

2023 Regular Session

HOUSE BILL NO. 438

BY REPRESENTATIVES ROBERT OWEN AND GAROFALO

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)(a) 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,
21 or otherwise transferred. The permit is valid for one year, beginning on January first
22 of each calendar year and expiring on December thirty-first of the same calendar

1 year, and permit holders who hold a valid permit during the prior year may renew the
2 permit at any time of the year for the current license year and from November
3 fifteenth for the immediately following license year. The cost of the permit shall be
4 fifty dollars per year for a resident and two hundred dollars per year for a
5 nonresident.

6 (b) In addition to the vessel permit fee, in order to harvest oysters from the
7 public grounds, a person onboard the permitted vessel shall be in possession of a
8 Public Oyster Seed Ground gear ~~license~~ permit. The Public Oyster Seed Ground
9 gear ~~license~~ permit is an extension of the vessel permit and allows harvest of oysters
10 from the public seed grounds using a single scraper, tongs, or by hand. The fee for
11 the gear ~~license~~ permit is two hundred dollars per year for a resident and eight
12 hundred dollars per year for a nonresident. A second scraper may be used but
13 requires an additional gear ~~license~~ permit. No vessel shall use or possess more than
14 two scrapers while harvesting on the public seed grounds.

15 (c) After having been credited to the Bond Security and Redemption Fund
16 as required by Article VII, Section 9(B) of the Constitution of Louisiana, all
17 revenues received from purchase of the ~~permit~~ permits provided for in this
18 Subsection shall be deposited in the Oyster Resource Management Account, R.S.
19 56:10(B)(4).

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____