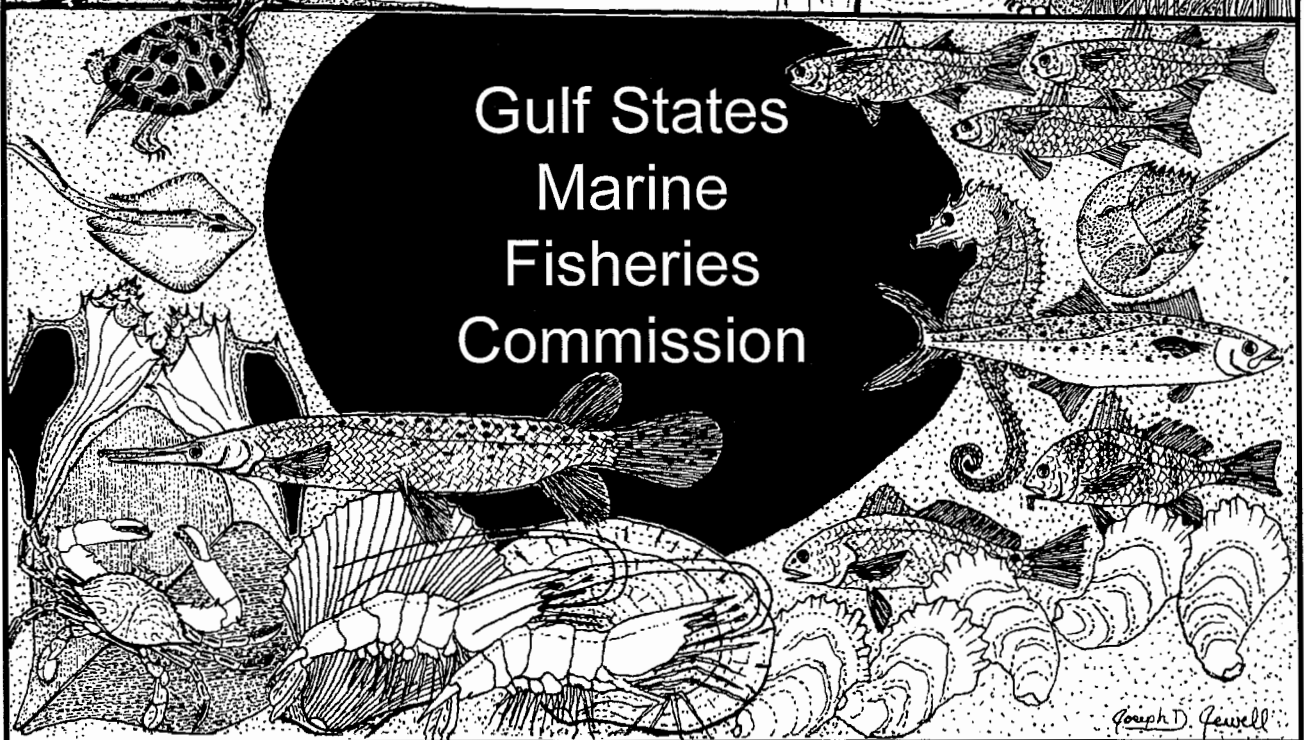
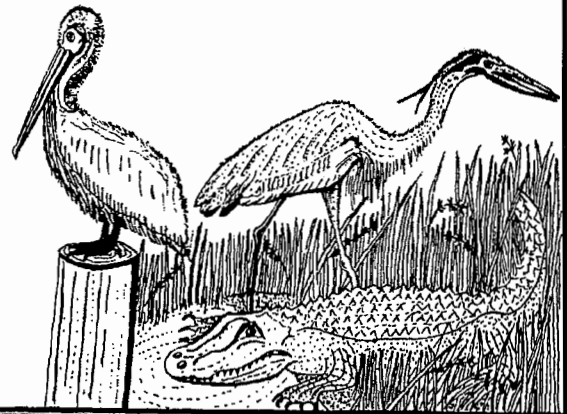


# STATE LEGISLATION AFFECTING MARINE FISHERIES IN THE GULF OF MEXICO 1996

September 1996



# LEGISLATION AFFECTING MARINE FISHERIES

1996

## INTRODUCTION

During its spring meeting held on March 15 and 16, 1990 in Orange Beach, Alabama, the Gulf States Marine Fisheries Commission (GSMFC) elected to begin the production of an annual report which provides a listing and brief summary of all bills affecting marine fisheries which became law in a given year in the five Gulf States. This represents the sixth such report and constitutes a compilation of all measures affecting marine fisheries which became law in 1996. Copies are available from GSMFC, (601) 875-5912 until supplies are exhausted.

## STATE CONTACT PERSONS

The details of any given piece of legislation are not provided in this report. In the event that anyone is particularly interested in a specific piece of legislation, the following contact persons are provided:

- |                     |   |
|---------------------|---|
| <b>Texas:</b>       | Ralph Rayburn, Executive Office<br>Texas Parks and Wildlife Department<br>(512) 389-4530                      |
| <b>Louisiana:</b>   | John Roussel<br>Louisiana Department of Wildlife and Fisheries<br>(504) 765-2383                              |
| <b>Mississippi:</b> | Tom Van Devender<br>Mississippi Department of Marine Resources<br>(601) 385-5860                              |
| <b>Alabama:</b>     | David Dean, Legislative Liaison<br>Alabama Department of Conservation and Natural Resources<br>(334) 242-3165 |
| <b>Florida:</b>     | Lee Schlesinger,<br>Florida Marine Fisheries Commission<br>(904) 487-0554                                     |

## TEXAS

The Texas State Legislature meets every two years, except for special sessions. They did not meet in 1996, but will meet again in 1997, beginning the second Tuesday in January.

## LOUISIANA

The Louisiana State Legislature met in 1996, however, they only addressed fiscal issues. The legislature will meet in 1997 to discuss a variety of issues, beginning in March.

## MISSISSIPPI

The Mississippi State Legislature met in 1996, beginning and lasted days. The following legislation affecting marine fisheries which resulted from that session was signed into law:

**HB 401 Ford**

Prohibits the use of purse seines for catching mullet during the roe mullet season.

**HB 1398 Compretta**

Redefines portions of the Intracoastal Waterway for shrimp season purposes; sets a limit of 6 recreational crab traps per household; prohibits the take of egg crabs; authorizes the Mississippi Commission of Marine Resources to develop a limited entry program for all resource groups.

**SB 2423 Hewes**

Defines "domicile" and "resident" for seafood licensing purposes.

**SB 2341 Posey**

Names the reorganized Department of Marine Resources as sponsoring agency for the Mississippi/Louisiana Estuarine Project (Bonne Carré Freshwater Inflow).

## ALABAMA

The Alabama State Legislature met in 1996, beginning January 8 and lasted 133 days. The following legislation affecting marine fisheries which resulted from that session was signed into law:

**HB 147 Sanderson et. al**

Amends the Code of Alabama, relating to interference with legal hunting and providing penalties and deletes an exception for acts committed on publicly-owned lands or waters.

**HB 359 Willis et. al**

Proposes an amendment (Sportsperson's Bill of Rights) to the Constitution of Alabama, to guarantee the right to hunt and fish in this state in accordance with law and regulations.

**HB 684 Crigler**

Further provides for gill net fishing and licensure for hardship cases and authorizes the Department of Conservation and Natural Resources to renew and transfer the licenses.

## FLORIDA

The Florida State Legislature met in 1996, beginning March 5 and lasted 59 days. The following legislation affecting marine fisheries which resulted from that session was signed into law:

**HB 817**

Deletes net transit permit provisions established last year; requires vessels to transport restricted or prohibited nets through state waters as directly, continuously, and expeditiously as possible to and from the vessel's regular mooring site; declares it a major violation for the simultaneous possession of any species of mullet in excess of the recreational bag limit and any gill or entangling net, including on separate vessels or vehicles operating in cooperation with each other; declares it a major violation for the possession of more than 3 of any species of trout, snook, or redfish in excess of the recreational or commercial bag limit; Provides that persons receiving any judicial disposition other than acquittal or dismissal of a major violation be subject to additional penalties; prohibits persons who have had their saltwater license privileges suspended pursuant to a major net ban violation from participating in any saltwater fishing activity requiring a license, permit, or certificate; repeals Bay County shrimping closure; and other various regulations.

**HB 1833 Harris**

Creates Sturgeon Production Work Group to establish a state sturgeon aquaculture program to inform interested persons how to aquaculturally produce sturgeon for commercial purposes (meat and roe) and stock enhancement.

**HB 1149**

Prohibits persons from impregnating lobster traps or other traps used to take saltwater products with pollutants. ("Pollutants" include oil of any kind and in any form, gasoline, pesticides, ammonia, chlorine, and their derivatives, excluding liquefied petroleum gas).

**HB 869 Boyd, Lawson, and Clemens**

Provides that collection of Apalachicola Bay oyster surcharges imposed from October 1, 1989 through November 13, 1994 may not be enforced by the Department of Revenues. Wholesale dealers are not liable for payment of surcharges during this period. It also provides credits/refunds for surcharge amounts paid by wholesalers during the period.

**SB 3084 Bronson**

Requires clam harvesters in Brevard County to have an endorsement; prohibits issuance of new clam licenses in Brevard County unless the number of renewed licenses falls below 500, beginning June 1, 1996; prohibits the renewal of any clam license not renewed within 6 months of the date the bill becomes law - until new licenses become available; requires all clam license holders to semiannually attend a 4 to 8-hour Florida Department of Environmental Protection seminar on clam harvesting, beginning with the 1996/97 license year; deletes a provision that allows persons to use a clam license in Brevard County that was issued in another county; requires vessels harvesting clams in Brevard County to have a Coast Guard approved sanitation device aboard; requires that persons harvesting clams by swimming at or below the surface of the water to be certified divers; prohibits all transport of clams in numbers greater than allowed by Florida Marine Fisheries Commission rules; provides certain transport, harvesting, and aquaculture exemption; establishes certain additional penalty provisions for clam harvesting major violations.