HLS 16RS-526 ORIGINAL

2016 Regular Session

HOUSE BILL NO. 290

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BY REPRESENTATIVE GISCLAIR

FISHING/OYSTERS: Changes the name of certain oyster harvest gear from "dredge" to "scraper" and provides for limitations on the dimensions of the scrapers

AN ACT

2 To amend and reenact R.S. 56:56(A)(5) and (7), 305(B)(3), 320(B)(3), 435(A) and (B), 3 435.1(A), 435.1.1(A)(2), and 436(A), relative to oyster harvesting gear; to change 4 the name of certain gear from "dredge" to "scraper"; to provide for limitations on the 5 dimensions and use of scrapers on the public seed grounds and natural reefs; and to 6 provide for 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), 320(B)(3), 435(A) and (B), 9 435.1(A), 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

1	tagged and which are not so licensed or tagged or which are improperly tagged or
2	which are taken contrary to the provisions of this Title.
3	* * *
4	§305. Commercial gear license; issuance to certain nonresidents prohibited;
5	moratorium on certain new gear licenses; renewals
6	* * *
7	B. Residents shall pay a commercial gear fee as follows:
8	* * *
9	(3) Oyster dredge scrapers: twenty-five dollars for each dredge scraper.
10	* * *
1	§320. Methods of taking freshwater or saltwater fish
12	* * *
13	В.
14	* * *
15	(3) Crabs or stone crabs may be taken with any legal crab trap, crab dropnet,
16	trawl, skimmer net, butterfly net, hoop net, trotline, handline, bushline, dip net, or
17	cast net. A dredge scraper shall not be used for the intentional taking of crabs. Crab
18	traps located in areas north of the northern bank of the Intracoastal Waterway and
19	west of Louisiana Highway 70 and those areas located on the eastern side of the
20	Mississippi River and inland from the saltwater line are not required to be marked
21	with a float and float line, unless the trap is placed in a lake.
22	* * *
23	§435. Dredges and scrapers <u>Scrapers</u> ; use in removing oysters
24	A. All dredges and scrapers used to harvest oysters from the public seed
25	grounds and the natural reefs shall be no longer than six feet fifty-four inches in
26	width measured along the tooth bar. No scraper shall weigh more than one hundred
27	seventy-five pounds nor shall any scraper use diving boards or hydrofoils.
28	B. The dredge For scrapers used to harvest oysters from the public seed
29	grounds and the natural reefs, the scraper teeth shall be no longer than five inches in

1	length, and there and there shall be a minimum of two and one-quarter inch spacing
2	measured from the center of a tooth to center of the adjacent tooth. A tooth shall
3	not exceed eleven-sixteenths of an inch in diameter. In addition, there shall be no
4	more than seven dredges two scrapers in use on any one vessel. An oyster scraper
5	bag shall only be single mesh with a minimum mesh size of three inches stretched.
6	* * *
7	§435.1. Sabine Lake; methods of harvest; penalty; season; self-propelled vessels;
8	harvested oysters
9	A. Oysters may be harvested in Sabine Lake using tongs, a hand dredge
10	scraper, a single dredge with mechanical assist that has a tooth bar no more than
11	thirty-six inches long, or a single scraper with mechanical assist with a flat bar length
12	of no more than thirty-six inches.
13	* * *
14	§435.1.1. Oyster harvest in Calcasieu Lake
15	A.
16	* * *
17	(2) Such permit shall be in addition to all other licenses and permits required
18	for harvesting of oysters. At all times, such oyster harvesting shall be limited to
19	using tongs, a hand dredge scraper, a single dredge with mechanical assist that has
20	a tooth bar no more than thirty-six inches long; or use of a single scraper with
21	mechanical assist and a flat bar length of no more than thirty-six inches is allowed.
22	* * *
23	§436. Restricted time of taking oysters
24	A. The taking of oysters from the natural reefs of this state and from
25	privately owned bedding grounds between the hours of one-half hour after sunset and
26	until one-half hour before sunrise is prohibited. During these hours all dredges
27	scrapers shall be unshackled, disconnected, or in such condition as to be easily
28	determined by an agent of the department not to have been in recent use.
29	* * *

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 290 Original

2016 Regular Session

Gisclair

Abstract: Changes the name of certain oyster harvest gear <u>from</u> "dredge" <u>to</u> "scraper" and alters the allowable dimensions of a scraper used on the public seed grounds and natural reefs

<u>Present law</u> in several places refers to oyster "dredges". <u>Proposed law</u> changes the term to oyster "scrapers".

<u>Present law</u> authorizes the use of dredges and scrapers no longer than six feet in width measured along the tooth bar. Further provides that the teeth shall be no longer than five inches. Limits the number of dredges that can be in use at any one time to seven.

<u>Proposed law</u> limits scrapers used to harvest oysters from the public seed grounds or the natural reefs to 54 inches measured along the tooth bar with no one scraper weighing more than 175 pounds. Prohibits the use of diving boards or hydrofoils on scrapers.

<u>Proposed law</u> retains the five-inch length limit from <u>present law</u> and requires a minimum of two and one-half inch spacing measured from the center of the tooth to the center of the adjacent tooth with each tooth no thicker than 11/16ths of an inch. Changes the number of scrapers that may be in use at any one time <u>from</u> seven <u>to</u> two. Provides that oyster scraper bags can only be single mesh with a minimum mesh size of three inches stretched.

(Amends R.S. 56:56(A)(5) and (7), 305(B)(3), 320(B)(3), 435(A) and (B), 435.1(A), 435.1.1(A)(2), and 436(A))