

ACT No. 291

2016 Regular Session

HOUSE BILL NO. 636

BY REPRESENTATIVE LEOPOLD

1 AN ACT

2 To amend and reenact R.S. 56:433.1(A)(1) and (2), to enact R.S. 56:433.1(B)(4), and to
3 repeal R.S. 56:433.1(E), relative to the oyster seed ground vessel permit; to provide
4 relative to the permit fee; to dedicate the revenues derived from the permit fee; to
5 provide for certain qualifications for applying for the permit; to repeal the
6 termination date for the permit program; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:433.1(A)(1) and (2) are hereby amended and reenacted and R.S.
9 56:433.1(B)(4) is hereby enacted to read as follows:

10 §433.1. Oyster seed ground vessel permit; Oyster Seed Ground Vessel Permit
11 Appeals Board

12 A. (1) Any oysters taken for commercial purposes from the public natural
13 reefs or the oyster seed grounds or reservations, except those in Calcasieu Lake or
14 Sabine Lake, shall be placed only on a vessel which has an oyster seed ground vessel
15 permit issued exclusively by the department pursuant to rules and regulations
16 promulgated by the commission. The commission may establish a limit on the
17 number of permits that may be issued each year after consultation with the Louisiana
18 Oyster Task Force. Such permit shall be issued in the name of the vessel owner and
19 shall identify the vessel permitted by including the state registration number or the
20 United States Coast Guard documented number. The permit shall identify the vessel
21 that may possess and transport oysters taken from the public natural reefs and oyster
22 seed grounds. The permit does not grant any rights to the oyster resource or any

1 rights to harvest oysters from the waters of the state and shall not be sold, exchanged,
 2 or otherwise transferred. The permit is valid for one year, beginning on January first
 3 of each calendar year and expiring on December thirty-first of the same calendar
 4 year, and permit holders who hold a valid permit during the prior year may renew the
 5 permit at any time of the year for the current license year and from November
 6 fifteenth for the immediately following license year. The cost of the permit for a
 7 single scraper vessel shall be ~~fifteen~~ two hundred fifty dollars for ~~residents~~ a resident
 8 and ~~sixty one thousand~~ dollars for ~~nonresidents~~ a nonresident and the permit for a
 9 double scraper vessel shall be five hundred dollars for a resident and two thousand
 10 for a nonresident. After having been credited to the Bond Security and Redemption
 11 Fund as required by Article VII, Section 9(B) of the Constitution of Louisiana, all
 12 revenues received from purchase of the permit shall be deposited in the Public
 13 Oyster Seed Ground Development Account, R.S. 56:434.1.

14 (2) Vessel owners, as listed in the official record of the department at the
 15 time of application, who meet the requirements of Subsection B of this Section shall
 16 have the right to submit to the department a new application for an oyster seed
 17 ground vessel permit. No Except as authorized in Paragraph (B)(4) of this Section,
 18 no new applications for such vessel permits shall be accepted after December 31,
 19 2012. A vessel owner shall be eligible for a permit only for each vessel which can
 20 be used to meet the qualifications for a permit under the provisions of Subsection B
 21 of this Section.

22 * * *

23 B. The following vessel owners, as listed in the official records of the
 24 department at the time of application for the permit or who can, at the time of
 25 application, demonstrate to the department that ownership of that vessel has
 26 transferred to them, shall be eligible to receive an oyster seed ground vessel permit:

27 * * *

28 (4)(a) Notwithstanding the application date limitation contained in Paragraph
 29 (A)(2) of this Section, a person who owns an oyster vessel and who has satisfactorily

1 completed the requirements of a professionalism program may submit an application
2 for an oyster seed ground vessel permit under the provisions of this Section.

3 **(b)** The commission shall develop, establish, and monitor a professionalism
4 program for the purpose of training vessel owners in the appropriate methods and
5 practices of oyster harvest from the public seed grounds.

6 * * *

7 Section 2. R.S. 56:433.1(E) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____