (Act 189) - Roach

Increases the limit to 2 sacks for recreational oyster fishermen harvesting oysters from a private lease with written permission from the lease holder.

House Bill 2281 (Act 383) - Mitch Theriot & Lauricella

Makes the experimental mariculture project permanent and allows for an unlimited number of permits. Effective immediately.

House Bill 2441 (Act 448) - Odinet

Creates the "Oyster Development Account" funded by 5 cents for each oyster tag sold. The funds in the account shall be administered jointly by the Louisiana Seafood Promotion and Marketing Board and the Oyster Task Force and are to be used to represent the interests of the oyster industry and to develop markets.

House Bill 2446 (Act 849) - Roach & Picard

Provides rules in the event that funds are appropriated to compensate oyster fishermen of Cameron and Calcasieu Parishes due to the closure of October, 1994. Effective July 1, 1995.

Senate Concurrent Resolution 175 - Chabert

Directs the Department of Wildlife and Fisheries to meet with the Crab Task Force and the Shrimp Task Force to study the problem of ghost (lost) crab traps and make recommendations to the legislature.

House Concurrent Resolution 2 - McCain

Urges the Department of Wildlife and Fisheries to enforce the minimum mesh size of 3/4-inch on crawfish traps throughout the Atchafalaya Basin.

House Concurrent Resolution 38 - Odinet & Patti

Urges the Department of Wildlife and Fisheries to set up a study group to study future possible changes in the oyster redline.

House Concurrent Resolution 39 - Odinet

For the protection of the public and the oyster industry, U.S. Congress is asked to direct the U. S. Department of Health and Human Services to report vibrio illnesses and to develop a policy for prompt investigation.

House Concurrent Resolution 95 - Roach

Directs the Department of Wildlife and Fisheries to adopt rules regulating the placing of crab traps in Sabine Lake.

THE GUMBO POT

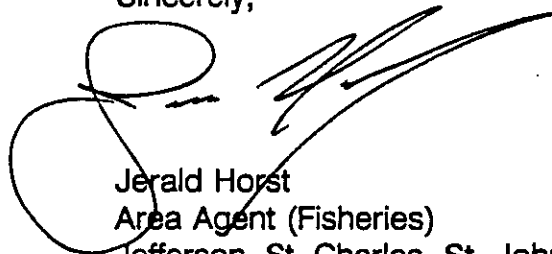
Shrimp Remoulade

This month's recipe is from a 4-H seafood cooking contest winner, Jennifer Centola. It is a delicious and spicy remoulade. The key is to use seasoned boiled shrimp.

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|--------------------------------------|-----------------------------------|
| 2 lbs. peeled seasoned boiled shrimp | 3 tbsp. ketchup |
| 1 tbsp vinegar | 3 green onions, finely chopped |
| 1 tbsp lemon juice | 3-4 stalks celery, finely chopped |
| 6 tbsp olive oil | salt and pepper to taste |
| 1 cup creole mustard | 1½ cups finely shredded lettuce |

Combine all ingredients except shrimp and lettuce. Mix well. Once the sauce is thoroughly mixed, fold in all but 18 of the shrimp. Marinate several hours in the refrigerator. Place shredded lettuce in the bottom of six footed glasses. Top lettuce with shrimp that has marinated in the sauce. Arrange reserved shrimp around the glass edges. Serves 6.

Sincerely,



Jerald Horst
Area Agent (Fisheries)
Jefferson, St. Charles, St. John