

# House Study Bill 670

## Bill Text

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1 1 Section 1. NEW SECTION. 482.12A MUSSEL FISHING SEASON  
1 2 AREAS.

1 3 1. Notwithstanding sections 481A.38, 481A.39, 482.1, and  
1 4 482.12, the open season for taking washboard mussel each year  
1 5 shall be from April 1 to August 31. The washboard mussel  
1 6 shall be taken only during the hours between sunrise and  
1 7 sunset. The minimum size limit on washboard mussel shall be  
1 8 four inches.

1 9 2. Mussels may be taken from any waters of the state  
1 10 during the open season.

1 11 Sec. 2. NEW SECTION. 482.12B SCIENTIFIC STUDY OF MUSSEL  
1 12 POPULATIONS REPORT.

1 13 The department of natural resources shall conduct a study  
1 14 of the populations of various mussel species in the waters of  
1 15 this state with emphasis on the population of washboard  
1 16 mussels among the beds along the Mississippi river. The  
1 17 department shall conduct independent field investigations of  
1 18 the various mussel beds in boundary waters of this state. The  
1 19 department shall fund up to fifty percent of the cost of the  
1 20 field investigations with the commercial mussel industry  
1 21 contributing the remainder. The department shall contract  
1 22 with a malacologist who is acceptable to the commercial mussel  
1 23 industry to conduct the study and investigation. The  
1 24 department shall review current scientific studies conducted  
1 25 by other state natural resource agencies, federal wildlife and  
1 26 natural resource agencies, and private parties including  
1 27 commercial fishers, shell buyers, and shell exporters.

1 28 The department shall report its findings to the  
1 29 chairpersons and ranking members of the house committee on  
1 30 natural resources and the senate committee on natural  
1 31 resources and environment not later than January 15, 2003.

1 32 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
1 33 immediate importance, takes effect upon enactment.

1 34 EXPLANATION

1 35 This bill provides for an open season each year for the  
2 1 taking of washboard mussels. The open season is from April 1  
2 2 through August 31. The minimum size for taking a washboard  
2 3 mussel is four inches.

2 4 The bill also provides that mussels may be taken from any  
2 5 waters of the state. Currently, rules limit commercial mussel  
2 6 harvesting to the Mississippi river and its connected  
2 7 backwaters.

2 8 The bill requires the department of natural resources to  
2 9 conduct a study of the populations of the various mussel  
2 10 species in the waters of the state with emphasis on washboard  
2 11 mussels in beds along the Mississippi river. The department  
2 12 is to conduct an independent investigation of the various  
2 13 mussel species and beds. The department shall match up to 50  
2 14 percent of the cost of the field investigation with the  
2 15 commercial mussel industry and shall contract with a  
2 16 malacologist who is acceptable to the commercial mussel  
2 17 industry to conduct the study and investigation. The  
2 18 department shall also review recent studies conducted by other  
2 19 state natural resource agencies, federal wildlife and natural  
2 20 resource agencies, and private parties including commercial  
2 21 fishers. The department is to report its findings to the

2 22 chairpersons and ranking members of the house committee on  
2 23 natural resources and the senate committee on natural  
2 24 resources and environment not later than January 15, 2003.  
2 25       This bill takes effect upon enactment.  
2 26 LSB 4311HC 77  
2 27 tj/sc/14.1