

## LAGNIAPPE

### SPECIAL EDITION

This special edition of the Lagniappe is devoted to the new bills which are before the current Legislature. As you know, fishing 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, 341-7271. If I am not in my office when you call, leave your name and telephone number. I always return all calls.

House Bill 193 - Guidry

Requires the Department of Wildlife and Fisheries to accept checks for payment of licenses, leases and fines.

House Bill 224 - Siracusa & others

Allows shall dredging which started before the court decision, to continue until new leases are issued

House Bill 235 - S. H. Theriot

Defines "paratrawling" as pulling a net from two or more vessels and prohibits paratrawling in any canal which is part of public waters within the state.

House Bill 236 - S. H. Theriot

Prohibits baiting, tending, checking or removing of hoop nets at night.

House Bill 336 - Patti & others

Gives authority to the Department of Wildlife and Fisheries to enforce health laws on oysters. Allows the Legislature to create a Shellfish Management Task Force.

Increases the penalty for harvesting oysters from closed areas, from Class 3 to Class 4.

House Bill 611 - S. H. Theriot

Increases the minimum size on channel catfish (eel cats) from 11 to 12 inches (10 inches collarbone).

House Bill 654 - Glover

Reduces the catch and possession limit for sportsfishermen on speckled trout and redfish from 50 to 30. No more than 15 of the combined limit may be redfish.

House Bills 656 and 1400 - Glover & others

Repeals the law, enacted in 1987, which allows LUMCON (Louisiana Universities Marine Consortium) and the Department of Wildlife and Fisheries to enter into cooperative agreements with the owners of private mariculture operations.

House Bill 657 - Glover

Repeals the law that creates sportfishing licenses for gill nets, trammel nets and seines.

House Bill 658 - Glover

Repeals the law that requires typed notarized instructions from owners to be on an oyster vessel when it is taking oysters or moving or removing signs from oyster leases.

House Bill 796 - Guidry

Prohibits the taking of bait shrimp during closed shrimp seasons.

House Bill 820 - Roach

Prohibits the use of trawls and butterfly nets within 500 feet of the mouth of any inlet, pass, water control structure, dam or weir.

House Bill 823 - Roach

Provides that any person convicted of 3 or more Class 4, 5-A, 5-B, 6, & 7A or 7B violations in a two year period shall have his license revoked and cannot buy any commercial fishing license for five years.

House Bill 843 - Melancon

Exempts crabbers in Lake Verret from having to use a float on their crab traps. Requires that each crab trap in Lake Verret be registered with the Department of Wildlife and Fisheries. Prohibits the setting of crab traps in the lake channel or in channels of those canals meeting the lake. Prohibits setting crab traps more than 300 yards from the lake shoreline except in the Texas Cove area where they can be set 100 yards in front or back of the powerline.

House Bill 844 - Melancon

Requires a commercial gear license for using cans, buckets or pipes to take fish commercially.

House Bill 869 - Triche

Prohibits the use of hoop nets in freshwater areas.

House Bill 1041 - Ellington and Thompson

Creates the crime of criminal trespass on catfish ponds.

House Bill 1109 - Ackel

Authorizes the removal of objects from waterways and banks by federal, state, and local authorities.

House Bill 1165 - Roach

Imposes a 2¢ per pound severance tax on all redfish and speckled trout taken in Louisiana waters and sold.

House Bill 1248 - Deano (by request)

Allows sportfishermen having a basic recreational license to use a trawl of 10 feet or less without having to buy a gear license.

House Bill 1376 - Odinet & others

Provides that hearings shall no longer be required for claims with the Fishermen's Gear Compensation Fund. Provides for a hearing in the case of a dispute.

House Bill 1383 - Benoit & others

Reduces the limit on speckled trout and redfish for sportfishermen from a combined limit of 50 to 25 for trout and 5 for redfish.

House Bill 1384 - Benoit & others

Repeals the recreational catch limit on speckled trout and redfish and gives the authority to set catch and possession limits to the Wildlife and Fisheries Commission.

House Bill 1386 - Benoit & others

Exempts tuna, garfish and sharks from the law that requires that all fish must be landed with head and tail on. Provides that they must be landed with skin on.

House Bill 1387 - Patti & others

Repeals all opening dates for all shrimp seasons set by law and gives the Wildlife and Fisheries Commission the power to set shrimp seasons.

House Bill 1390 - Warner & others

Prohibits taking garfish with spears, guns, bows and arrows and traps.

House Bill 1393 - Benoit & others

Authorizes the Wildlife and Fisheries Commission to regulate the possession, sale or transportation of any freshwater fish which is not native to Louisiana.

House Bill 1398 - S. H. Theriot & others

Provides for open season on nutria and beaver by landowners and lessees of agricultural and forest land. Also provides that beaver may be trapped only by use of water set conibear traps.

House Bill 1403 - Benoit & others

Provides that the Department of Wildlife and Fisheries shall have the authority to regulate and license wild crawfish fishermen.

House Bill 1404 - Benoit & others

Allows the Department of Wildlife and Fisheries to dispose of, thirty days after the seizure, any seine, gill net, trammel net, butterfly net or beam trawl which is seized for being unattended in saltwater areas.

House Bill 1405 - Glover & others

Provides that violation of the laws on trawl and butterfly mesh sizes and size of butterfly net extensions is a Class 4 violations.

House Bill 1406 - Odinet & others

Provides that penalties for fourth and subsequent offenses of a Class 1, 2, 3 or 4 violation will be the same as the third offense.

House Bill 1407 - S. H. Theriot & others

Provides a fine of \$5 per fish for possession of undersize redfish or speckled trout by sportsfishermen.

House Bill 1408 and Senate Bill 588 - Triche, Nunez and others

Repeals the law which requires that seafood dealers records of commercial fishermen be kept confidential.

House Bill 1409 - Patti & others

Straightens out the inside-outside shrimp line in Caminada and Barataria Passes.

House Bill 1439 - Garrity and Senate Bill 815 - Bagert & others

Repeals the underutilized species law.

House Bill 1440 - Garrity

Repeals the provision that allows unattended nets which are attached to a wharf

at a camp. Provides that all unattended nets or nets composed of illegal material may be immediately seized and then destroyed upon a judge's order. Also provides that the enforcement officer is immune from lawsuit for such seizure.

House Bill 1442 - Garrity and Senate Bill 818 - Bagert & others

Repeals the requirement that sportfishermen must land their fish with head and tail intact.

House Bill 1443 - Garrity and Senate Bill 829 - Bagert & others.

Makes speckled trout and redbfish gamefish and prohibits their sale unless produced by a certified fish farm. Provides that gamefish filets may be imported if the skin is on the filet.

Prohibits the use of any webbing, including trammel nets, seines or gill nets which are capable of fishing for, or has historically been used to catch edible fish, in the waters surrounding Breton, North, New Harbor, Free Mason and Chandeleur Islands.

House Bill 1470 - Odinet

Repeals the law that prohibits the use of two 25-foot trawls in Jefferson, Lafourche and Terrebonne Parishes. The present law which allows two 25-foot trawls is only a temporary provision.

House Bill 1473 - Guidry

Requires seizure of shrimp from possession of anyone shrimping during closed season.

House Bill 1476 - Kimball

Provides that the closing of any fishery shall not prohibit the harvesting and sale of any mariculture fish.

House Bill 1511 - Roach

Prohibits the use of trammel nets statewide.

House Bill 1512 - Roach

Allows the Wildlife and Fisheries Commission to set commercial seasons on redfish and speckled trout.

House Bill 1555 - Roach

Provides that fishermen may use no more than seven gill nets and that each net shall be tagged at a cost of \$50 for residents and \$100 for nonresidents.

House Bill 1572 - Roach

Authorizes the Department of Wildlife and Fisheries to develop a "Commercial Fishermen's Sales Card" to be used instead of a commercial license.

House Bill 1583 - Odinet

Provides that in Chef Menteur Pass and in Lakes Borgne and Ponchartrain within two miles of the pass that a shrimp net may only be used from a motor-propelled boat which is underway. The only exception is for the use of single butterfly nets on wharfs with the owner being present when the net is used.

House Bill 1594 - Roach

Provides that beginning in 1989 no person shall be issued a commercial fishing license unless he can prove that 50% or more of his income came from commercial fishing the previous year.

House Bill 1603 - Glover

Provides that after January 1, 1988, only people who have held gill net, trammel net or seine licenses and have landed and sold finfish during any of the years,

1985, 1986, 1987 or before May 2, 1988 shall have the right to purchase such licenses for use in saltwater areas of the state. Freshwater is not affected.

Also provides that only one such net may be fished at a time and that the net be either hand held or attached to a vessel.

House Bills 1608 and 1609 - Roach & Glover

Increases the gear license from \$25 to \$50 for sport and commercial gill nets, trammel nets and seines.

House Bill 1634 - Melancon

Sets a commercial crawfish season on wild crawfish of March 1 - June 30 of each year. Pond-raised crawfish are exempt from this season. Also provides that sportfishermen may only use drop nets.

House Bill 1641 - S. J. Theriot (by request)

Sets the brown shrimp season to be from May 1 - July 1 of each year.

House Bill 1655 - Crane

Allows sport shrimpers to use up to a 30-foot trawl for \$40.

House Bill 1662 - Guidry

Requires the removal of underwater obstructions on state water bottoms by mineral lessees before they can drill.

House Bill 1683 - Jenkins & others

Exempts commercial fishermen from unemployment compensation coverage if the vessel is 10 net tons or less, with less than 10 crewman and are paid by shares.

House Concurrent Resolution 84 - Odinet

Authorizes the introduction of a late bill which would allow the Department of Wildlife and Fisheries to permit bait dealers to trawl during closed seasons.

Senate Bill 17 - Bagert

Repeals the provision that three members of the Wildlife and Fisheries Commission shall be from coastal parishes and representatives of the commercial fishing and fur industries.

Senate Bill 78 - Bagert

Allows the secretary of the Department of Wildlife and Fisheries to enter into an agreement which would allow federal game wardens to enforce Louisiana wildlife and fisheries laws.

Senate Bill 86 - Bagert

Same as Senate Bill 17, but also provides that commissioners must be chosen from a list provided by conservation organizations and resource management units within the state universities.

Senate Bill 87 - Bagert

Repeals the provision that only a game warden can determine if a net is unattended.

Senate Bill 112 - Hainkel

Allows for payment for motor boat numbers by checks.

Senate Bill 205 - Landry (by request)

Provides that 5% by weight (instead of by number) of commercial fish in possession, except redfish, may be smaller than the legal limit.

Senate Bill 268 - Lauricella

Charges an annual fee of \$1000 for mariculture permits and that Department of Natural Resources shall have access for inspection. Provides that the permit shall automatically end after two years if work on the project has not begun.

Senate Bill 273 - Landry (by request)

Increases the minimum legal size of blue catfish from 12 to 16 inches.

Senate Bill 284 - Landry

Decreases the minimum size of channel catfish (eel cats) from 11 to 7 inches (5 inches collarbone). Repeals the provision which allows the Wildlife and Fisheries Commission to remove the minimum size limit on channel catfish.

Senate Bill 285 - Landry

Requires the Wildlife and Fisheries Commission to suspend the minimum legal size on channel catfish where biological evidence indicates the resource would not be harmed.

Senate Bill 286 - Landry

Removes the minimum size limit on channel catfish south of the Intracoastal Waterway.

Senate Bill 369 - Rayburn

Prohibits taking fish from logs, buckets, barrels, drums or natural or artificial nesting areas by hand grabbing in the Bogue Chitto River.

Senate Bill 389 - Chabert

Shortens the closed shrimp season in offshore state waters off of Zones I and II by one month, opening it by April 1.

Senate Bill 392 - Lauricella

Provides that state and local government may dispose of sunken vessels which are removed because they obstruct navigation or water flow.

Senate Bill 404 - Jefferson

Requires that oyster leases be leased through public bid, with \$5 per acre per year being the maximum.

Senate Bill 413 - Jefferson

Requires that oyster tags be of a distinctive color, with a serial number, have a detachable stub, and be filled out at the time of sale, with the stub returned to the Department of Wildlife and Fisheries together with the severance tax.

Senate Bill 417 - Doland

Allow harvest by special permit of oysters from closed areas in Calcasieu and Sabine Lakes for depuration purposes. Allows the take of 10 sacks per each self-propelled vessel per day, with oyster tongs or one 2-3 foot dredge with 5-inch or less teeth.

Senate Bill 473 - McPherson

Provides for a civil penalty (in addition to the current criminal penalty) for the replacement cost of fish or game taken or destroyed by violation of state or federal law.

Senate Bill 586 - Nunez

Requires seizure and loss of fish and game taken by illegal activities.

Senate Bill 590 - Nunez

Creates the Advisory Group on Wildlife and Fisheries Management, Development and

Research, who is to develop a long range wildlife and fisheries plan for the state.

Senate Bill 761 - Chabert

Increases the penalty for taking crabs at night from a Class 3 to a Class 4 violation.

Senate Bill 814 - Bagert & others

Prohibits the use of trot lines, longlines, yoyos and slat traps to take salt-water fish. Prohibits the use of hoop nets, seines, trammel nets and gill nets below the saltwater-freshwater line.

Allows rods and reels to be used to fish commercially for a fee of \$50.

Senate Bill 816 - Bagert & others

Creates a volunteer auxiliary game warden program.

Senate Bill 817 - Bagert & others

Changes the dates when pompano nets may be used in the waters of Breton and Chandeleur Islands from May 1 - October 31 to September 1 - April 30 of each year.

Senate Bill 849 - Johnson

Prohibits hanging a butterfly or bottom net from a piling, float, barge, raft, bridge or shore installation in any parish having more than 500,000 people or within two miles of such a parish.

Senate Concurrent Resolution 42 - Nunez

Creates a seven member advisory panel to make recommendations to the Legislature concerning the appropriate roles of the Wildlife and Fisheries Commission and Department.

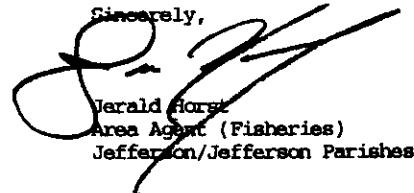
Senate Concurrent Resolution 43 - Nunez

Requests the Department of Wildlife and Fisheries to review its system of license sales and distribution to determine if there is a more efficient method.

Senate Concurrent Resolution 112 - Bagert

Authorizes the late introduction of a bill to provide that unattended nets are illegal and considered contraband.

Sincerely,



Jerald Fiore  
Area Agent (Fisheries)  
Jefferson/Jefferson Parishes

JH/kwj

LOUISIANA COOPERATIVE EXTENSION SERVICE  
LSU AGRICULTURAL CENTER  
U.S. DEPARTMENT OF AGRICULTURE  
LOUISIANA STATE UNIVERSITY AND A. & M. COLLEGE  
UNIVERSITY STATION, BATON ROUGE, LA 70803-1800

OFFICIAL BUSINESS

Penalty for Private Use, \$300