AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§433.1. Oyster seed ground vessel permit

A.(1) Any oysters taken for commercial purposes from the public natural reefs or the oyster seed grounds or reservations, except those in Calcasieu Lake or Sabine Lake, shall be placed only on a vessel which has an oyster seed ground vessel permit issued exclusively by the department pursuant to rules and regulations promulgated by the commission. The commission may establish a limit on the number of permits that may be issued each year after consultation with the Louisiana Oyster Task Force. Such permit shall be issued in the name of the vessel owner and shall identify the vessel permitted by including the state registration number or the United States Coast Guard documented number. The permit shall identify the vessel that may possess and transport oysters taken from the public natural reefs and oyster seed grounds. The permit does not grant any rights to the oyster resource or any rights to harvest oysters from the waters of the state and shall not be sold, exchanged,
or otherwise transferred. The permit is valid for one year, beginning on January first
of each calendar year and expiring on December thirty-first of the same calendar
year, and permit holders who hold a valid permit during the prior year may renew the
permit at any time of the year for the current license year and from November
fifteenth for the immediately following license year. The cost of the permit shall be
fifty dollars per year for a resident and two hundred dollars per year for a
nonresident. In addition to the vessel permit fee, in order to harvest oysters from the
public grounds, a permitted vessel shall be in possession of a Public Oyster
Seed Ground gear permit. The Public Oyster Seed Ground gear permit is an extension of the vessel permit and allows harvest of oysters from the
public seed grounds using a single scraper, tongs, or by hand. The fee for the gear
permit is two hundred dollars per year for a resident and eight hundred
dollars per year for a nonresident. A second scraper may be used but requires an
additional gear permit. No vessel shall use or possess more than two scrapers
while harvesting on the public seed grounds. After having been credited to the Bond
Security and Redemption Fund as required by Article VII, Section 9(B) of the
Constitution of Louisiana, all revenues received from purchase of the permit shall
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)]

HB 438 Original 2023 Regular Session 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

CODING: Words in struck through type are deletions from existing law; words underscored
are additions.
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))