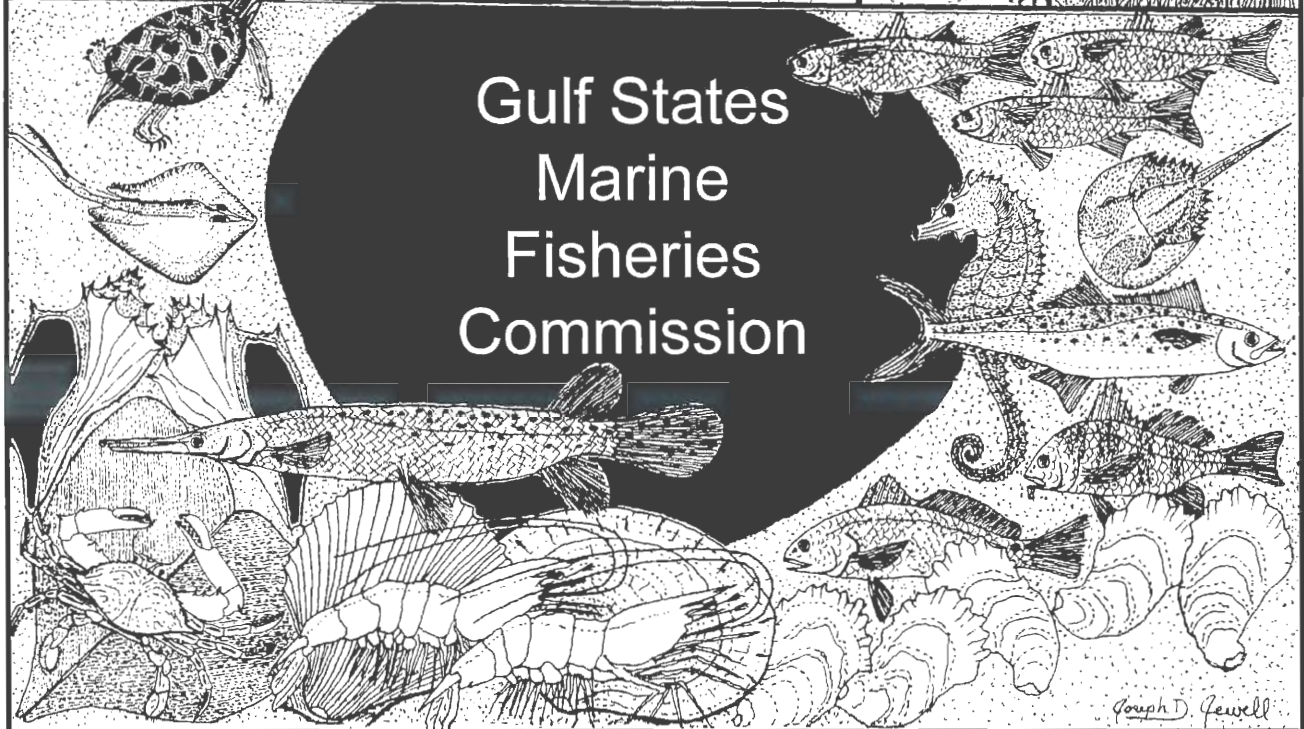
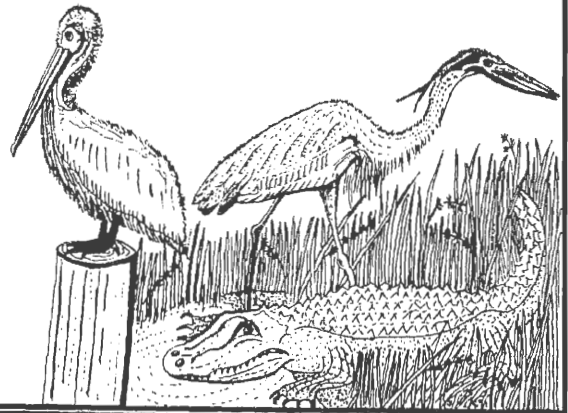
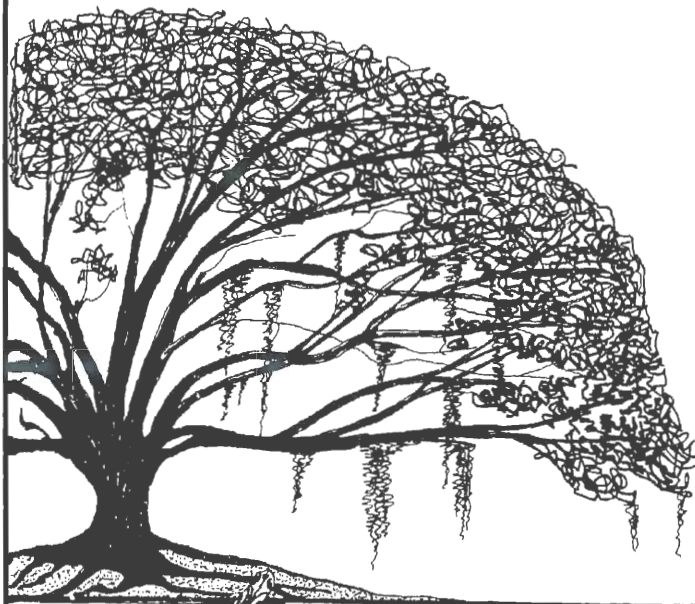


STATE LEGISLATION AFFECTING MARINE FISHERIES IN THE GULF OF MEXICO 1997

September 1997
No. 47



LEGISLATION AFFECTING MARINE FISHERIES

1997

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 seventh such report and constitutes a compilation of all measures affecting marine fisheries which became law in 1997. 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:

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

TEXAS

The Texas State Legislature meets every two years, except for special sessions. They met beginning January 14 through June 2. The following legislation affecting marine fisheries which resulted from that session was signed into law:

HB 394 **Maxey**

Clarifies the required safety equipment for racing shells, rowing sculls, and racing kayaks.

HB 520 **Woolley**

Revises the menhaden boat licenses to include the licensing of net skiffs.

HB 827 **Turner, Bob**

Establishes exempt hunting and fishing licenses for certain disabled veterans.

HB 966 **Oakley**

Revises the state water safety program to include a mandatory boater education course for youth and violators, a certification procedure for marine boating safety officers and a modification to the minimum age requirement for unaccompanied boat operations.

HB 2542 **Kuempel**

This was a Parks and Wildlife Department "Omnibus Bill" that clarified, simplified, amended, and repealed numerous sections in the Parks and Wildlife Code. It also included a commercial crab fishing license program with provisions for implementation of a limited entry system for the commercial crab fishery and authority for the commission to set standards for fishing guides.

SB 1 **Brown**

This is a comprehensive bill to develop and manage the water resources of the state. Basically, it provides for a drought contingency plan for the state but includes the recognition water needs for fisheries and wildlife resources.

LOUISIANA

The Louisiana State Legislature met from March 31 through June 23. The following legislation affecting marine fisheries which resulted from that session was signed into law:

HB 547 **ACT #144** **Odinet**

Changes 0.7 miles of Chef Menteur Pass from saltwater designation to freshwater to allow traversing with freshwater gill nets.

HB 684 ACT #4 Odinet

Allows the commercial gear license and vessel license for a menhaden boat to be issued in the name of an individual person, partnership, corporation or other entity recognized by law. It requires each vessel to have on board a gear and, if applicable, a vessel license and that they must be in the possession of the period in charge of the vessel.

HB 721 ACT #262 Dupre

Gradually phases in a maximum of 100 feet of headrope for trawling in Louisiana's Territorial Waters. It limits commercial shrimp vessels trawling in state territorial waters (beach to 3 miles offshore in most areas) to trawls totaling (not including the test trawl) a maximum of 130 feet of cork line and 165 feet of lead line in 1998 and 1999. In the year 2000 and thereafter, the maximum total limit shall be 100 feet of cork line and 132 feet of lead line.

HB 801 ACT #419 Rousselle

Provides that Oyster harvester license fees will be split between the Oyster Strike Force and Department of Health and Hospitals.

HB 803 ACT #727 Rousselle

Provides relative to obtaining of a saltwater commercial rod and reel gear license; repeals the requirement that the applicant shall not have been convicted of a fishery-related class three or greater violation; provides relative to the effect of such violations on eligibility to hold a commercial fisherman's license; provides certain terms, conditions, and requirements; and provides for related matters. This act also provides that any person convicted of a fishery-related class three or greater violation shall not be eligible to hold a commercial fisherman's license for a period of two years from the date of the 1st conviction, five years after the 2nd conviction, and ten years from the date of the 3rd conviction.

HB 805 ACT #1314 Rousselle

Provides relief for those leases impacted by coastal restoration activities; amended to be administered by Department of Natural Resources. Oyster leaseholders can:

- 1) retain an affected lease without compensation, and with clauses specifying that the lease is subservient to the restoration project and that the leaseholder accepts responsibility for continued operation. Retaining leaseholder can choose from options 2-4 at any time.
- 2) exchange for "in kind" acreage elsewhere, after assessment to the current lease value and productivity, and assessment of the new site. This action will start a new 15-year term.
- 3) relocate the lease to a new site; all costs reimbursed. Department of Natural Resources decides if charges are reasonable and allowable.

- 4) request the State purchase the lease and all improvements thereon, after State assessment of these values.

All costs of this program will be derived from the funding for each Federal restoration project, or from appropriations by the Legislature for State or State/local projects.

HB 1149 ACT #801 Odinet

Allows the Fishermen's Gear Compensation Fund to consider only the fishermen's income and not include the spouse's income from sources other than fishing.

HB 1276 ACT #277 Dupre

Makes the use of skimmer nets illegal to harvest shrimp or bait shrimp in state waters during **closed** season.

HB 1521 ACT #1413 Odinet

Reopens and extends the application time period for the "Commercial Fisherman's Program" which provides assistance to commercial fishermen impacted by the gill net law in 1995. It moves the responsibility for the program to the Department of Labor. It provides that the program shall give economic assistance for training in approved training programs and for taking courses at state universities and colleges, vocational-technical schools and community colleges. It provides that persons who receive this assistance shall not be eligible for mullet strike net permits and licenses. It extends the application period to October 1, 1998 and repeals the part of the law that does not allow fishermen to apply for this assistance if they have had a Class 3 or greater violation; adds possible loss of permit or license for the period for which it was issued, for a class 3 violation for second and later offenses of the same provision of the law. A violation does not prevent aid for training or sale of gear, nor getting a commercial rod and reel or other net license; provides that when a license application requires submission of an income tax return, that proof of accuracy of the returns may be made by a notarized affidavit from the preparer of the return; requires that the Louisiana Wildlife and Fisheries Commission create a special license for the commercial harvest of saltwater fish at one-half the cost of the regular license. The requirements for the license shall include two years as a helper or apprentice under a regular licensed commercial fishermen and proof of income to meet requirements set by the commission. This license will allow the commercial harvest of saltwater fish during the period that it is valid. At the end of the two years, the holder of the special apprentice license may apply for a regular commercial fisherman's license or permit for special trout, rod and reel, mullet, or restricted species. Any person who has ever held a commercial fisherman's license or who has had a Class 3 or greater violation conviction cannot apply for the apprentice license; and allows persons that have received assistance under "Commercial Fisherman's Assistance Program" to apply for licenses and permits to fish for speckled trout and underutilized species.

HB 1610 ACT #434 Rousselle

Provides for the keeping of the same lease number on renewed oyster leases and adds the year number at issuance/renewal, enabling tracking as with current system.

HB 1721 ACT #527 Triche

Provides relative to issuance by the Department of Wildlife and Fisheries of certain fishing permits, tags, and licenses; provides relative to fishing nets and the requirements to obtain certain net tags; to prohibit the Department of Wildlife and Fisheries from issuance of any tag for a mullet or pompano strike net to a person who does not have a social security number; repeals the requirement for payment of a permit fee when obtaining a permit for traversing state waters to and from the federal exclusive economic zone; and provides for related matters.

HB 1991 ACT #302 DeWitt

Requires the use of escape rings in crab traps beginning January 1, 1998. Requires 2 rings, 2 5/16 inches in diameter, allows blocking rings March-June and September-October to capture peelers. Also exempts fishermen in Lake Pontchartrain who hold a soft shell shadders license.

HB 2002 ACT #303 DeWitt

Requires that in order to purchase a resident license, that any corporation or legal entity, shall be incorporated and domiciled in Louisiana and shall have a permanent physical location of business in Louisiana where records required of commercial fish dealers are kept. It also provides that any person, corporation or other legal entity that has a resident license in another state or country **shall not** qualify for a resident license in Louisiana.

HB 2007 ACT #376 Smith

Increases the price of the **nonresident** commercial fishermen's license from \$400 to \$460. It requires that commercial fishermen may sell their catch **only** to licensed wholesale/retail dealers. If a fisherman wants to sell his catch to anyone else he must purchase a wholesale/retail seafood dealers license; increases the cost of the wholesale/retail seafood dealers license for residents from **\$105 to \$250** and for nonresidents from **\$405 to \$1,105**, and dedicates funds from the wholesale/retail dealer's licenses to the development of a dealer receipt form report (trip ticket system); restaurants and retail grocers that only buy from wholesale/retail dealers and cook the product for immediate sale are not required to purchase a license. Dealers only buying from wholesale/retail dealers can buy a "retail seafood dealers license"; the license shall list the physical place of business or vehicle. This license is valid only for the person to who it was issued and must be in his possession. If issued to a business name, it is only valid for one place of business and only valid to transact business for and in the name of the licensee. If the licensee owns or operates more than one place of business, then an additional license must be purchased for each place of business or vehicle. Such a license is **not** required for an employee delivering for a wholesale/retail seafood

dealer and possessing a valid transport license purchased in connection with the wholesale/retail seafood dealers license.

HB 2010 ACT #233 DeWitt

Provides for the re-creation of the Department of Wildlife and Fisheries and the statutory entities made a part of the department by law; provides for the effective termination date for all statutory authority for the existence of such statutory entities; and provides for related matters.

HB 2011 ACT #305 Gautreaux

Provides for the renewal of leases; leases which expire on 12/31/96 or thereafter which are in the impact areas of authorized and funded CWPPRA projects may be renewed for 1-14 years at the Secretary's discretion. Expiring oyster leases in the impact area of operating projects may be leased according to first rights of renewal if the lease is capable of supporting oysters (this section was amended to reverse original intent).

HB 2338 ACT#1048 Gautreaux

Provides that applications for lease shall remain valid until a survey is made and provides for related matters.

HB 2383 ACT #446 Rousselle

Affects inside outside line in the area from Grant Terre to the mouth of the Mississippi River and a small part of the line on the east side of the Mississippi River in CSA 2. Moves the line in slightly to compensate for deteriorating shoreline.

HCR 10 Dupre

Memorializes the United states Congress to reauthorize laws providing funding for projects under the federal Coastal Wetlands Planning, Protection and Restoration Act.

HCR 33 Bruneau

Urges and requests the Wildlife & Fisheries Commission to enter into a reciprocal agreement with Mississippi on saltwater recreational fishing.

HCR 47 Smith

Approves the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 1997-98, prepared by the Wetlands Conservation and Restoration Authority.

HCR 80 Thompson

Memorializes the United States Congress to extend the coastal boundary in Louisiana to be at least equal to that of Texas and Mississippi.

HCR 186 Faucheux

Urges the secretary of the Department of Wildlife and Fisheries and Wildlife and Fisheries Commission to use the mean or average of the range of spawning potential ratio for flounders.

HCR 187 Faucheux

Suspends Louisiana Administrative Code Title 76, Part VII, Chapter 3, Section 351, prohibiting certain commercial possession and sale of southern flounder, insofar as such rules prohibit possession and sale of southern flounder, insofar as such rules prohibit possession and sale of flounder taken as a by-catch from commercial shrimp trawls.

HCR 194 Smith

Memorializes the United States Congress and the appropriate federal agencies to approve the Louisiana Coastal wetlands conservation Plan.

HCR 207 Gautreaux

Directs the Louisiana Wildlife and Fisheries Commission to make an annual report to the legislature on red drum and spotted sea trout.

HR 74

Directs the Louisiana Wildlife and Fisheries Commission to make an annual report to the legislature on red drum and spotted sea trout.

SB 147 ACT #866 Bean

Provides that restaurants and retail grocers who only buy fish from licensed wholesale/retail seafood dealers and only sell such fish cooked to be eaten at the establishment **do not** have to buy a wholesale/retail dealer's license. However, records must be kept.

SB 270 ACT #871 Ullo

Requires the spring brown shrimp season in the inshore waters between South Pass of the Mississippi River and the western shore of Vermilion Bay and Southwest Pass at Marsh Island (the area usually opened as Zone 2) to open no later than the third Monday in May during 1998 and 1999. This is to serve as a trial period for the Department of Wildlife and Fisheries Commission to review.

SB 524 ACT #202 Robichaux

Provides relative to enforcement of certain federal laws, rules and regulations; provides relative to adoption of certain rules and regulations; and provides for related matters.

SB 534 ACT #1233 Hainkel

Changes the definition of "underutilized species" to include any species, not just edible ones, that have commercial development potential which has not been fully reached.

SB 542 ACT #1236 Hainkel

Deletes the requirement for a seven-day nonresident fishing license; repeals the authorization for a nonresident to purchase a two day temporary combination basic fishing and saltwater fishing license; provides relative to certain license fees; provides relative to license requirements for nonresidents fishing from a vessel operated by a licensed charter boat fishing guide; provides terms and conditions, and provides for related matters.

SB 548 ACT #1238 Hainkel

Provides that any person possessing more than twice or more the percentage allowed of undersized crabs shall suffer a Class 4 violation and the following penalties:

- a) 1st offense - loss of gear license for 6 months;
- b) 2nd offense within 5 years - loss of license for 12 months;
- c) 3rd offense within 5 years - loss of license permanently.

Anyone who crabs without a crab trap gear license during their period of suspension shall have a Class 6 violation and may never again apply for a crab trap gear license.

Dealers do not receive a violation if the fishermen who harvested and sold the crabs can be identified.

SB 549 ACT #670 Hainkel

Provides a presumption of law, all fish in possession of a licensed wholesale/retail seafood dealer, retail seafood dealer and a seafood transporter are possessed for commercial purposes and nothing to the contrary can be claimed. This presumption is a condition for granting a license.

SB 550 ACT #191 Hainkel

Provides a technical change to the reporting requirements regarding aquaculturally- raised fish importation. The act changes the responsible reporting party from the producer to the buyer or handler.

SB 551 ACT #205 Hainkel

Provides a new definition for the term “processing” which shall mean any method of preparing fish or fish products, or wild quadrupeds for market as described herein; drying to a point of dehydration, canning, salting, packing, or packaging of alligators or parts, breeding, and cooking for immediate consumption, but not simple packing of fresh fish in a sack, bag, package, crate, box, lug, or vat.

SB 553 ACT #882 Hainkel

Provides for extension of deadlines with respect to natural resources damage; provides for with respect of natural resources damage assessment; provides with respect to appropriations from the fund; and provides for related matters.

SB 557 ACT #1239 Hainkel

Changes membership of the Reptile and Amphibian Task Force. It substitutes the Assistant Secretaries of the Office of Fisheries and the Office of Wildlife for the Chiefs of the Fur and Refuge Division and the Habitat Conservation Division. It requires that the board-certified pathologist or toxicologist be appointed by the department secretary, and provides for 3 herpetologists from any university, rather than being designated as from Tulane, LSU, and Southeastern Louisiana University.

SB 573 ACT #206 Hainkel

Repeals the law authorizing the owner of a charter fishing vessel carrying no more than 6 persons to get a \$200 license to fish in federal waters. Repealed section of law no longer used, charters all fall under existing regulations for licenses.

SB 972 ACT #1352 Hainkel

Allows recreational fishermen to possess a two-day bag limit of speckled trout and redfish, **except** on the water. It allows a recreational fisherman to possess 10 flounder per person, per day. The only commercial fishermen allowed to possess these new recreational possession limits while on the water are those fishermen aboard a commercial shrimping vessel engaged in commercial fishing for over 25 consecutive hours. Also allows commercial fishermen who hold recreational licenses and catch fish recreationally to possess 10 flounders per day for each day on the water. Under previous law, the possession limit was 10 per person per trip.

SB 1105 ACT #1106 Robichaux

Requires implementation of the "Commercial Fisherman's Sales Card by January 1, 1999. This may require commercial license to change the type of license issued.

SB 1108 ACT #919 Robichaux

Lowers the minimum mesh size requirement from 1 ½ inches to 1 ¼ inches stretched from shrimp nets used inshore waters during the fall inshore shrimp season for all areas except the area from the Atchafalaya River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island.

SB 1152 ACT #1115 Romero

Provides that in a dispute over damages to oyster leases by oil and gas activity, that if an agreement cannot be reached, the parties may file a request with the Oyster Lease Damage Evaluation Board for arbitration. Current law says that disputes shall be brought before the board for arbitration; increases the board from 4 members to 5. Members shall consist of one

nominee from the Louisiana Oyster Dealers and Growers Association, one from the Louisiana Oyster Task Force, two from the Louisiana Independent Oil and Gas Association and the Louisiana Landowners Association, and an administrative law judge nominated by the other 4 members. The board shall develop a list of qualified biologists, and oyster lease survey may only be conducted by these biologists; provides rules for the arbitration process.

SB 1467 ACT #1163 Robichaux

Provides definitions for saltwater shrimp, take, possess, transport, processing, consumer, length of seines, trawls or other netting, and size of the mesh. Also provides that no commercial shrimping vessel may keep more than 100 pounds of southern flounder per vessel per trip.

SCR 11 Ullo

Creates a Select Council on Shrimp Management and a Shrimp Industry Review Panel to study the current and future management of Louisiana's shrimp resources and to make recommendations for future management objectives.

SCR 49 Hainkel

Urges and requests the U.S. Corps of Engineers to give an annual accounting of where and how wetlands mitigation monies collected in Louisiana is being spent.

SCR 107 Dean

Directs the secretary of the Department of Wildlife and Fisheries to use the mean or average in determining the spawning potential ratio for southern flounder.

SCR 133 Romero

Approves amendments to the wetlands conservation and restoration plan prepared annually by the Wetlands Conservation and Restoration Authority.

SCR 148 Robichaux

Urges and request the Wildlife and Fisheries Commission to make an annual report to the legislature on the status of red drum and spotted sea trout.

MISSISSIPPI

The Mississippi State Legislature met in 1997, beginning January 7 through April 5. The following legislation affecting marine fisheries which resulted from that session was signed into law:

SB 2115 Moffatt

Revises the penalties for the use of illegal nets in marine waters; to provide uniform penalties for similar violations, to prohibit the use of gill nets within a certain distance of the shoreline; and for related purposes.

SB 2661 Hewes

Authorizes the Department of Marine Resources to pay for the removal of derelict vessels if funds are available; and for related purposes.

SB 2662 Hewes

Clarifies duties of the Commission on Marine Resources related to seafood sanitation programs; and for related purposes.

SB 2691 Moffatt, Robertson, Hewes

Removes the requirement that marine law enforcement officers must wear uniforms at all times on duty, and for related purposes.

SB 2777 Cuevas

Revises the definition of tonging reef; to make technical revisions to the definition of domicile, to authorize the Commission on Marine Resources to designate areas reserved for tonging; to clarify penalties for violations; and for related purposes.

SB 2812 Hewes

Provides that if the person using nets when certain violations occur is not the owner or licensee of the nets, the nets are subject to forfeiture unless the nets were stolen; and for related purposes.

HB 1480 Ellington

Recodifies and revises the Mississippi Seafood Laws; to require the Executive Director of the Department to publish a copy of the Seafood Laws and Regulations; to provide for Seafood wholesalers and processors licenses and prescribe fees for those licenses; to require all boats used in other states to purchase a license reflecting that fact and to provide for a seafood transport permit; to provide that the Commission on Marine Resources has full jurisdiction over oyster reefs and oyster bottoms and to define that jurisdiction; to authorize the Commission on Marine Resources to issue special permits for taking oysters and allow taking of oyster in closed seasons; to require culling of oysters on natural reefs; to require the Commission to acquire and replant shells and to provide penalties for failure to deliver shells or pay a shell retention fee; to authorize the Commission to support projects bringing additional water to oyster beds or constructing new beds; to operate an onshore molluscan depuration facility and to lease water bottoms to political subdivisions for development of reefs; to prohibit the sale of illegal oysters and to provide penalties for illegal sale; to require fees on vessels taking oysters and on persons catching oysters for personal use; to require oysters to be tagged and to impose a shell retention fee; to establish the shrimping season and to close certain waters to shrimping; to authorize the taking of shrimp with a cast net; to prohibit taking of shrimp under a certain size and to prescribe penalties for certain violations; to require live bait catcher boats and live bait dealers to be licensed and to pay fees and to prescribe penalties for purchasing shrimp from live bait camps or catcher boats for certain purposes; to require boats catching saltwater shrimp to be licensed and to pay fees; to require

the Commission to establish the season for taking of menhaden; to require all vessels catching or transporting fish to obtain a license and pay a fee; to require the Commission to regulate the taking of crabs and to prescribe penalties for taking certain crabs; to require persons taking saltwater crabs to obtain a license and pay a fee; to authorize the Joint Legislative Committee on compilation, revision and publication to effectuate an orderly compilation of this act; to repeal sections 1 and 2 of Senate bill 2662, 1997 regular session, which clarify the duties of the Commission on Marine Resources regarding seafood sanitation and to incorporate those changes in the text of this act; to make numerous technical amendments; to require fishery management plans and regulation to be consistent with certain standards for fishery conservation and management; and for related purposes.

HB 1580 Barnett

Designates the cobia as a game fish; to prohibit the sale of such game fish; to conform and to make technical revisions to the definition of domicile; to revise the definition of tonging reefs; and for related purposes.

HB 1647 Compretta

Change the boundaries for commercial and recreational shrimping activities along the Pearl River; and for related purposes.

ALABAMA

The Alabama State Legislature met in 1997, beginning February 4 through May 19. No legislation affecting marine fisheries was signed into law.

FLORIDA

The Florida State Legislature met in 1997, beginning March 4 through May 2. The following legislation affecting marine fisheries which resulted from that session was signed into law:

MARINE FISHERIES PROVISIONS

Grants MFC authority to adopt rules to implement net ban prohibitions and restrictions

Prohibits the taking or harvesting of any marine life in state waters with any net not consistent with constitutional net ban requirements, and beginning 7/1/98, prohibits the taking or harvesting of any marine life in state waters with any net and attachments that combined are larger than 500 square feet and have not been expressly authorized by MFC rule

Prohibits the use of gill and entangling nets of any size, defined as nets described in the net ban amendment, and any net wholly or partially made of monofilament or multifilament material (not including hand thrown cast nets or hand-held landing or dip nets) unless authorized by MFC rule; multifilament material shall not be defined to include nets made of braided or twisted nylon, cotton, or linen twine, or polypropylene twine

Allows the use of currently legal shrimp trawls and purse seines outside nearshore and inshore waters until the MFC further regulates this gear

Defines “net” or “netting” (as used in the net ban constitutional amendment) to include all types of mesh or webbing or any other solid or semi-solid fabric or other material to comprise a device used to take or harvest marine life

Establishes Baitfish Experimental Pilot Program:

- allows 7 licensees (with priority given to certain 1995-96 SPL holders with purse seine endorsements who reported baitfish landings in 1996) to use tarp seine gear to harvest Spanish sardines, cigar minnows, thread herring, chub mackerel, anchovy, little tunny, menhaden, blue runner, and ladyfish for an experimental 3-year period from Okaloosa through Wakulla counties
- allows only baitfish purse seines not exceeding 600 yards in length to be used in inshore and nearshore waters, modified to employ solid tarpaulin material with 500 square feet of traditional seine mesh netting
- allows only one such purse seine per licensee
- requires each licensee to post a bond of \$50,000 to pay for any damage caused by this gear
- authorized the MFC to set appropriate harvest levels not to exceed 50% of reported landings over the 3 years prior to 7/1/95 in the referenced areas based on a healthy scientific and biological level of stock abundance for each species.

Exempts fishermen in Escambia and Santa Rosa counties that lawfully net mullet in Alabama waters pursuant to that state’s commercial license and transport that catch to properly licensed dealers in Florida from mullet/gill net vessel possession restrictions, under certain conditions

Declares that violations of net carriage provisions be considered and punished as a major violation

Allows a court to suspend, defer, or withhold adjudication of guilt or imposition of sentence only for a 1st violation of the net ban amendment or implementing rules

Provides that persons convicted of violating saltwater license suspension or revocation provisions be imprisoned for not more than 60 days or fined \$100 - \$500 upon a 1st conviction, imprisoned for not more than 6 months or fined \$250 - \$1,000 or both upon a 2nd conviction within 12 months, and a 3rd degree felony upon a 3rd or subsequent conviction

Provides that the arresting officer seize illegally used nets, and if the offender is convicted, the arresting authority shall destroy the nets

Amends provisions regarding the importation and handling of crawfish during the closed season

Reestablishes crawfish reporting provisions during the closed season

Authorizes DEP to issue SAL's for the importation, possession, and aquaculture of anadromous sturgeon under certain conditions

INDIAN RIVER COUNTY SHELLFISH

Amends local law (under MFC delegated authority)

Provides that persons harvesting shellfish in Indian River County from any submerged land or from any canal bank, which is within 75 feet of any privately owned submerged land, or any dock, receive written permission from the owner of the adjacent property or dock before harvesting such shellfish

PIER LICENSE

Provides for a \$500 annual license for any pier fixed to land from which saltwater fish are taken - pier operators are given discretion whether to buy the license

ARTIFICIAL REEFS

Establishes provisions regarding artificial reef programs managed by DEP

INTERNATIONAL YEAR OF THE REEF

Resolution recognizing 1997 as the "International Year of the Reef"