
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 73 by Senator Morrish

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "(A)"

3 AMENDMENT NO. 2

4 On page 1, delete line 3, and insert "harvesting in Calcasieu Lake; to provide for harvest
5 limits; to provide for the issuance of certain permits; to authorize rulemaking authority; to
6 provide terms, conditions, and penalties;"

7 AMENDMENT NO. 3

8 On page 1, line 6, delete "(A)"

9 AMENDMENT NO. 4

10 On page 1, line 8, after "A." insert "**(1)**" and after "Lake" delete "**shall be limited to**
11 **tonging**"

12 AMENDMENT NO. 5

13 On page 1, at the end of line 11, insert:

14 **"shall be prohibited except by special permit issued by the Department of**
15 **Wildlife and Fisheries. Oyster harvesting shall be limited to** using tongs; a hand
16 dredge; a single dredge with mechanical assist that has a tooth bar no more than
17 thirty-six inches long; or use of a single scraper with mechanical assist and a flat bar
18 length of no more than thirty-six inches is allowed.

19 **(2) No person shall be issued a permit for the commercial taking of**
20 **oysters on Calcasieu Lake unless that person provides proof that he**
21 **commercially harvested oysters from Calcasieu Lake through trip ticket**
22 **landings in three of the following four years: 2007, 2008, 2009, and 2010.**

23 B. All vessels used for the commercial harvest of oysters on Calcasieu Lake
24 must be self-propelled. "Self-propelled" means, when used in this Section, that the
25 vessel shall travel under its own power to its harvest area and when loaded with
26 oysters, shall travel under its own power to the place where the oysters are unloaded.

27 C. The commission shall fix the open season for oyster harvest in Calcasieu
28 Lake, which shall begin on any date between October fifteenth and November first
29 and, for calendar years 2007 through 2010, shall end on a date set after consideration
30 of recommendations by the Louisiana Oyster Task Force. After calendar year 2010,
31 the season shall end on April thirtieth. However, in consultation with the Oyster Task
32 Force, the commission may open or close the season as biological data indicate a
33 need and may manage East Cove and West Cove separately.

34 ~~D~~ **C. Harvest limits shall be set twenty-five sacks of oysters per permittee**
35 **per day, but the sack limit may be lowered** by the commission ~~not to exceed~~
36 ~~twenty-five sacks of oysters per day per licensed vessel~~ **based upon technical and**
37 **biological data and** after consideration of recommendations by the Louisiana
38 **Calcasieu Lake** Oyster Task Force. In addition, recreational fishermen may harvest
39 oysters as provided in R.S. 56:424(C). **Harvest limits for recreational fishermen**
40 **shall be one sack per person per day.**

41 E. Any violation of the provisions of this Section shall be considered a class
42 four violation ~~subject to the penalties contained in R.S. 56:34.~~ **D. (1) Violation of**
43 **any provision of this Section or of any Wildlife and Fisheries Commission**
44 **regulation pertaining to taking, possessing, recording or reporting of landings**

1 or selling oysters from Calcasieu Lake shall constitute a Class 4 violation. The
2 offender shall also be penalized as follows:

3 (a) For a first offense, the offender shall forfeit any permit to fish for
4 oysters on Calcasieu Lake and shall be barred from obtaining such permit for
5 the remainder of the period for which it was issued plus one year, during which
6 time the offender shall be barred from participating in any oyster fishing
7 activity on Calcasieu Lake.

8 (b) For a second offense, the offender shall forfeit any Calcasieu Lake
9 oyster permit issued to him and shall be barred from obtaining a Calcasieu
10 Lake oyster permit for the remainder of the period for which it was issued plus
11 two years, during which time the offender shall be barred from participating
12 in any oyster fishing activity on Calcasieu Lake.

13 (c) For a third offense, the offender shall forfeit any Calcasieu Lake
14 oyster permit issued to him and shall be permanently barred from obtaining a
15 Calcasieu Lake oyster permit and from participating in any oyster fishing
16 activity on Calcasieu Lake.

17 (2) Any person who participates in the fishery while barred shall be
18 penalized under the provisions of a Class 7-B violation.

19 E. The special permit provided for in this Section shall not be
20 transferable from one person to another for a period of three years from August
21 15, 2011, or until a transfer system is developed by the commission. An
22 exception to the prohibition on transfer may be granted by the commission, in
23 its sole discretion, in the case of proven physical hardship of the permittee, and
24 only if the transfer is to the permittee's spouse, parent/legal guardian, or
25 child/legal dependent of the permittee.

26 F.(1) The commission shall adopt rules and regulations, in accordance
27 with the Administrative Procedure Act, for the season, take, harvest, possession,
28 reporting, sale, transfer of special permits, apprenticeship, appeals, individual
29 transfer quotas, and entry of commercial fishermen into the commercial oyster
30 fishery in Calcasieu Lake.

31 (2) The commission shall, within three years from August 15, 2011,
32 establish by rules adopted in accordance with the Administrative Procedure Act
33 a system for the transfer of special permits. Such rules shall provide that there
34 shall be no financial gain realized by the transferor of the permit for such
35 transfer.

36 (3) The provisions of Paragraph (A)(2) of this Section shall expire and
37 be void after adoption by the commission of all of the rules and regulations
38 required by this Subsection."

39 AMENDMENT NO. 6

40 On page 1, delete line 12

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