

Regular Session, 2014

SENATE BILL NO. 154

BY SENATOR LONG

WILDLIFE/FISHERIES DEPT. Provides relative to the importation of certain fish. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 56:327(A)(2) and 412(A)(4) and (6) and to repeal R.S. 56:327.1,
3 relative to the importation of certain fish; to provide for importation regulations and
4 licensing requirements; to provide certain size requirements for importation; to
5 exempt certain persons from the notification provisions; to remove certain provisions
6 relative to the importation of aquaculturally raised fish and cultured fish; to provide
7 terms, conditions, and requirements; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 56:327(A)(2) and 412(A)(4) and (6) are hereby amended and
10 reenacted to read as follows:

11 §327. Sale or purchase of freshwater or saltwater game fish prohibited; commercial
12 sales and purchases, commercial license required; commercial
13 fingerlings and certified mariculture and aquaculture fish excepted;
14 penalties

15 A.(1) * * *

16 (2) The commission shall promulgate rules and regulations in accordance
17 with the Administrative Procedure Act to regulate the importation, possession, or

1 sale of game fish species. Red drum, hybrid striped bass, or any other game fish
 2 species approved by the commission, which are legally taken, possessed, or sold
 3 commercially outside of the state, and aquaculturally raised game fish, may be
 4 imported, sold, or purchased by properly licensed ~~wholesale/retail seafood dealers~~
 5 **persons. Except those game fish being imported under a domesticated aquatic**
 6 **organisms license, prior** Prior to each shipment into this state of any game fish **for**
 7 **consumption**, the buyer or handler of such shipment shall notify the secretary or his
 8 designated agent of its pending arrival and shall possess a bill of lading ~~therefor~~. The
 9 bill of lading shall state the species of fish contained in each shipment, the number
 10 of fish or parts thereof, the origin of the shipment, the destination of the shipment,
 11 the consignee and consignor, and where applicable, the grower's name and fish
 12 farmer's license number. Wholesalers, their agents, and commercial transporters
 13 delivering the shipment or portions thereof to retail dealers shall provide each dealer
 14 with a copy of their bill of lading and shall indicate thereon the date of delivery to
 15 the retailer, the species of fish delivered, and the number of fish or parts thereof
 16 delivered. Both wholesale and retail dealers shall maintain a file of such bills of
 17 lading which shall be open to inspection by the secretary, his agents, or any
 18 enforcement agents. Regulations adopted by the commission may utilize a
 19 confirmation number system in lieu of copies of bills of lading provided by
 20 wholesale/retail seafood dealers to retail seafood dealers.

21 * * *

22 §412. Issuance and renewal of domesticated aquatic organism license

23 A. (1) * * *

24 * * *

25 (4) Persons engaged in the business of aquaculture under this Subpart are
 26 excepted from the provisions of R.S. 56:306, **and the notification provisions of**
 27 **R.S. 56:327(A)(2)**, and shall, by virtue of their license, be entitled to sell
 28 domesticated aquatic organisms in any size, quantity, or limit without restriction
 29 within the state or outside of the state. Creel limits shall not apply to shipments or

1 transport of domesticated aquatic organisms under the provisions of this Subpart.

2 * * *

3 (6) Species of rock bass, white bass, yellow bass, crappie, and bream
 4 fingerlings not exceeding a maximum total length of ~~three~~ **six** inches; **and** spotted
 5 bass, **and** striped bass, ~~fingerlings not exceeding a maximum total length of ten~~
 6 ~~inches~~; and largemouth bass of any size may be brought into the state by and from
 7 legal and certified out-of-state commercial fish hatcheries for sale to persons for
 8 stocking ponds and approved public waters located in Louisiana and may be sold by
 9 permitted residents in accordance with the provisions of this Subsection. Creel limits
 10 shall not apply to shipments of such game fish fingerlings.

11 * * *

12 Section 2. R.S. 56:327.1 is hereby repealed.

The original instrument was prepared by McHenry Lee. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST

Long (SB 154)

Present law requires the commission to promulgate rules and regulations for the importation, possession, or sale of game fish species. Allows licensed wholesale/retail dealers to import, sell, or purchase aquaculturally raised game fish.

Proposed law allows any properly licensed person to import, sell, or purchase aquaculturally raised game fish.

Present law requires that the buyer or handler of each shipment of any game fish notify the secretary before its impending arrival.

Proposed law provides an exception to the notification requirement for any game fish being imported under the domesticated aquatic organisms license.

Present law allows persons engaged in the business of aquaculture to sell domesticated aquatic organisms in any size, quantity, or limit without restriction within the state or outside of the state and exempts these persons from certain wholesale/retail seafood license requirements.

Proposed law exempts persons engaged in the business of aquaculture from certain notification provisions.

Present law provides size requirements for the importation of certain fish species.

Proposed law increases the maximum size limit for rock bass, white bass, yellow bass, crappie, and bream fingerlings from three to six inches and removes the maximum size limit for spotted or striped bass.

Present law provides for the importation of aquaculturally raised fish and cultured fish.

Proposed law repeals present law.

Effective August 1, 2014.

(Amends R.S. 56:327(A)(2) and 412(A)(4) and (6); repeals R.S. 56:327.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Natural Resources to
the original bill

1. Changes who may import, sell, or purchase aquaculturally raised game fish.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.