2016 Regular Session

## **ACT No. 133**

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 <del>, dredges,</del> 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	* * *

CODING: Words in struck through type are deletions from existing law; words  $\underline{\text{underscored}}$  are additions.

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. <del>Dredges and scrapers</del> <u>Scrapers</u> ; 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 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.

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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:

**ENROLLED** 

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