

2016 Regular Session

HOUSE BILL NO. 290

BY REPRESENTATIVE GISCLAIR

1 AN ACT

2 To amend and reenact R.S. 56:56(A)(5) and (7), 305(B)(3), 435(A) and (B), 435.1(A),  
3 435.1.1(A)(2), and 436(A), relative to oyster harvesting gear; to change the name of  
4 certain gear from "dredge" to "scraper"; to provide for limitations on the dimensions  
5 and use of scrapers on the public seed grounds and natural reefs; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:56(A)(5) and (7), 305(B)(3), 435(A) and (B), 435.1(A),  
9 435.1.1(A)(2), and 436(A) are hereby amended and reenacted to read as follows:

10 §56. Seizure or surrender of things illegally used or possessed

11 A. Any enforcing officer may seize:

12 \* \* \*

13 (5) Tackle, seines and other nets, trawls, tongs, ~~dredges~~ scrapers, and other  
14 equipment and devices used in taking of fish, shrimp, oysters, or other aquatic life  
15 contrary to the provisions of this Title.

16 \* \* \*

17 (7) Tackle, ~~dredges~~, and scrapers which are possessed or operated in an  
18 illegal manner or which are required by the provisions of this Title to be licensed or  
19 tagged and which are not so licensed or tagged or which are improperly tagged or  
20 which are taken contrary to the provisions of this Title.

21 \* \* \*

1 §305. Commercial gear license; issuance to certain nonresidents prohibited;  
2 moratorium on certain new gear licenses; renewals

3 \* \* \*

4 B. Residents shall pay a commercial gear fee as follows:

5 \* \* \*

6 (3) Oyster ~~dredge scrapers~~: twenty-five dollars for each ~~dredge scraper~~.

7 \* \* \*

8 §435. ~~Dredges and scrapers~~ Scrapers; use in removing oysters

9 A. All ~~dredges and scrapers~~ used to harvest oysters from the public seed  
10 grounds and the natural reefs shall be no longer than ~~six feet~~ fifty-four inches in  
11 width measured along the tooth bar. No scraper shall weigh more than one hundred  
12 seventy-five pounds nor shall diving boards, hydrofoils, or any other apparatus or  
13 attachment intended to create downward pressure be attached to any scraper.

14 B. ~~The dredge~~ For scrapers used to harvest oysters from the public seed  
15 grounds and the natural reefs, the scraper teeth shall be no longer than five inches in  
16 length, and there shall be a minimum of two and one-quarter inch spacing  
17 measured from the center of a tooth to center of the adjacent tooth. A tooth shall  
18 not exceed eleven-sixteenths of an inch in diameter. In addition, there shall be no  
19 more than ~~seven dredges~~ two scrapers in use on any one vessel. An oyster scraper  
20 bag shall only be single mesh with a minimum mesh size of three inches stretched.

21 \* \* \*

22 §435.1. Sabine Lake; methods of harvest; penalty; season; self-propelled vessels;  
23 harvested oysters

24 A. Oysters may be harvested in Sabine Lake using tongs, a hand ~~dredge~~  
25 ~~scraper, a single dredge with mechanical assist that has a tooth bar no more than~~  
26 ~~thirty-six inches long, or a single scraper with mechanical assist with a flat bar length~~  
27 of no more than thirty-six inches.

28 \* \* \*

1           §435.1.1. Oyster harvest in Calcasieu Lake

2                   A.

3   \*       \*       \*

4                   (2) Such permit shall be in addition to all other licenses and permits required  
5                   for harvesting of oysters. At all times, such oyster harvesting shall be limited to  
6                   using tongs, a hand dredge scraper, ~~a single dredge with mechanical assist that has~~  
7                   ~~a tooth bar no more than thirty-six inches long~~; or use of a single scraper with  
8                   mechanical assist and a flat bar length of no more than thirty-six inches is allowed.

9   \*       \*       \*

10           §436. Restricted time of taking oysters

11                   A. The taking of oysters from the natural reefs of this state and from  
12                   privately owned bedding grounds between the hours of one-half hour after sunset and  
13                   until one-half hour before sunrise is prohibited. During these hours all ~~dredges~~  
14                   scrapers shall be unshackled, disconnected, or in such condition as to be easily  
15                   determined by an agent of the department not to have been in recent use.

16   \*       \*       \*

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_