

2023 Regular Session

HOUSE BILL NO. 438

BY REPRESENTATIVE ROBERT OWEN

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

WILDLIFE & FISHERIES: Provides relative to oyster seed ground vessel permits

1 AN ACT

2 To amend and reenact R.S. 56:433.1(A)(1), relative to oyster seed ground vessel permits;  
3 to change the terminology of Public Oyster Seed Ground gear license to Public  
4 Oyster Seed Ground gear permit; to change the requirements for a permitted vessel  
5 to harvest oysters from public grounds; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:433.1(A)(1) is hereby amended and reenacted to read as follows:

8 §433.1. Oyster seed ground vessel permit

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

1 or otherwise transferred. The permit is valid for one year, beginning on January first  
 2 of each calendar year and expiring on December thirty-first of the same calendar  
 3 year, and permit holders who hold a valid permit during the prior year may renew the  
 4 permit at any time of the year for the current license year and from November  
 5 fifteenth for the immediately following license year. The cost of the permit shall be  
 6 fifty dollars per year for a resident and two hundred dollars per year for a  
 7 nonresident. In addition to the vessel permit fee, in order to harvest oysters from the  
 8 public grounds, a ~~person~~ permitted vessel shall be in possession of a Public Oyster  
 9 Seed Ground gear ~~license~~ permit. The Public Oyster Seed Ground gear ~~license~~  
 10 permit is an extension of the vessel permit and allows harvest of oysters from the  
 11 public seed grounds using a single scraper, tongs, or by hand. The fee for the gear  
 12 ~~license~~ permit is two hundred dollars per year for a resident and eight hundred  
 13 dollars per year for a nonresident. A second scraper may be used but requires an  
 14 additional gear ~~license~~ permit. No vessel shall use or possess more than two scrapers  
 15 while harvesting on the public seed grounds. After having been credited to the Bond  
 16 Security and Redemption Fund as required by Article VII, Section 9(B) of the  
 17 Constitution of Louisiana, all revenues received from purchase of the permit shall  
 18 be deposited in the Oyster Resource Management Account, R.S. 56:10(B)(4).

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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)]

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HB 438 Original

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Robert Owen

**Abstract:** Changes the terminology of the Public Oyster Seed Ground gear license to Public Oyster Seed Ground gear permit.

Present law requires a person to be in possession of a Public Oyster Seed Ground gear license in order to harvest oysters from the public grounds. Present law further specifies that the Public Oyster Seed Ground gear license authorizes the harvest of oysters through the use of a single scraper, tongs, or by hand.

Proposed law changes present law to require a permitted vessel to possess a Public Oyster Seed Ground gear permit. Proposed law modifies present law by specifying that the Public

Oyster Seed Ground gear permit is an extension of the vessel permit, and allows harvest of oysters from public seed grounds.

Present law specifies that the fee for the gear license is \$200 per year for a resident and \$800 for a nonresident. Present law further specifies that a second scraper requires an additional gear license.

Proposed law changes the term "license" to "permit" but otherwise retains present law.

(Amends R.S. 56:433.1(A)(1))