

# LOUISIANA COOPERATIVE EXTENSION SERVICE

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## 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 very sensitive to legislation, so some of the bills may be very important to you. 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 the progress of a particular bill and when it will be heard in the committee.

### Senate Bill 488 - Nunez

Changes the way the oil, mineral and pipeline companies are assessed for money for the Fishermen's Gear Compensation Fund (hang fund). Also lowers the maximum amount of assessment each from \$1000 to \$6000 per lease or right-of-way. Also provides for assessments of new leases and right-of-ways as they are granted.

### Senate Bill 489 - Nunez

Provides that payments to a fisherman from the Fishermen's Gear Compensation Fund shall be reduced by an amount proportional to the fisherman's negligence in causing the loss or damage. The old law provided that a fisherman could receive no payment unless he proved he was totally free of negligence.

### Senate Bill 490 - Nunez

Provides that money from the Fishermen's Gear Compensation Fund may be used to make a survey of hangs in three areas in the state. The purpose of the survey is to determine the size of problem with hangs and snags in our waters.

### Senate Bill 491 - Nunez

Provides that only people who hold a resident commercial fishing license and earn at least 50% of their income from commercial fishing can receive payment from the Commercial Fishermen's Fuel Compensation Fund. Payment shall be made only to commercial fishermen who are owners of a commercial fishing vessel.

Changes the formula for determining how much each fisherman will be paid. The present formula uses the amount in the fund, the number of licensed commercial vessels, the size of the vessel, the number of crewmen, and the average yearly catch. The proposed law would use the amount in the fund, the number of licensed commercial vessels and the quantity of fuel bought to determine the formula. Proof of purchase of all fuel bought will also be needed.

Adds the provision that the fund will only make payments in years when average fuel prices increase by 15% or more. In years of less than 15% increase the money will accumulate in the fund.

### Senate Bill 492 - Nunez

Extends the state and local tax exemptions on diesel fuel for fishing vessels to gasoline used in commercial fishing vessels. Also provides for tax credits on fuel in years when the price of fuel increases. These tax credits can be used to pay any state and local taxes except severance taxes.

Senate Bill 493 - Nunez

Repeals the Commercial Fishermen's Fuel Compensation Fund and substitutes the Commercial Fishermen's Fuel Crisis Fund. The new fund is to be a program of tax credit warrants which can be used to pay state taxes.

Provides also that commercial fishermen be exempted from paying gasoline and special fuels taxes.

Senate Bill 497 - Nunez

Provides that a commercial fishermen may keep hard crabs of less than 5 inches point to point when they are held to produce softshell crabs.

Senate Bill 498 - Nunez

Repeals Section 462 of Title 56 which closes all state waters to oyster harvesting except leased beds. The law to be repealed also provides that oysters may be taken during open season on those areas designated by the commission as oyster seed grounds, including the area east of the red line described by commission regulations, on any future oyster seed ground area west of the river, on oyster seed ground reservations and on Calcasieu Lake.

Senate Bill 499 - Nunez

Repeals Section 571 of Title 56 which allows the secretary of the Department of Wildlife and Fisheries to issue permits to fishermen to use experimental gear and develop new fisheries.

Senate Bill 500 - Nunez

Limits permits for experimental gear and underutilized species to one year and provides for their monitoring and review and possible suspension by the Secretary of the Department of Wildlife and Fisheries.

Also provides that the House and Senate Natural Resource Committees approve any rules and regulations on these permits.

Senate Bill 501 - Nunez

Removes the requirement that a crab fisherman's license number be on his crab trap floats. Prohibits damage to any crab trap by anyone other than owner (the old law prohibits damage only of tagged crab traps).

Senate Bill 502 - Nunez

Defines a purse seine and makes them illegal to use for edible fish in inside waters except for menhaden fishing only.

Also defines edible fish.

Senate Bill 503 - Nunez

Provides that the regular shrimp season open on one date over the entire coast of Louisiana.

Senate Bill 504 - Nunez

Increases the maximum size of shrimp trawls in inside waters from 50 feet to 100 feet in length.

Senate Bill 505 - Nunez

Creates the Louisiana Seafood Marketing Agency to develop markets and marketing strategy for seafood, to construct or purchase machinery, equipment and facilities used in improving the efficiency of the harvesting and processing of the seafood industry. The agency will also loan money to seafood businesses for equipment and facilities used in the harvesting and processing of seafood.

Senate Bill 506 - Nunez

Creates the Louisiana Seafood Promotion Board to work with the Department of Wildlife and Fisheries to plan and conduct a campaign for advertising, publicizing and promoting Louisiana seafood.

Senate Bill 561 - Nunez and others

Makes it illegal for wholesale and retail dealers to buy or sell any saltwater shrimp under 68 count (except seabobs) during the white shrimp season (it is already illegal to catch shrimp under 68 count during this same period).

Senate Bill 565 - Nunez and others

Requires that any boat in coastal waters (bays and sounds which empty into the Gulf and all parts of a river from the mouth to where it narrows to two miles wide) carry the following distress signals.

- a) Boats 16 ft. or more or any boat carrying 6 or less passengers must have a visual distress signal that can be used in day or night.
- b) Boats less than 16 ft. long must have a visual distress signal on board if they are on the water at night.

Senate Bill 566 - Nunez and others

Specifies that management of shrimp in all inside and outside state waters (out to 3 miles offshore) be under the control of the commission.

Also closes the season for shrimping from the beach to three miles out during the period time that the season is closed in inside waters.

Senate Bill 597 - Keith

Changes the minimum mesh size for hoop nets from 1 inch square (2 inches stretched) to 2 inches square (4 inches stretched) used in any freshwater lake wholly located within any parish west of the Mississippi River which has a population of over 200,000.

Senate Bill 793 - Saunders

Changes the allowable mesh size on saltwater fish seines from a maximum of one inch square (two inches stretched) to a minimum of  $1\frac{1}{2}$  inches square (3 inches stretched).

Senate Bill 902 - Nunez

Creates the Coastal Energy Impact Programs Fund which will finance coastal energy impact programs such as the restoration, preservation and maintenance of barrier islands, reefs and shores of the state. Money for the program will come from the Enhanced Mineral Income Trust Fund.

Senate Bill 914 - Nunez

Provides that for public contracts preference will be given to fishery products from Louisiana waters.

Senate Bill 915 - Nunez

Makes it lawful to prepare underutilized species of seafood such as clams, alligators, black drum, white trout, shark, mullet, croaker, sheepshead and eels as long as they meet public health codes.

Senate Bill 916 - Nunez

Makes it illegal to catch or sell shrimp from outside state waters (beach to 3 miles out) during the closed season on inside waters from December 21 until the opening of the spring shrimp season.

Senate Bill 917 - Nunez

Prohibits shrimp trawling at night from  $\frac{1}{2}$  hour after sunset until  $\frac{1}{2}$  hour before sunrise in outside waters (beach to 3 miles out).

Senate Bill 918 - Nunez

Limits the period in which resident or nonresident commercial shrimp licenses may be bought to January 1 through March 1 of each year. A license for a newly built or bought boat may be purchased within 45 days of getting the vessel.

Nonresident commercial fishermen who wish to fish for finfish, crabs or bait must purchase their license between January 1 and January 31 at the cost of \$1000 per vessel. Licenses for newly acquired vessels may be purchased at other times of the year

Senate Bill 922 - Nunez and others

Same as Senate Bill 565

Senate Bill 924 - Nunez and others

Same as Senate Bill 561

Senate Bill 925 - Nunez and others

Provides that the oyster fisherman or lease holder must fill out oyster tags with the following information: (1) Name of the body of water where oysters were taken, (2) Name of boat used in taking oysters and (3) Date the oysters were taken.

Also provides that once the oysters are removed from the tagged container, the tags must be held by the commercial user for 60 days.

Senate Bill 1075 - Landry

Provides that crabs in a crab trap are the property of the person whose crab license number appears on the float and that no one may remove crabs from the trap without the owners consent.

House Bill 35 - Fair

Declares the red fox an endangered species in Louisiana which would make it illegal to trap or kill one.

House Bill 288 - Fernandez

Same as Senate Bill 498

House Bill 324 - Fernandez

Same as Senate Bill 902

House Bill 388 - Patti

Reorganizes Sections 422 and 439 of Title 56 which deal with regulation of the oyster industry, residency requirements and removal of oysters or signs from leases.

House Bill 403 - Bopp

Removes the minimum mandatory jail sentences for illegal trawling in inside waters— 15 days, first offense; 60 days, second offense and 90 days third and subsequent offenses.

House Bill 641 - Theriot, Haik, Lebleu, Siracusa

Places a two year moratorium on commercial shrimp license sales. Only persons having a commercial license before March 1, 1981 or a commercial shrimp boat under construction which was at least 50% complete as of March 1, 1981 may buy a commercial shrimp license during the two year period.

House Bill 663 - Diez

Sets up a system to pay rewards to person who turn in violators of Wildlife and Fisheries laws.

House Bill 1005 - Hogan

Same as Senate Bill 561

House Bill 1101 - Fair

Prohibits trapping or killing of red foxes.

House Bill 1109 - Ullo

Same as Senate Bill 499

House Bill 1160 - Lebleu

Repeals the provision that allows for a civil penalty of \$500 for oyster dredging violations.

House Bill 1194 - Hogan and others

Same as Senate Bill 561

House Bill 1196 - Hogan and others

Reorganizes sections 421 through 463 of Title 56 which pertains to oysters for clarification purposes.

House Bill 1199 - Hogan and others

Reorganizes all the definitions used in wildlife and fisheries laws in Title 56 and places them in one section.

House Bill 1200 - Hogan and others

Reorganizes and simplifies regulations on clam fishing.

House Bill 1532 - Patti

Makes the use of purse seines for taking of edible fish inside the inside-outside shrimp line illegal.

House Bill 1533 - Patti

Same as Senate Bill 501

House Bill 1534 - Patti

Limits the permits for experimental gear and underutilized species to 30 days. Also prohibits the renewal of such a license until 30 days after the expiration of the license.

House Bill 1535 - Patti

Same as Senate Bill 502

House Bill 1536 - Patti

Provides that the regular shrimp season open on one date over the entire coast of Louisiana and that the season opens at noon on that day.

House Bill 1537 - Patti

Same as Senate Bill 497

House Bill 1609 - Lebleu

Makes speckled trout and redfish game fish.

House Bill 1656 - Patti

Provides that the Department of Wildlife and Fisheries shall not accept any initial or first time oyster lease application or survey plan that exceeds 10% of the acreage described in the original application for the particular lease.

House Bill 1657 - Patti

Changes wording on maximum of 1000 acres of oyster lease holdings. The old law prohibited anyone from holding, controlling or seeking or attempting to hold or control by partnership or otherwise more than 1000 acres. The proposed law would only make it illegal for anyone to lease more than 1000 acres.

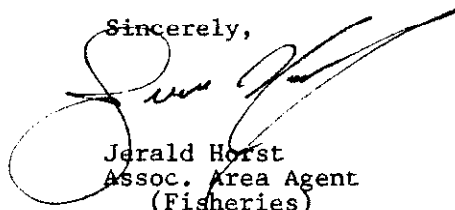
House Bill 1724 - Siracusa and Hebert

Legalizes double-rig shrimp trawling in Caillou and Atchafalaya Bays. Each trawl must be 50 feet or less.

House Bill 1765 - Lebleu

Changes the minimum mesh size for saltwater gill nets from 2 inches square (4 inches stretched) to 1-3/4 inches square (3-1/2 inches stretched).

Sincerely,



Jerald Horst  
Assoc. Area Agent  
(Fisheries)

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