



April 9, 1999
SPECIAL EDITION

SEA GRANT PROGRAM

LAGNIAPPE

This special edition of the Lagniappe Newsletter is devoted to new fisheries and fur industry bills which have been introduced to the current legislature as of early April. It must be noted that each senator and representative is also allowed to introduce up to five late bills before April 27. If you need information on any of these bills, you may call 1-225-342-2456 or 1-800-256-3793. Someone will be able to answer your questions on the progress of the bills that you are interested in and when they will be heard in committee. People with computer access can do the same by using the following Web Site address: www.legis.state.la.us In these bill summaries, the Department of Wildlife and Fisheries is referred to as DWF, the Wildlife and Fisheries Commission as WFC, and the Department of Natural Resources as DNR.

Senate Bill 30 - Hainkel

Includes the Tchefuncte River from the Hwy 22 bridge to its entrance into Lake Ponchartrain in the Natural and Scenic River System.

Senate Bill 62 - Barham & Campbell

Exempts wildlife conservation organizations conducting fund-raising raffles from charitable gaming, licensing, and reporting procedures.

Senate Bill 80 - Landry

Provides for a technical wording change to the Wildlife and Fisheries Code.

Senate Bill 95 - Landry

Make technical changes to public waterbottom ownership law.

Senate Bill 137 and House Bills 241 and 1526 - Ewing, R. Alexander, Fauchaux & others

Prohibits the take or possession of freshwater gamefish with a bow and arrow.

Senate Bill 154 - Smith

Allows commercial fishermen to sell their catch to others than wholesale/retail dealers, with purchase of a \$20 fresh products license instead of the currently required

\$250 wholesale/retail seafood dealer's license. Also requires holders of fresh products licenses to make monthly reports on sales to DWF.

Senate Bill 226 - Landry

Reduces the minimum size for channel catfish from 11 inches to 8 inches, total length, and from 9 inches to 6 inches, collarbone-off, in the waters of Lac Des Allemands, Lake Cataouache, the tributaries which lead from Lake Cataouache to Lake Salvador, Bayou Des Allemands, and Lake Salvador.

Senate Bill 227 - Landry

Reduces the minimum size length for channel catfish with collarbone-off from 9 inches to 8 inches, statewide.

Senate Bill 228- Landry

Allows the commercial harvest of mullet with hoop nets and requires WFC to adopt rules and regulations for such harvest.

Senate Bill 305 - Cain

Prevents DWF from charging access fees or any fee per acre to any seismic operator working on public lands or waterbottoms.

Senate Bill 349 - Ullo

Allows the use of dogs to take nutria during daylight hours.

Senate Bill 427 and House Bill 800 - Malone & Triche

Makes speckled trout gamefish. Senate version also provides that anyone convicted of commercially taking speckled trout will lose all rights to commercially fish forever.

Senate Bill 470 - Smith & Salter

Requires that the water level of Toledo Bend Reservoir be kept at no less than 168 feet above sea level at all times.

Senate Bill 490 Landry

Reduces the minimum size for channel catfish from 11 inches to 10 inches, total length, and from 9 inches to 7 inches, collarbone-off.

Senate Bill 491 - Thomas (By Request)

Allows mobility impaired (crippled) residents 60 years of age and older to use up to 60 drop nets with no license fee, to catch crawfish for home consumption.

Senate Bill 492 - Thomas (By Request)

Allows mobility impaired residents 60 years of age and older to use one slat trap and one 18 foot by 8 foot hoopnet with no license fee, to catch catfish for home consumption.

Senate Bill 525 - Robichaux

Requires that all commercial fishing vessels be tagged for simple and quick identification with the license number for the fishing activity that the vessel is conducting. Also requires that the commercial license number issued to each fisherman be displayed on the vessel's roof or bow in letters 8 inches high.

Senate Bill 530 - Robichaux

Removes the requirement that a commercial fisherman must purchase a wholesale/retail seafood dealers license to sell to anyone other than a dealer.

Senate Bill 534 and House Bill 188 - Robichaux & Dupre

Requires that wharfs or camps with unattended fish or shrimp nets must be inhabited when the nets are in use.

Senate Bill 535 and House Bills 189 and 302 - Robichaux & Dupre

Provides that the maximum combined length for shrimp trawls used in state offshore waters shall remain at 130 feet of corkline and 165 feet of lead line, instead of dropping to 100 feet of corkline and 132 feet of lead line, as is now scheduled for January 1, 2000.

Senate Bill 536 - Robichaux

Changes the membership of the Louisiana Seafood Promotion and Marketing Board from 15 to 17 members by removing the representative of the Louisiana Shrimp Association, the representative of the Concerned Shrimpers of Louisiana, the seafood retailer, the seafood wholesaler, the seafood processor, and the individuals representing the saltwater finfish industry, the freshwater finfish industry, and the wild catfish industry. Positions added to the board include representatives of the harvesting sectors of the oyster industry, and the finfish industry, four representatives of the shrimp harvesting sector, a crab dealer or processor, and a finfish dealer or processor.

Senate Bill 537 and House Bill 1758 - Robichaux & Dupre

Defines a "serviceable crab trap" as one with the identification tag intact, constructed to DWF specifications and capable of catching and keeping crabs. Provides that the requirement that baiting, tending, checking, and removing of crab traps be done only during daylight hours applies only to serviceable crab traps in use.

Requires that unserviceable crab traps or those not in use shall be properly disposed of or stored by the owner. Creates a class two violation for intentionally

discarding unserviceable crab traps in navigable waters. Also makes it the responsibility of the crab fisherman to place his crab traps so that vessels can navigate safely.

Provides that a shrimper who catches an unserviceable crab trap shall keep it on board his vessel and dispose of it. A shrimper who catches a serviceable trap without a float shall return it to the water with a common float. Any licensed crab fisherman may raise and check any trap with a common float to determine ownership. The owner of the trap shall return the common float to any shrimper for reuse. The color of the common float shall be determined by WFC.

Senate Bills 544 and 917 and House Bill 576 - Hines, Dean & Odinet

Directs that before January 1, 2000 that WFC, with the advice and cooperation of DWF, shall develop rules to create a site-specific, limited strike net fishery for black drum.

Senate Bill 548 - Romero

Prohibits shell dredging from any state-owned waterbottom.

Senate Bill 550 - Romero

Changes the minimum mesh size for crawfish traps from 3/4-inch by 11/16-inch to 11/16-inch by 11/16-inch.

Senate Bill 558 - Theunissen

Repeals the alligator possession limit of 3 per person for nonresidents.

Senate Bill 613 - Siracusa

Removes the requirement that price per pound of shrimp and count per pound of shrimp be listed on trip tickets.

Senate Bill 614 - Siracusa

Gives owners of pipelines which lie across streams in the Natural and Scenic Rivers System certain rights of maintenance. Also provides that any state or federal agency that requires removal of such a pipeline and replacement by directional drilling must pay the pipeline operator for the extra cost.

Senate Bill 661 - Robichaux

Creates a "Shrimp Marketing and Promotion Account" within the Seafood Promotion and Marketing Board to market Louisiana shrimp. Funding for the account is provided by an additional fee of \$5 for each shrimp trawl or net.

Senate Bill 801 and House Bill 1108 - Malone & Triche

Creates a Coastal Conservation Association vehicle license plate for \$25 per vehicle above the regular license fee. Funds raised will be credited into a "coastal

conservation account" to be used to restore, enhance and conserve the supply of coastal recreational fish.

Senate Bill 883 and House Bill 439 - Dean & Odinet

Allows commercial harvest of mullet during nighttime hours.

Senate Bill 937 - Barham

Prohibits the taking of wild box turtles for commercial purposes. Limits recreational taking to no more than 2 per day. Allows farm-raised box turtles to be sold.

Senate Bill 951 - Robichaux & Cox

Authorizes the secretary of DNR to require permits for removal of water from a public water source for commercial purposes.

Senate Bill 974 and House Bill 997 - Dean & Odinet

Allows the retention and sale of all flounders taken as bycatch.

Senate Bill 975 - Dean

Allows the use of a "try net" no larger than 12 feet along the corkline and 16 feet along the lead line to test for the presence of shrimp in the 24 hours immediately before the opening of a shrimp season. All try net contents must be returned to the water immediately, and no shrimp may be in possession aboard the vessel during this period.

Senate Concurrent Resolution 11 - Dean

Suspends DWF rules requiring trip tickets for sale or transfer of commercial fisheries catch.

Senate Concurrent Resolution 12 - Dean

Requests U. S. Congress to pursue other alternatives to present Turtle Excluder Device (TED) regulations, including seasonal exemptions where low numbers of Kemp's ridley turtles occur in winter season, area exemptions where there has been no historical evidence of the turtle, and an industry-funded recovery program.

Senate Concurrent Resolution 33 - Ullo

Creates the "Seafood Standards of Identity Task Force" comprised of 16 seafood dealers and processors, with 7 non-voting technical advisors, to make recommendation for more uniform standards to enhance the marketability of Louisiana seafood products and lessen buyer confusion.

Senate Concurrent Resolution 38 - Schedler

Urges and requests DWF to institute a public awareness campaign highlighting Louisiana's "Personal Watercraft (jet ski) Safety Act".

Senate Concurrent Resolution 45 - Robichaux

Urges the Louisiana Legislature to provide additional funding to expand and improve biological, social and economic fisheries data collection programs. Also urges and requests the Senate and House Committees on Natural Resources to function as a joint committee to conduct or authorize a detailed historical study on price trends in the shrimping industry at each level in the marketing chain, from dockside to the consumer.

Senate Resolution 6 - Ellington

Directs the secretary of DWF to testify to the Senate Committee on Natural Resources on the beaver and nutria problem and the failure of DWF to take actions requested by the legislature. Also directs DWF to assist parishes requesting beaver and nutria control.

Senate Resolution 11 - Ullo

Urges and requests WFC to allow licensed fur trappers to use dogs for the harvest of nutria during daylight hours, on property that they own or lease.

House Bill 124 - Odinet

Repeals the law that requires loss of mullet fishing permits and licenses upon conviction of any fisheries violation.

House Bill 186- Dupre

Defines a "serviceable crab trap in use" as one kept baited and having a bright-colored float. Provides that the requirement that baiting, tending, checking, and removing of crab traps be done only during daylight hours applies only to serviceable crab traps in use. Requires that crab traps which are no longer serviceable or in use must be removed by the owner or his designee. Creates a class two violation for intentionally discarding unserviceable crab traps in navigable waters. Also makes it the responsibility of the crab fisherman to place his crab traps so that vessels can navigate safely. Provides that a shrimper who catches an unserviceable trap shall keep it on board his vessel and dispose of it.

House Bill 243 - Dewitt

Adds possession of a Louisiana birth certificate as one option for proof of residency to purchase resident recreational fishing and hunting licenses.

House Bill 353 - Faucheux

Includes the construction of a marina in the definition of a reclamation project.

House Bill 365 - Dupre

Requires DWF to have in place by January 1, 2000, a method of electronically receiving trip ticket report information from seafood dealers.

House Bill 403 - Jack Smith

Defines "consumer" as a patron of restaurants and other places where seafood is prepared, or any person using seafood or other aquatic life for bait or personal consumption. Allows resident commercial fishermen to sell directly to in-state consumers with purchase of a \$30 (\$120 for nonresidents) fresh products license instead of the currently required \$250 wholesale/retail seafood dealer's license. Also requires holders of the fresh products licenses to submit monthly reports of sales to DWF.

House Bill 404 - Jack Smith

Requires a basic recreational fishing license to possess fish on fishing grounds that have been caught for recreational purposes. Provides that no license is required for recreational use of crawfish nets, dip nets, landing nets, minnow traps, crab nets, and crab lines. Creates recreational gear licenses for pipes/drums (\$10 for 5), buckets/cans (\$10 for 5), and tires (\$10 for 5).

House Bill 405 - Jack Smith

Requires possession of saltwater finfish to be with head or tail intact (except tuna, garfish, swordfish, and sharks) while on the water, except that up to 2 pounds of finfish parts per person are allowed on vessels equipped with facilities to cook, and the fish are within legal bag limits. None of the above provisions apply to bait species.

House Bill 407 - Jack Smith

Prohibits recreational use of hoop nets.

House Bill 426 - Gautreaux

Places a \$5 surcharge on recreational gear licenses for crab traps, hoop nets, oyster tongs, slat traps, trawls, wire nets, and crawfish traps. Money will be credited to the Seafood Promotion and Marketing Fund.

House Bill 427 - Odinet

Makes the 13 member Oyster Task Force more permanent by establishing it under law rather than being renewed annually by legislative resolution.

House Bill 486 - Gautreaux

Requires that until DWF is capable of receiving trip ticket information from seafood dealers electronically, that DWF be required to provide people at docks to assist dealers and fishermen in completing the required paperwork.

House Bill 500 - Gautreaux

Sets a minimum mesh size of three-quarters of one inch for crawfish traps used to harvest wild crawfish.

House Bill 528 - Kennard

Creates a territory called an "area of responsibility" defined by zip code, parish, or mile radius for marine dealers. Prohibits a manufacturer or distributor from establishing a new dealership of the same product line within an existing dealer's area of responsibility, or from changing a dealer's area of responsibility.

House Bill 531 - Odinet

Increases the penalty for illegally harvesting oysters from private leases to a fine of \$1,000 - \$2,000, and/or imprisonment for up to 120 days and loss of anything seized.

House Bill 538 - Faucheux

Creates the Coastal Mitigation Fund in the Louisiana State Treasury and provides for use of these funds.

House Bill 929 - Marioneaux

Provides a statewide minimum mesh size for crawfish traps of 3/4-inch by 11/16-inch.

House Bill 960 - Jack Smith

Provides that for any fisheries offense committed in state outside or federal offshore waters of the Gulf of Mexico, that the case may be handled by any district court in any parish bordering the Gulf.

House Bill 961- Jack Smith

Provides daily recreational limits of 25 for buffalo fish, 25 for freshwater drum (gaspergou), 100 for all species of freshwater catfish combined, and 50 pounds for shad. No buffalo under the 16-inch minimum size or gaspergou under the 12 inch minimum size may be possessed. A total of 25 catfish combined may be possessed under the minimum sizes of 12 inches for blue catfish, 11 inches for channel catfish, and 14 inches for flathead (yellow or goujon) catfish. No person may possess more than a two day limit of each species.

House Bill 962 - Walsworth

Removes regulatory authority over houseboats from the administrator of the Natural and Scenic River Program and requires refunds for fees, fines and penalties from DWF for enforcement of regulations against houseboats docked on such rivers longer than 30 days.

House Bill 998 - John Smith & Triche

Re-creates DWF until July 1, 2005.

House Bill 1039 - Theriot

Removes the 12-inch recreational minimum size for speckled trout.

House Bills 1081 and 1261 - Dupre & others

Provides for the deposit of mineral revenues into the Wetlands Conservation and Restoration Fund.

House Bill 1100 - Schneider

Requires DWF to provide 30 days written notice to any member of the legislature of any public hearing scheduled in his district by DWF or WFC.

House Bill 1109 - Warner

Adds a resident of St. Bernard Parish to the board of directors of the Lake Ponchartrain Basin Foundation.

House Bill 1133 - Hammett

Authorizes DWF and WFC to allow local governments to use public lands that they administer to satisfy mitigation requirements.

House Bill 1228 - Theriot

Requires that after January 1, 2000, that recreational and commercial licenses issued for the same or similar gear shall begin and expire at the same time.

House Bill 1262 - Gautreaux & others

Provides funding and authorization for land purchase, monitoring, cooperative agreements, and planning for the Atchafalaya Basin Program within DNR.

House Bill 1264 - John Smith & others

Allows fishermen making a claim with the Fishermen's Gear Compensation Fund to submit their report on the loss postmarked no later than 90 days after the loss, rather than having to be received by DNR 90 days after the loss. Also allows DNR to extend the 90 day period by up to 45 days for individual claims with good cause.

House Bill 1438 - Fruge

Allows seafood marketing associations to market and sell skins and furs, including alligator skins.

House Bill 1495 - Durand

Adds Lake Dauterive and Lake Fausse Pointe to the areas where bowfin (choupique) can be legally harvested with nets during December, January, and February.

House Bill 1525 - Faucheux & others

Defines an alien individual as a person who is not a U. S. citizen or as any corporation or business organized and located outside the U. S. Prohibits them from purchasing any resident fisheries licenses and provides a license fee for them that is twice the nonresident fee.

House Bill 1527 - John Smith & others

Puts the provisions of the Lake Catherine and Lake Pontchartrain Sanctuary into new state law. Provides that the boundary shall be 1½ miles out from shore in Lake Ponchartrain. Allows the use of hoop nets and slat traps. Also allows the use of trawls, skimmers and butterfly nets east of the I-10 bridge. Prohibits all other use of trawls, seines, traps or other netting except for cast nets, drop nets or scoop nets in all other areas of the sanctuary. Repeals the provision that allowed bait trawling under permit with a 16 foot trawl. Allows all other methods of fishing, including recreational spearfishing. Increases penalties from \$100-\$400 or 30 days to 6 months in jail to \$400-\$450 and/or up to 120 days in jail. Provisions for loss of gear and catch remain the same.

House Bill 1528 - Jack Smith & others

Prohibits the action of or attempt at interstate sale, transportation or receiving of fish or wildlife that were taken, acquired, transported, or sold in violation of any state or federal law or regulation. Provides a penalty of \$1000-\$2000 and/or imprisonment for up to 120 days and forfeiture of anything seized in connection with the violation.

House Bill 1529 -Hebert & others

Sets a recreational possession limit of 12 dozen (144) blue crabs.

House Bill 1530 - Hebert & others

Makes technical corrective changes to clarify penalties for violating laws on undersize crabs.

House Bill 1558 - John Smith & others

Provides that the 50 pound per boat limit on shrimp taken with a cast net also applies to land vehicles.

House Bill 1559 - John Smith & others

Changes the hours during which a personal watercraft (jet ski) cannot be operated to the time between sunset to sunrise.

House Bill 1560 - John Smith & others

Changes the hours during which waterskiing cannot be done to the time between sunset and sunrise.

House Bill 1561 - John Smith & others

Authorizes WFC to regulate recreational as well as commercial freshwater fish netting.

House Bill 1563 - Dupre & others

Changes the inside and outside shrimp line in Zone 2 to adjust for coastline changes due to coastal erosion and subsidence.

House Bill 1564 - John Smith & others

Clarifies powers of DWF enforcement agents. Authorizes agents to carry weapons when off duty. Removes power of arrest from employees of divisions the office of forestry, and arrest, inspection, and enforcement powers from employees of other than enforcement of DWF and gives such powers to the deputy secretary of DWF. Provides arrest power to agents for violations under DWF jurisdiction and any other laws of the state.

House Bill 1565 - Frith & others

Clarifies provisions on possession of commercial fish species that are under or over legal size or over the limit.

House Bill 1566 - Triche & others

Lowers the fine for a class 6 wildlife and fisheries violations from \$1,000-\$2,000 to \$900-\$950.

House Bill 1567 - Gautreaux & others

Makes the penalty for violations of bait shrimp regulations a class 4 violation along with loss of bond and permit. Violator is also ineligible for another bait shrimp permit for one year.

House Bill 1568 - Gautreaux & others

Clarifies the laws prohibiting the use of trawls, skimmers and butterfly nets in closed areas or during closed seasons.

House Bill 1571 - Frith & others

Requires that any person holding a charter boat fishing guide license must report to DWF any information the department requires for management and enforcement needs. Also authorizes DWF personnel to collect biological measurements, samples, and materials from fish on hand at any time.

House Bill 1585 - Frith & others

Authorizes WFC to take biological measurements, samples and materials from any fish harvested from state waters or landed at state ports. Also authorizes LWF to inspect any fish at hand in a seafood dealer's possession, take biological measurements, samples, and materials from the fish, and verify books, records and reports.

House Bill 1604 - Jetson

Directs that any contract entered into for the lease of state lands for any purpose, shall require that public access to public waterways shall be maintained by the lessee.

House Bill 1685 - Michot

Lowers the penalties for mullet fishing violations from class 6 to class 5 violations.

House Bill 1760 - Durand

Creates the Exotic Aquatic Plant Task Force to study and monitor infestations of nonnative water plants and make recommendations to control them.

House Bill 1769 - Winston

Legalizes the harvest of stone crabs by removing them from the minimum size limit for blue crabs. Provides a minimum claw size of 2½ inches. Provides that only the claws of stone crabs can be landed, except that a tolerance of an average of one whole stone crab per box of blue crabs is allowed. Live stone crabs may be held on board a vessel as long as they are held in shaded containers and kept moist.

House Bill 1772 - Hebert

Requires WFC to create regulations to establish a marking system for crawfish traps which includes the name and license number of the owner of the traps. Also prohibits baiting, tending, checking, or removing of crawfish traps, their contents, their lines, buoys, or markers on public waters between ½ hour after sunset and ½ hour before sunrise.

House Bill 1842 - John Smith & others

Extends the Underwater Obstruction Removal Program to July 1, 2003. Dedicates \$500,000 from the Fishermen's Gear Compensation Fund to the Underwater Obstruction Removal Fund annually.

House Bill 1898 - LeBlanc

Expands and defines the mission of the Atchafalaya Trace Commission.

House Bill 1899 - Travis

Creates a territory called an "area of responsibility" defined by zip code, parish, or mile radius for marine dealers. Prohibits a manufacturer or distributor from entering an agreement that would add a new dealership of the same product line within an existing dealer's area of responsibility, or from changing a dealer's area of responsibility. Creates provisions that would allow manufacturers to appeal the law that requires them to buy back unsold boats and motors from a marine dealer who goes out of business, if that marine dealer had an area of responsibility that was not shared with another marine dealer.

House Bill 1980 - Wilkerson

Exempts boats equipped with a wide-angle convex marine rearview mirror from the rule requiring at least 2 persons to be present in a boat towing a person on water-skis.

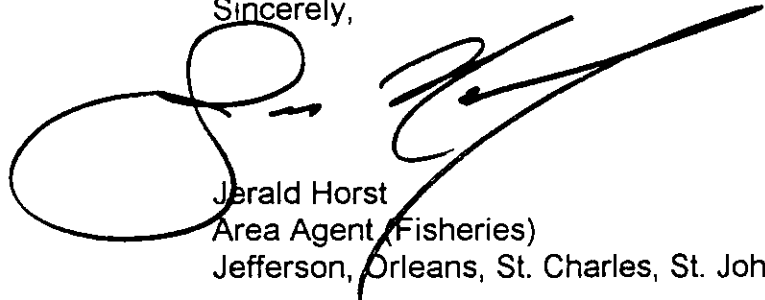
House Concurrent Resolution 14 - Gautreaux

Suspends the trip ticket system for commercial fisheries sales until 60 days after the end of the regular session of the Legislature in the year 2000.

House Concurrent Resolution 41 - John Smith & others

Commends and congratulates the Gulf States Marine Fisheries Commission for 50 years of efforts to provide for better management of Gulf of Mexico marine fisheries resources.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jerald Horst', written over the typed name and title.

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