



April 30, 1993  
SPECIAL EDITION

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## SEA GRANT PROGRAM

# LAGNIAPPE

This special edition of the Lagniappe is devoted to new bills which are before the current legislature. Fisheries 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 or 1-800-256-3793. 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. An asterisk (\*) after the bill number means it is a Department of Wildlife and Fisheries Bill.

**House Bill 74** - Patti

Allows the purchase of recreational fishing and hunting licenses by credit card by phone.

**House Bill 76\*** - Sam Theriot

Makes technical changes in the wording on the penalties for the use of aircraft in catching fish.

**House Bill 77** - Sam Theriot

Allows recreational castnetters to take shrimp year-round rather than just in open waters during open season.

**House Bill 79\*** - Sam Theriot

Creates penalties for violations of recreational clamming laws.

**House Bill 80\*** - Sam Theriot

Outlaws the interstate transport of fish for stocking unless it is done according to regulations adopted by the Wildlife and Fisheries Commission.

**House Bill 81\*** - Sam Theriot

Allows the closure or restriction of a fishing season by the Department of Wildlife and Fisheries by publication of intent to do so in the official parish journal one time instead of three times.

**House Bill 83 - Sam Theriot**

Repeals the maximum throat size and minimum mesh size on crawfish traps and nets.

**House Bill 85\* - Sam Theriot**

Tightens up the requirements for correct information on license applications.

**House Bills 99 and 249 - Downer, Bergeron and others**

Removes the current minimum recreational size on speckled trout and also prohibits the Wildlife and Fisheries Commission from setting one.

**House Bill 147\* - Sam Theriot**

Allows enforcement agents to use global positioning satellite (GPS) readings to determine if shrimping is in inside or outside waters.

**House Bill 156 - Dewitt**

Allows for the removal of a Wildlife and Fisheries Commission member for neglect of duty, malfeasance or nonfeasance by a two-thirds vote of the legislature, after being served with a written notice and having a public hearing.

**House Bill 169 - Roach**

Requires that each abandoned oil and gas location in state waters be swept with a trawl to make sure that the site is clear of obstructions.

**House Bill 171 - Theunissen**

Legalizes the use of elevated trotlines (high water lines) in Grand and White Lakes in southwestern Louisiana.

**House Bill 197 - Deville**

Requires restaurants to notify their customers if they serve crawfish which are imported from a foreign country.

**House Bill 300 - Odinet**

Requires that all oysters taken from natural reefs of the state be landed in Louisiana with proper containers, tags and taxes.

**House Bill 308 - Roach**

Requires the Department of Natural Resources (DNR) to assess each oil and gas lease and pipeline right-of-way the full \$1000 allowable on July 1 of each year for the Fishermen's Gear Compensation Fund. Also creates a 25% penalty plus interest for nonpayment of the fee, but allows the secretary of DNR to reduce or suspend the penalty. Increases the maximum compensation for damages to \$10,000 per incident and provides that there shall be no limit to the number of claims per year that a fisherman may make. Also requires that the secretary of DNR annually prepare and distribute a map showing the hazards and obstructions that have been reported to the fund.

**House Bill 320 - Mitch Theriot**

Allows a sportsman to just purchase the saltwater license (at \$5.50) to fish in saltwater rather than both the basic and saltwater license at \$11.00. Allows a sportsman to purchase recreational gear licenses with possession of the saltwater license only. Also repeals the requirement that nonresident sportfishermen must have the seven-day temporary basic license to get the temporary seven-day saltwater license.

**House Bill 322 - Sam Theriot**

Requires nonresident sportfishermen to have their license in immediate possession when fishing.

**House Bills 375 and 411 - Sam Theriot**

Provides penalties for the unauthorized dredging of sand or other material from water bottoms.

**House Bill 403 - Odinet**

Allows the mounting of a skimmer or butterfly net at such a distance from the vessel as to allow for its safe and efficient operation so long as the mounting does not make the net wider than legal.

**House Bill 410\* - Sam Theriot**

Provides that half of the money collected from civil penalties for fish and wildlife violations be sent to the criminal court fund of the district court where the conviction took place to offset their costs.

**House Bill 412\* - Sam Theriot**

Corrects the wording to include the saltwater license angling license in the universal license.

**House Bill 450 - Sam Theriot**

Allows the use of trawls to catch finfish in state outside waters during the closed shrimp seasons.

**House Bill 490 - Hudson**

Requires that at least 25% of the total Department of Wildlife and Fisheries funding be allocated to enforcement.

**House Bill 491 - Hudson**

Limits the number of biologist positions within the Department of Wildlife and Fisheries to 100 positions unless specifically approved otherwise by the legislature.

**House Bill 492 - Hudson**

Limits the number of specialist positions within the Department of Wildlife and Fisheries to 100 positions unless specifically approved otherwise by the legislature.

**House Bill 594 - Salter**

Makes it against the law to damage or remove buoys placed in state waters.

**House Bill 603 - Riddle**

Authorizes federal agents to enforce state fish and game laws in Avoyelles Parish.

**House Bill 604 - Dewitt**

Replaces the civil penalties for class one violations with criminal penalties.

**House Bill 619 - Odinet**

Allows the commercial take of redfish as bycatch while fishing for other fish. The redfish cannot be more than 5% of the total catch and no more than 5 per day may be taken. Provides a commercial minimum size of 18 inches and a maximum of 27 inches on redfish and prohibits the Wildlife and Fisheries Commission from adopting any rule contrary to these. Sets a maximum redfish by-catch take of 100,000 fish per year. Requires that persons who buy or handle redfish taken as by-catch to purchase a "red drum handler's license", and that each red drum handler must file a weekly report with the Department of Wildlife and Fisheries.

**House Bill 641 - A. Alexander**

Requires announced and unannounced inspection, at least twice monthly, of seafood processing plants.

**House Bill 644 - A. Alexander**

Requires that each seafood plant inspection shall include testing of the environment including the water source.

**House Bill 655 - Hammett**

Authorizes the Wildlife and Fisheries Commission to set the fees for nonresident recreational fishing and hunting licenses.

**House Bill 659 - Roach**

Outlaws the commercial harvest of fish and shellfish from private water bodies in the coastal zone created by water control structures paid for by public funds unless the harvester has a special permit issued by the Department of Wildlife and Fisheries. Impoundments that are operated under a current mariculture permit are exempted.

**House Bill 681 - Landrieu and others**

Increases nonresident recreational fishing by \$10.50. Also increases nonresident hunting licenses.

**House Bill 733 - Jack Smith**

Creates a state income tax credit for state gasoline and fuel taxes paid for operating any commercial fishing boat.

**House Bill 785 - Durand**

Lowers the minimum size on bowfin (chopique) from 22 inches to 21 inches in the Atchafalaya Basin and allows their harvest in the Basin during December, January and February.

**House Bill 789 - Ellington**

Sets a minimum annual fee of \$1000 for nonresident freshwater mussel harvesters.

**House Bill 913 and Senate Bill 552 - Sam Theriot and Brinkhaus**

Decreases the alligator tag fee from four dollars to one dollar.

**House Bill 914 and Senate Bill 553 - Sam Theriot and Brinkhaus**

Decreases the alligator tag fee from four dollars to two dollars.

**House Bill 954 - Roach**

Makes the following requirements for the abandoned oil and gas site clearance program on state waterbottoms, retroactive to January 1, 1992.

- 1) A maximum mesh size of 2 inches stretched on any trawl used in site clearance.
- 2) That reports on sites that have been cleared be made public within 90 days.
- 3) Once a site is verified as clear, the oil and gas leaseholder, and not the trawling contractor, is liable for damages caused by any remaining obstructions.

**House Bill 1024 - Roach**

Increases the minimum mesh size on trawls, butterfly nets and skimmers to 1½ inches stretched, in inshore waters, during the fall inshore shrimp season. Effective August 1, 1994.

**House Bill 1025 - Roach**

Puts the minimum 100 count per pound requirement for white shrimp back in place during the period from October 15 through the third Monday in December.

**House Bill 1026 - Roach**

Provides that the count on white shrimp shall be determined by taking two 3-pound samples from each cargo lot. The enforcement agent takes one sample and the fisherman takes one sample. The average count will come from a combination of these two samples. A "cargo lot" is defined as a container, basket, box, chest, bin, hole or storage compartment in which shrimp are kept for transport. The minimum count shall apply to the vessel or the dock but not beyond the first buyer.

**House Bill 1027 - Roach**

Creates a \$100 "shrimping crew license" which is in the name of the vessel owner (not the captain) and which may be purchased instead of the commercial fisherman's license which is issued in the captain's name.

**House Bill 1038 and Senate Bill 754 - Sam Theriot and Brinkhaus**

Creates the Louisiana Alligator Advisory Committee in the Department of Agriculture and lowers the alligator tag fee from four dollars to two dollars. Also reduces the membership of the Louisiana Fur and Alligator Advisory Council from 11 to 9 by removing the two representatives of the Louisiana Alligator Farmers and Ranchers Association.

**House Bill 1077 - Roach**

Creates a penalty of 25% plus interest for oil and gas lease and pipeline right-of-way holders who do not pay their assessed fee into the Fishermen's Gear Compensation Fund within 30 days after they receive the assessment.

**House Bill 1118 - Sam Theriot and others**

Provides that the Department of Wildlife and Fisheries shall have no control over man-made oyster or shell reefs created under a Department of Natural Resources (DNR) authorized coastal management program, unless DNR finds that the reefs are suitable for oyster cultivation.

**House Bill 1123\* - Sam Theriot and McPherson**

Exempts records concerning sale of alligators, alligator eggs, hides or parts from the Public Records Law.

**House Bill 1127\* - Sam Theriot and McPherson**

Increases the oyster harvester's license from \$100 to \$250 for residents and from \$400 to \$1000 for nonresidents. Also increases the gear fee for oyster dredges from \$25 to \$125 and the gear fee for oyster tongs from \$30 to \$100.

**House Bill 1128 and 1988 and Senate Bill 981 - Sam Theriot, Odinet and Nunez**

Increases the cost of all commercial fishing licenses and transport licenses by \$15. Increase the wholesale/retail dealers license from \$105 to \$210 for residents and from \$405 to \$510 for nonresidents.

**House Bill 1129 and Senate Bill 726 - Sam Theriot and Bagneris**

Increases license fees by the same amount as in the previous bills and dedicates \$10 per license to the Seafood Promotion and Marketing Account.

**House Bill 1130 - Sam Theriot**

Provides that one member of the Louisiana Wildlife and Fisheries Commission shall be appointed from a list of names submitted by the Audubon Society and the Nature Conservancy.

**House Bill 1133 - Odinet**

Authorizes the Wildlife and Fisheries Commission to extend oyster season to May 15 rather than April 1 which is now the deadline.

**House Bill 1164\* - Sam Theriot**

Restructures the involvement of agencies in the Louisiana Artificial Reef Development Program.

**House Bill 1169\* - Sam Theriot**

Makes corrections in the wording of the shrimp laws.

**House Bill 1170 - Sam Theriot and others**

Provides that the Department of Natural Resources (DNR) shall have control over man-made oyster reefs created under a coastal zone management program. Prohibits anyone from taking oysters from these reefs unless permitted by DNR.

**House Bill 1176 - Siracusa**

Restricts the use of shrimp butterfly and bottom nets to vessels which are motor propelled and underway, in Oyster Bayou and Grand Pass in Terrebonne Parish.

**House Bill 1180 - Durand**

Allows fishing and hunting guides to sell licenses.

**House Bills 1262 and 1454 - Ackal, John and others**

Creates the office of enforcement in the Department of Wildlife and Fisheries. Currently enforcement is a division under the secretary of the department.

**House Bill 1281 and Senate Bill 984 - Patti and Nunez**

Changes the penalty for violating the law on oyster tags, containers and distribution from a class 3 to a class 1 penalty.

**House Bill 1282 - Patti**

Requires that oyster tags have on them the information required by the National Shellfish Sanitation Plan Manual of Operations and also repeals the requirement that tags be held by a commercial user for 60 days after the oysters are removed from the sack or container.

**House Bill 1283 and Senate Bills 983 and 989 - Patti, Nunez and Morial**

Allows trade associations to print and distribute harvester/dealer oyster tags which must be attached to each container. Also has same other provisions as HB 1282.

**House Bill 1284 and Senate Bill 985 - Patti and Nunez**

Allows oyster harvester dealers to buy pre-printed tags or box on which tags are printed instead of Department of Wildlife and Fisheries tags. Also has same other provisions as HB 1282.

**House Bill 1287 - Riddle**

Makes the white perch (also known as crappie or sac-a-lait) the state fish.

**House Bill 1288 - Riddle**

Gives local governments the power to limit horsepower of pleasure boat motors.

**House Bill 1303 - Roach**

Increases commercial fishermen's licenses from \$55 to \$65, gear fees from \$25 to \$30 and saltwater gill net gear fees from \$250 to \$295.50 and dedicates the money collected to be used to put the Commercial Fisherman's Sales Card into effect.

**House Bill 1305 - Roach**

Requires the Wildlife and Fisheries Commission to set seasons and areas on the use of crab traps in Sabine Lake.

**House Bill 1443 - Mitch Theriot**

Allows people who have lost an arm or leg to recreationally fish for free.

**House Bill 1453 - John and others**

Dedicates all increases or new fees, licenses, permits or royalties which have been passed since December 23, 1987 and which are not constitutionally dedicated, to go to the office of enforcement in the Department of Wildlife and Fisheries.

**House Bill 1464 - Hopkins**

Limits the number of yo-yo's or trigger devices to 12 per person in Caddo Lake and requires their marking and attendance.

**House Bill 1609 - Dewitt and Sam Theriot**

Moves the power to manage endangered species in Louisiana from the Wildlife and Fisheries Commission to the Secretary of the Department of Wildlife and Fisheries. Greatly strengthens the endangered species program in Louisiana.

**House Bill 1637 and Senate Bill 1032 - Roach and McPherson**

Requires a shipping label fee for alligators processed in-state. Provides for free hide tags to alligator hunters and farmers. Provides for dedication of funds collected.

**House Bill 1701 - Patti**

Allows the Department of Wildlife and Fisheries to adjust recreation oyster limits on public oyster grounds based upon recommendations of the Oyster Task Force.

**House Bill 1725 - Odinet**

Creates operating rules for task forces, committees or other advisory groups formed to advise the Department of Wildlife and Fisheries.

**House Bill 1750 - Patti**

Provides for a hearing examiner for the Fishermen's Gear Compensation Fund (hang fund).



**House Bill 1764 - Ackal and Dewitt**

Takes all the money from the following programs and puts it in the Wildlife and Fisheries Enforcement Account: the Duck Stamp Fund, the Seafood Promotion and Marketing Fund, the Fur and Alligator Public Education and Marketing Fund, the Alligator Resource Fund, the Wildlife Habitat and Natural Heritage Trust, the Reptile and Amphibian Research Fund, the Lifetime License Endowment Fund, the Scenic Rivers Fund and the "natural heritage account".

**House Bill 1834 - Bergeron**

Repeals the door size restriction on the use of two 25-foot trawls in inside waters.

**House Bill 1897 - Russo**

Repeals wildlife and fisheries agents' enforcement powers concerning arson, litter, theft, burglary, resisting arrest, assault and battery, and requires that all commissioned wildlife agents and employees as well as commissioned officers be under the direct control of the Department of Wildlife and Fisheries Enforcement Division.

**House Bill 1984 - Patti**

Repeals the provision passed in 1992 that allowed for helpers on oyster boats to be exempt from the oyster harvesting license. This 1992 provision also would have removed the license exemption for persons 16 years old and younger.

**House Bill 1986 and Senate Bill 1034 - Sam Theriot and McPherson**

Changes the name of the "Marine Recreational Fishing Development Board" to the "Recreational Fishing Development Board". Adds 8 new members, including one each from the Louisiana Association of Coastal Anglers, the Louisiana Wildlife Federation, a tackle manufacturer or wholesaler and 5 freshwater representatives.

**House Bill 1989 and Senate Bill 978 - Odinet and Nunez**

Increases the amount paid into the Seafood Promotion and Marketing Fund per commercial fishing and gear license from \$5 to \$15 yearly from a surcharge put on licenses by the Wildlife and Fisheries Commission. The surcharge on wholesale/retail dealer's licenses shall be \$105.

**Senate Bills 24 and 190 - Ullo and others**

Authorizes state income tax credits for assisting any public agency in restoring wetlands.

**Senate Bill 57 - Hinton**

Requires at least \$5,000 liability insurance on any owner or operator of a boat 14 feet long or longer.

**Senate Bill 359 - Barro**

Allows rehabilitation programs to apply for up to 10 sportfishing licenses annually in the program's name.

**Senate Bill 384 - Landry**

Reduces the minimum size on channel catfish to 8 inches in Lakes Salvador, Cataouatche and Des Allemands and their connecting waterways.

**Senate Bill 385 - Landry**

Reduces the minimum on channel catfish to 9 inches recreationally and 8 inches commercially.

**Senate Bill 407 - Hines**

Allows the use of up to 36 tagged yo-yo's per boat in Chicot Lake between November 1 and March 1 of each year.

**Senate Bill 435 - Johnson**

Makes the green tree frog the official state amphibian.

**Senate Bill 521 - Picard**

Eliminates the fee for alligator tags.

**Senate Bill 591 - Hainkel**

Creates the Louisiana Coastal Wetlands Conservation, Restoration and Management Act of 1993.

**Senate Bills 719 and 980 - Bagneris, Nunez and others**

Changes the name of the Seafood Promotion and Marketing Fund to the Seafood Promotion and Marketing Account.

**Senate Bill 837 - Greene**

Changes the closed season on the netting of bowfin (chopique) from the months of December, January and February to between January 15 and February 28 of each year.

**Senate Bill 869 - McPherson**

Increases the age a person must be to be exempt from having to buy fishing and hunting licenses from 60 to 65 years old.

**Senate Bill 870 - McPherson**

Removes the power of the Wildlife and Fisheries Commission to set special limits and issue permits for freshwater gamefish tournaments.

**Senate Bill 922 - Morial**

Requires hazardous wastewater dischargers to post signs at discharges that show their discharge permit numbers.

**Senate Bill 926 - Morial**

Requires that all shellfish (such as oysters) caught in Louisiana waters must be landed in Louisiana.

**Senate Bills 977 and 979 - Nunez**

Places a surcharge on all water discharge permits or licenses and water use rates which will go into an "Oyster Sanitation Fund". The fund's money will go to the Department of Health and Hospitals and the Department of Wildlife and Fisheries to improve sanitation and oyster water quality.

**Senate Bill 982 - Nunez**

Removes the restriction on the use of legal nets within 2500 feet of land or in water over 7 feet deep in the waters of Breton and Chandeleur Islands. Adds sheepshead to the list of fish which may be taken with a pompano net and removes the recreational bag limit restriction with such a net on shark, spanish mackerel and cobia.

**Senate Bill 986 - Nunez**

Allows the Department of Wildlife and Fisheries to set fees only for the oyster tags that the department distributes.

**Senate Concurrent Resolution 8 - Brinkhaus**

Suspends the law that outlaws the discharge of oil and gas-well produced water.

**Senate Concurrent Resolution 9 - Brinkhaus**

Suspends the law that regulates the discharge of oil and gas-well produced waters into larger waterways.

**Senate Concurrent Resolution 11 - Ullo and Toomy**

Creates a task force to make recommendations for the development of an underwater obstruction removal program.

**House Concurrent Resolution 79 - Hebert**

Asks the U. S. Congress to direct the Food and Drug Administration to lift the national ban on the sale of baby turtles in Louisiana.

**House Concurrent Resolution 95 - Odinet**

Request the secretary of the Department of Wildlife and Fisheries to allow bi-monthly meetings of the Marine Finfish Panel.

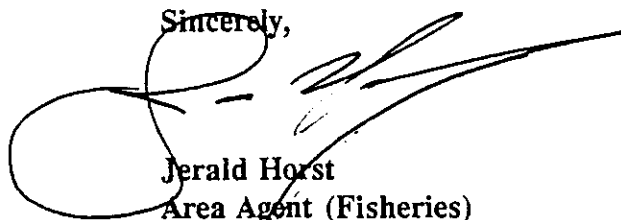
**House Concurrent Resolution 105 - Roach**

Requests the Department of Wildlife and Fisheries and the Department of Labor to develop and put into effect a job training program for displaced oyster fishermen.

**House Resolution 1 - Odinet and others**

Directs the Department of Wildlife and Fisheries to study the possibility of allowing oyster fishermen to buy preprinted oyster tags.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "J. Horst".

Jerald Horst  
Area Agent (Fisheries)