

HUNTING AND FISHING ADVISORY EDUCATION COUNCIL
MINUTES

August 22, 2007

Baton Rouge, La

The following constitute minutes of the Hunting and Fishing Advisory Council Meeting
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Baton Rouge, Louisiana 70808

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HUNTING AND FISHING ADVISORY EDUCATION COUNCIL
MEETING AGENDA
Wednesday, August 22, 2007 - 2:30 p.m.
4th Floor Conference Room
Louisiana Dept. of Wildlife & Fisheries Headquarters
2000 Quail Drive, Baton Rouge, La.

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MINUTES OF THE MEETING
OF THE HUNTING AND FISHING ADVISORY COUNCIL.

August 22, 2007

Welcome and Opening Comments were made by Sec. Hammett.

Roll Call

Members of the Advisory Council in attendance included Vance Gordon for E.R. "Smitty" Smith, Nelson Roth, Will Courtney, Mike Rainwater, Capt. Jeff Poe, Jimmy Anthony, Woody Crews, Eric Sunstrum, Steven Pellessier.

Members absent from the meeting were Samuel J. Smith, Chris Holmes, Shane Crochet, Senator Max Malone, Rep. Wilfred Pierre, Dr. Donald Reed.

Secretary Bryant O. Hammett Jr., Louisiana Department of Wildlife and Fisheries, was also present and presided over the meeting.

Approval of Minutes

Sec. Hammett called for a motion for approval of the May 2, 2007 minutes. A motion for approval was made by Woody Crews and seconded by Will Courtney. The minutes were accepted without correction and the motion passed with no opposition.

Sec. Hammett thanked all for their assistance during the Legislative Session.

Legislative Update

Sec. Hammett asked Lt. Col. Jeff Mayne to deliver a legislative update. Sec. Hammett introduced Lt. Col. Jeff Mayne, LDWF Enforcement Division.

Lt. Col. asked the members to look over the prepared legislative packets. He then handed out information regarding the status of the appropriations bill and asked attendees if they had any questions regarding the bill.

Lt. Col. Mayne stated that he would proceed through the list of legislation that the Department is tracking and will allow an opportunity for questions.

2007 Regular Session Summary LDWF Tracked Bills

HOUSE BILLS

Act 18 (Effective 7-1-07) **Appropriations**
HB 1 Provides for the ordinary operating expenses of state government. LDWF
schedule 16.

- Act 28 (Effective 7-1-07) **Capitol Outlay**
HB 2 Provides for the capital outlay budget and program for FY 2007-2008; provides for the funding of the capital outlays from the specified sources of monies in the specified amounts.
- Act 281 (Effective 7-1-07) **Supplemental Pay Law Enforcement**
HB 4 Provides that the salaries for commissioned law enforcement agents of the Department of Wildlife and Fisheries and commissioned law enforcement officers of the Department of Public Safety and Corrections, excluding those in the state police service, shall be increased by an amount equal to the supplemental pay increase in proposed law subject, to the approval of the State Civil Service Commission and the governor, and out of monies appropriated for that purpose.
- Act 227 (Effective 8-15-07) **DWI**
HB 88 Deletes the requirement that the operator of a vehicle knowingly consume excessive quantities of legally obtained drugs for purposes of the crime of operating a vehicle while intoxicated.
- Act 183 (Effective 8-15-07) **Aquatic Weeds Program**
HB 159 Continues the additional registration tax of \$3.25 per year on boat trailers which is used to fund aquatic weed control programs.
- Lt. Col Mayne pointed out that this bill generated between five and six hundred thousand depending on the year.
- Act 141 (Effective 8-15-07) **Government Resources Disasters**
HB 212 During a gubernatorially declared disaster or emergency prohibits a public servant from converting to personal use or allocating to his immediate family members in a preferential manner any property or resources of his governmental entity or property or resources which have been loaned to his governmental entity.
- Act 290 (Effective 8-15-07) **Witness Fees Law Enforcement** (Dept. Bill)
HB 229 Provides that witness fees for off-duty officers of the Dept. of Wildlife and Fisheries (DWF) shall also be paid directly to the officer's employer. Law provides that officers employed by DPS&C and DWF required to appear in court during off regular duty hours shall be compensated according to the federal Fair Labor Standards Act.
- Act 79 (Effective 6-22-07) **Grand Isle Port Commission Research**
HB 298 Changes the description of the boundaries of an area in which the Grand Isle Port Commission is authorized to work with the La. Sea Grant program in seafood production research.
- Act 83 (Effective 8-15-07) **Registration Fees / Boats** (Dept. Bill)

HB 326 Provides that for boats which are greater in length than 18 feet, the fee is \$30, plus an additional \$2 for each foot or portion of a foot in excess of 18 feet. Requires owners of boats 18 feet in length to also register and pay the fee of \$30. Provides that if the ownership of a boat changes, the new application and the \$5 fee shall be accompanied by the registration fee imposed required for a three year period and a new certificate of number and a decal, valid for three years, is issued to the new owner.

Act 84 (Effective 8-15-07) **Wildlife and Fisheries Penalties** (Dept. Bill)

HB 327 Provides penalties for the intentional concealment, destruction, or deposit of fish, wildlife, and other animals that would affect a criminal proceeding. Law provides that no person shall intentionally conceal, destroy, or deposit any fish, wildlife, or other animal which was taken or possessed illegally at any location if the person knows or has good reason to believe that such act will affect a criminal proceeding. A violation of the law is a class six violation punishable by a fine of between \$900 and \$950, imprisonment for up to 120 days, or both, plus forfeiture of anything seized.

Act 85 (Effective 8-15-07) **Electronic Licensing** (Dept. Bill)

HB 328 Changes the maximum duration of multiyear contracts by the Dept. of Wildlife and Fisheries for the issuance of hunting and fishing licenses from five years to ten years.

Act 296 (Effective 8-15-07) **Shrimping Gear Uniform References** (Dept. Bill)

HB 329 Adds skimmer nets, butterfly nets, and hoop nets to the list of gear that may be used to take crabs. Adds skimmer nets and butterfly nets to the list of gear prohibited in Lake Des Allemands, Lake Maurepas, Calcasieu Lake, Black Bayou, Grand Bayou, Little Burton's Ditch, Lake Catherine, and Lake Pontchartrain Sanctuary, and prohibited at night in White Lake and Grand Lake; and to the list of prohibited obstructions in inlets and passes and near water control structures.

Act 81 (Effective 8-15-07) **Reptile/Amphibian License** (Dept. Bill)

HB 331 Creates the three-day nonresident reptile and amphibian wholesale/retail dealer's license authorizes the imposition of a \$75 fee for the purchase of a nonresident three-day reptile and amphibian wholesale/retail dealer's license. The license shall be valid only for three consecutive days.

Act 92 (Effective 8-15-07) **Oyster Cultch Vermillion Bay**

HB 356 Authorizes transplanting of oysters and oyster cultch in certain portions of Vermilion Bay through 2010.

Act 149 (Effective 8-15-07) **Adopt a Water Body Program**

HB 378 Creates the "Adopt a Water Body" program, which authorizes an organization to adopt a section of a water body for the purpose of controlling litter. Requires that the adopting organization develop a plan to encourage

improvement of the appearance of the adopted area, have a general cleanup of the area twice a year, and assist in securing media coverage for the program. DOTD approves program.

- Act 96 (Effective 8-15-07) **Qualification to Withdraw Blood/DWI**
HB 422 Expands the list of persons who are qualified to withdraw blood to determine the alcoholic content or presence of controlled dangerous substances to include physician assistants, emergency medical technicians, and nurse practitioners.
- Act 306(Effective 7-1-07 & Jan. 07 tax year) **Military Licenses Tax Credit** (Dept. Bill)
HB 428 Provides for an income tax credit for amounts paid for hunting and fishing licenses by certain military service members
- Act 310 (Effective 8-15-07) **Oyster Penalties VMS**
HB 453 Includes certain requirements for vessel monitoring systems to be on vessels as penalty provisions for taking oysters illegally.
- Act 52 (Effective 6-18-07) **Penalties / Battery of a Police Officer**
HB 462 Provides for a minimum mandatory sentence of 30 days in jail when the battery of a police officer results in an injury requiring medical attention.
- Act 316 (Effective 8-15-07) **Sale of Large Mouth Bass**
HB 514 Exempts largemouth bass from the length limitation requirements governing the sale of fish.
- Act 319 (Effective 7-1-07 & special) **Vessel Titling**
HB 524 Establishes a titling system for certain vessels in Louisiana
- Act 199 (Effective 8-15-07) **Address Confidentiality Program / Omissions**
HB 693 Provides that the secretary of state and certain agencies, organizations, and employees are not liable for acts or omissions under provisions for the address confidentiality program unless the act or omission is criminal, grossly negligent, intentional, or willful and involves a false application or obtaining or causing the release of a participant's physical address. Provides that the secretary of state shall forward all first-class mail to a participant's physical address. Provides for the misdemeanor of unauthorized obtaining or release of a program participant's physical address and for penalties for such misdemeanor. Authorizes the secretary of state to cancel a participant's certification if mail forwarded to the participant's physical address is returned undeliverable. Provides that the Dept. of State and the registrars of voters shall use the substitute address of a program participant for purposes of voting and registration for four years or until canceled. Provides that a program participant's name and physical address contained in the voter registration records of the secretary of state and registrars of voters are confidential and removes exceptions relating to the confidentiality of such information. Provides that service of process on a program participant shall

be made on the secretary of state and that if a person knowingly serves a program participant personally or at the participant's physical address, such service will have no effect. Extends all legal delays for service of process on a program participant by 10 days.

Act 450 (Effective 8/15/07) **Northwest LA Game and Fish Commission**
HB 777 Authorizes the Northwest Louisiana Game and Fish Commission to employ or retain legal counsel.

Act 454 (Effective 8-15-07) **Water Bottom Dredging Material** (Dept.)
HB 908 Relative to dredging of fill sand and fill material from state water bottoms, changes from a permit to a license to do so and applies a structured royalty payment schedule for dredging of fill sand and fill material.

Act 455 (Effective 7-1-08) **Conservation Fund Dedication**
HB 919 Notwithstanding any other provision of law to the contrary, all revenue derived from mineral leases or exploration in any way of the mineral resources, including mineral revenues, from the Attakapas Wildlife Management Area, or the area known as the Attakapas Wildlife Management Area in the absence of the governor's proclamation, shall be dedicated to the Louisiana Wildlife and Fisheries Conservation Fund."

HOUSE CONCURRENT RESOLUTIONS

HCR – 80 **Gulf of Mexico-Hypoxia** - Memorializes the congress, the president, and the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force to fulfill their commitment to address the problem of hypoxia in the Gulf of Mexico.

HCR – 107 **Commercial Fishing Industry** - Memorializes congress to provide assistance and relief for Louisiana's commercial fishing industry through emergency supplemental appropriations.

HCR – 133 **Oyster Bayou Anchoring** - Requests the Dept. of Wildlife and Fisheries to examine the issues involved in allowing attended fishing vessels to anchor in Oyster Bayou and report to the House and Senate Natural Resources committees by March 1, 2008.

HCR – 192 **Feral Hog Reduction** - Requests the Dept. of Wildfire and Fisheries to study all possible methods to reduce feral hog populations on private land adjacent to wildlife management areas.

HCR – 239 **Congressional Disaster Relief Funds / Fisheries** - Requests the Dept. of Commerce, National Oceanic and Atmospheric Administration to distribute the disaster relief funds for fisheries recovery contained in the U.S. Troops Readiness, Veterans Care,

Katrina Recovery, and Iraq Accountability Appropriations Act of 2007 (PL110- 28) according to the instructions for allocation that the U.S. Congress included in that Act, which should be made based on the proportional contribution to the total landings prior to August 30, 2005, and the amount of losses experienced by each state in the Gulf Coast region; resulting in Louisiana receiving approximately 71% of the \$85 million appropriated for distribution to the states.

HCR – 265 Recreational Fishing Task Force - Creates the La. Recreational Freshwater Fishing Task Force to advise the Dept. of Wildlife and Fisheries (DWF), the Wildlife and Fisheries Commission, and the legislature on matters pertaining to the management, development, and promotion of the freshwater recreational fishing industry.

HCR – 269 White Lake Alligator Egg Contractor - Requests the Dept. of Wildlife and Fisheries to return to the prior method of selecting a contractor for alligator egg harvest at White Lake Wetlands Conservation Area.

SENATE BILLS

Act 7 (Effective 8-15-07) **Disabled Resident Hunters WMA Hunting Permit**
SB 19 Exempts certain disabled residents from paying the \$15 WMA hunting fee. The exempted disabled residents are those who are totally and permanently disabled and receiving certain disability benefits, or residents who are blind, paraplegic, or multiple amputees, or veterans having a permanent service connected disability classification of 50% or more. Provides that the basic hunting license possessed by certain disabled residents includes the WMA hunting permit.

Act 167 (Effective 6-29-07) **Underwater Obstruction Fund – Date Change**
SB 123 Changes the termination date of certain funding of the Underwater Obstruction Removal Fund from after June 30, 2007, to after June 30, 2012.

(Effective, Const. Amend 10-20-07) **Supplemental Pay**
SB 128 Authorizes the legislature to supplement the uniform pay plans for sworn, commissioned law enforcement officers employed by a bona fide police agency of the state or its political subdivisions, from any available funds of the state, the department, the agency, or the political subdivision, provided that such supplement may be made available only for those law enforcement officers employed on a full-time basis by such police agency of the state or its political subdivisions and who serve the welfare of the public in the capacity of a police officer by providing police services to the general public, by effecting arrests, issuing citations, and serving warrants while patrolling waterways and riverfront areas.

Act 264 (Effective Signature) **Property Transfer**

SB 180 Authorizes the transfer of certain properties.

Act 221 (Effective Retroactive July 1, 2005) **POST Certifications**

SB 194 Provides a two-year period for P.O.S.T. graduates who are enrolled in a law enforcement curriculum and not employed as a peace officer, provided they satisfactorily complete any required basic or advanced law enforcement training course, including any required examination. Requires such P.O.S.T. graduates to continue to satisfactorily fulfill all requirements for annual basic firearms training.

SENATE CONCURRENT RESOLUTIONS

SCR – 49 **Whooping Crane Reestablishment** - Urges and requests the federal Department of the Interior, U.S. Fish and Wildlife Service to reestablish migratory and non-migratory flocks of the endangered whooping crane in Louisiana.

SCR – 94 **Black Creek Scenic Rivers Nomination** - Nominates Black Creek in Grant Parish for inclusion in the Louisiana Natural and Scenic Rivers System.

SCR – 96 **Priority List / Unprotected Wildlife Properties** Requests the Department of Wildlife and Fisheries, in consultation with other state agencies and private organizations, to develop a master list of priority unprotected wildlife habitats and to recommend strategies for funding the acquisition and protection of such habitats.

SENATE RESOLUTIONS

SR – 100 **Online Boating Recertification** Requests the office of risk management and the Department of Wildlife and Fisheries law enforcement division to develop and implement an online boating education recertification course for certain state employees.

SR – 119 **Non-Market Economy Trade Remedy Act Support** - Memorializes Congress to vote in favor of H.R. 1229, the "Non-Market Economy Trade Remedy Act of 2007."

Briefing on Election of Council Officers

Sec. Hammett introduced Mike Landrum.

Mr. Landrum distributed a handout with the statutes listed which authorize the Council. He explained the importance of the council and gave a detailed description of how it is formed and how it can perform most efficiently.

Mr. Woody Crews, Steve Pellessier and Vance Gordon volunteered to serve.

Sec. Hammett expressed his concern that the Council take advantage of the opportunity to chose members to help maintain the organization of the committee.

Reuniting Children & Nature Program Proposal

Sec. Hammett introduced Ms. Susan Brown of Camp Fire USA.

Ms. Brown explained the main focus of the Camp Fire USA program to introduce children to outdoor activities as well as educate parents of the value of this program. Ms. Brown asked members to do anything that they can to draw much needed attention to the program.

Ms. Brown gave details of the grant that she has written that has yet to be awarded that would benefit the program as well as the opportunities that can be introduced. She further asked for assistance with writing letters and press releases to spread interest for the program.

Sec. Hammett expressed his thanks to Ms. Brown and her service.

Questions and Answers

Sec. Hammett asked all attending for any questions.

(voice undecipherable on tape) Expressed concern about hunting on Wildlife Management Areas. He asked that the department consider promoting hunting on WMA's as well as educate the public on the safety factor in hunting these locations.

Jimmy Anthony added that WMA are safer than many public hunting areas.

Janice Lansing explains the importance of an advertising campaign for the Department and specifies the budget year of 08-09 as the ideal time to propose this change.

Mr. Woody Crews asked where the public can get a free HIP.

Sec. Hammett told him that they can be found online at our website.

Other Business

Sec. Hammett asked Mrs. Lansing to update the attendees on licensing issues.

Mrs. Lansing alerted the attendees that the department will not be enforcing the deer tagging system this year due to program problems. The department has set out to correct the problems and awarded the contract to ALS. However, there have been some complications with the convergence. The tagging system has been inconsistent due to these changes and we are therefore, currently unable to enforce the tagging regulations for this year only. The department has still asked that people continue to participate for data collection purposes with full implementation of the program beginning next year.

Bo Boehringer discussed details of the upcoming department events such as National Hunting and Fishing Day, Discover Louisiana Hunting and No License required fishing

weekend as well as how to receive information relative to each event.

Set Next Meeting Date

Mr. Boehringer suggested that the Council set the next meeting date.

Receive Public Comment

An invitation for public comment was made.

No public comment was offered.

Adjournment

A motion was made to adjourn as well as a second.

Meeting was adjourned.

Robert J. Barham

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