

ACT No. 133

2016 Regular Session

HOUSE BILL NO. 290

BY REPRESENTATIVE GISCLAIR

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

A. Any enforcing officer may seize:

* * *

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

* * *

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

* * *

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: _____