

Regular Session, 2012

HOUSE BILL NO. 401

BY REPRESENTATIVE GISCLAIR

FISHING/SHRIMP: Provides relative to the Wildlife and Fisheries Commission's powers to manage and control the taking of shrimp including bait shrimp

1 AN ACT

2 To amend and reenact R.S. 56:497(A)(2) and (C)(1), relative to management and taking of
3 shrimp; to authorize the Wildlife and Fisheries Commission to set shrimp seasons,
4 including bait shrimp seasons; to provide relative to a bait shrimp permit and rules
5 and regulations therefor; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:497(A)(2) and (C)(1) are hereby amended and reenacted to read
8 as follows:

9 §497. Saltwater shrimp seasons; bait shrimp

10 A.

11 * * *

12 (2) The open seasons for all or part of the state waters shall be fixed by the
13 commission, ~~with the exception of the spring brown shrimp season in that portion~~
14 ~~of Louisiana's inshore waters from the eastern shore of South Pass of the Mississippi~~
15 ~~River westward to the western shore of Vermilion Bay and Southwest Pass at Marsh~~
16 ~~Island. The spring brown shrimp seasons in this area shall be opened by the~~
17 ~~commission no later than the third Monday in May after considering the department's~~
18 ~~projection as to when fifty percent of the brown shrimp crop will be one hundred per~~
19 ~~pound or greater.~~ The commission, through the secretary, shall close the season
20 based on biological and technical data. In addition, notwithstanding the provisions

1 of R.S. 56:499, when opening a special shrimp season or extending a regular shrimp
2 season, the commission shall have the authority for the duration of that season or
3 extension to increase the minimum mesh size provided in R.S. 56:499 for any trawl,
4 skimmer net, or butterfly net.

5 * * *

6 C.(1) The Louisiana Wildlife and Fisheries Commission is authorized to
7 adopt rules and regulations ~~for a~~ under the Administrative Procedure Act to provide
8 for an annual special bait dealers permit and to allow the taking of live bait shrimp
9 and live croaker by qualified permit holders during the closed shrimp season,
10 ~~beginning May first of each year and between the spring and fall shrimp seasons~~
11 ~~pursuant to such rules and regulations.~~ The fee for such permit shall be one hundred
12 ten dollars per year, ~~and the permit may be purchased any time between January first~~
13 ~~and April thirtieth of each year.~~ All revenues received through the sale of such
14 permits shall be used for the administration of the bait dealer program. The rules
15 may also include, but shall not be limited to the following provisions:

- 16 (a) Designation of approved areas and times of operation under the permit.
- 17 (b) Authorization for the transfer and sale of live bait on the water to other
18 vessels.
- 19 (c) Requirements for the use of a vessel monitoring system (VMS) by any
20 vessel operating under the bait dealers permit.
- 21 (d) Appropriate enforcement provisions.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Gisclair

HB No. 401

Abstract: Provides relative to the Wildlife and Fisheries Commission's powers to manage and control the taking of shrimp including bait shrimp.

Present law authorizes the Wildlife and Fisheries Commission to set open seasons but requires that spring brown shrimp season in Zone Two (from the eastern shore of South Pass

of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island) open no later than the third Monday in May.

Proposed law removes the requirement to open Zone 2 no later than the third Monday in May.

Present law authorizes the commission, through the secretary, to close the season based on biological and technical data Proposed law further authorizes the commission, when opening a special season or extending a regular season, to increase the minimum mesh size for any trawl, skimmer net, or butterfly net.

Present law authorizes the commission to establish an annual bait dealers permit for the taking of live bait shrimp from May 1 and between the spring and fall shrimp seasons.

Proposed law retains the bait dealers permit but authorizes permit holders to take live croaker in addition to shrimp; authorizes bait to be taken during the closed shrimp season; and allows the permit to be purchased at any time.

Proposed law further authorizes the rules to include a designation of approved areas and times of operation under the permit, sale, and transfer of live bait on the water to other vessels, required use of a vessel monitoring system by a vessel operating under the permit, and appropriate enforcement activities.

(Amends R.S. 56:497(A)(2) and (C)(1))