

Regular Session, 2011

HOUSE BILL NO. 75

BY REPRESENTATIVE GISCLAIR

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FISHING: Provides relative to the taking of mullet for bait purposes

1 AN ACT

2 To amend and reenact R.S. 56:333(B)(1) and (2) and to enact R.S. 56:333.3, relative to
3 taking mullet for commercial purposes; to provide relative to taking of mullet for use
4 as bait for recreational fishing; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 56:333(B)(1) and (2) are hereby amended and reenacted and R.S.
7 56:333.3 is hereby enacted to read as follows:

8 §333. Mullet; saltwater areas

9 * * *

10 B.(1) The season for taking mullet shall begin on the third Monday in
11 October of each year and remain open until the third Monday in January. There shall
12 be no commercial taking of mullet during the period from 5:00 a.m. on Saturday
13 through 6:00 p.m. on Sunday. ~~Mullet~~ Except as provided in R.S. 56:333.3, mullet
14 may not be taken commercially at any time outside of this season. There shall be no
15 fishing pursuant to the provisions of this Section during the hours after sunset and
16 before sunrise. The provisions of this Section are subject to quotas and size limits
17 as established by law and rules and regulations of the commission.

18 (2) ~~Mullet~~ Except as provided in R.S. 56:333.3, mullet may only be taken
19 commercially with a mullet strike net.

20 * * *

1 §333.3. Mullet; harvest for bait

2 A. Notwithstanding the provisions of R.S. 56:333 and 333.1, mullet may be
3 taken commercially in both freshwater and saltwater areas for the exclusive purpose
4 of providing bait. Mullet may be harvested for such purposes only by cast net. The
5 commission shall adopt rules to regulate such taking and sale of mullet for bait.
6 Such regulations may provide for permits, licenses, seasons, harvest limits, and other
7 provisions necessary to implement the provisions of this Section.

8 B. In order to commercially harvest mullet for bait under the provisions of
9 this Section, a fisherman shall hold a commercial fishing license and a commercial
10 cast net gear license. Cast nets used under the provisions of this Section shall not
11 exceed twelve feet in radius and shall only be operated manually such that no
12 mechanical device is used to hold open the net nor propel or deploy the net.

13 C. There shall be no commercial taking of mullet for bait during the period
14 from 5:00 a.m. on Saturday through 6:00 p.m. on Sunday, and there shall be no
15 fishing pursuant to the provisions of this Section during the hours after sunset and
16 before sunrise.

17 D. Any violation of the provisions of this Section shall be punishable as a
18 class three violation under the provisions of R.S. 56:33.

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. 75

Abstract: Authorizes taking of mullet for bait purposes during the closed season.

Present law provides for a commercial mullet season opening the third Monday in Oct. and closing the third Monday of Jan. Prohibits commercial take of mullet on weekends, at night, and provides for quotas and size limits as provided by regulations. Prohibits commercial take of mullet outside the season. Further provides that mullet may only be taken commercially by mullet strike net.

Proposed law allows commercial taking of mullet outside the commercial season for the exclusive purposes of providing bait. Provides that only a cast net may be used and authorizes the Wildlife and Fisheries Commission to adopt necessary rules and regulations. Requires a commercial fishing license and commercial gear license in order to take mullet

outside the season. Limits cast nets to 12 feet long which are operated manually. Prohibits taking of mullet for bait on weekends and at night.

Proposed law provides that violations are class three violations punishable as follows:

1st offense	\$250 - \$500	or imprisonment not more than 90 days, or both
2nd offense	\$500 - \$800	or imprisonment between 60 and 90 days, and forfeiture
3rd+	\$750 - \$1,000	& imprisonment between 90 and 120 days, and forfeiture

Second or subsequent offenses may include revocation of the license for the remainder of the issuance period.

(Amends R.S. 56:333(B)(1) and (2); Adds R.S. 56:333.3)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill.

1. Removed the limitation that the mullet be used for bait only for recreational fishing.
2. Removed the authorization for the commission to provide for fees in the regulations.
3. Provided that the commission also adopt rules regulating the sale of mullet caught under these provisions.
4. Provided that violations are class three violations.