

2016 Regular Session

HOUSE BILL NO. 636

BY REPRESENTATIVE LEOPOLD

FISHING/OYSTERS: Amends the public oyster seed ground vessel permit

## 1 AN ACT

2 To amend and reenact R.S. 56:433.1(A)(1) and (2), to enact R.S. 56:433.1(B)(4), and to  
3 repeal R.S. 56:433.1(E), relative to the oyster seed ground vessel permit; to provide  
4 relative to the permit fee; to dedicate the revenues derived from the permit fee; to  
5 provide for certain qualifications for applying for the permit; to repeal the  
6 termination date for the permit program; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:433.1(A)(1) and (2) are hereby amended and reenacted and R.S.  
9 56:433.1(B)(4) is hereby enacted to read as follows:

10 §433.1. Oyster seed ground vessel permit; Oyster Seed Ground Vessel Permit  
11 Appeals Board

12 A. (1) Any oysters taken for commercial purposes from the public natural  
13 reefs or the oyster seed grounds or reservations, except those in Calcasieu Lake or  
14 Sabine Lake, shall be placed only on a vessel which has an oyster seed ground vessel  
15 permit issued exclusively by the department pursuant to rules and regulations  
16 promulgated by the commission. The commission may establish a limit on the  
17 number of permits that may be issued each year after consultation with the Louisiana  
18 Oyster Task Force. Such permit shall be issued in the name of the vessel owner and  
19 shall identify the vessel permitted by including the state registration number or the  
20 United States Coast Guard documented number. The permit shall identify the vessel

1 that may possess and transport oysters taken from the public natural reefs and oyster  
2 seed grounds. The permit does not grant any rights to the oyster resource or any  
3 rights to harvest oysters from the waters of the state and shall not be sold, exchanged,  
4 or otherwise transferred. The permit is valid for one year, beginning on January first  
5 of each calendar year and expiring on December thirty-first of the same calendar  
6 year, and permit holders who hold a valid permit during the prior year may renew the  
7 permit at any time of the year for the current license year and from November  
8 fifteenth for the immediately following license year. The cost of the permit for a  
9 single scraper vessel shall be ~~fifteen~~ two hundred fifty dollars for residents and ~~sixty~~  
10 one thousand dollars for nonresidents and the permit for a double scraper vessel shall  
11 be five hundred dollars for a resident and two thousand for a nonresident. After  
12 having been credited to the Bond Security and Redemption Fund as required by  
13 Article VII, Section 9(B) of the Constitution of Louisiana, all revenues received from  
14 purchase of the permit shall be deposited in the Public Oyster Seed Ground  
15 Development Account, R.S. 56:434.1.

16 (2) Vessel owners, as listed in the official record of the department at the  
17 time of application, who meet the requirements of Subsection B of this Section shall  
18 have the right to submit to the department a new application for an oyster seed  
19 ground vessel permit. ~~No~~ Except as authorized in Paragraph (B)(4) of this Section,  
20 no new applications for such vessel permits shall be accepted after December 31,  
21 2012. A vessel owner shall be eligible for a permit only for each vessel which can  
22 be used to meet the qualifications for a permit under the provisions of Subsection B  
23 of this Section.

24 \* \* \*

25 B. The following vessel owners, as listed in the official records of the  
26 department at the time of application for the permit or who can, at the time of  
27 application, demonstrate to the department that ownership of that vessel has  
28 transferred to them, shall be eligible to receive an oyster seed ground vessel permit:

29 \* \* \*

1                   (4)(a) Notwithstanding the application date limitation contained in Paragraph  
2                   (A)(2) of this Section, a person who owns an oyster vessel and who has satisfactorily  
3                   completed the requirements of a professionalism program may submit an application  
4                   for an oyster seed ground vessel permit under the provisions of this Section.

5                    (b) The commission shall develop, establish, and monitor a professionalism  
6                    program for the purpose of training vessel owners in the appropriate methods and  
7                    practices of oyster harvest from the public seed grounds.

8 \* \* \*

9 Section 2. R.S. 56:433.1(E) is hereby repealed in its entirety.

# 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 636 Original

2016 Regular Session

Leopold

**Abstract:** Increases the fee for an oyster seed ground vessel permit and provides for an apprentice program for eligibility for the permit

Present law requires possession of an oyster seed ground vessel permit for any vessel carrying or harvesting oysters from a public natural reef or oyster seed ground. Provides that the fee for such permit is \$15 for Louisiana residents and \$60 for nonresidents. Allowed application for the vessel permit up to Dec. 31, 2012, but prohibited any applications thereafter. Sunsets the existence of the permit beginning Nov. 15, 2016.

Proposed law increases the fees for the permits for a single scraper vessel to \$250 for residents and \$1,000 for nonresidents and for a double scraper vessel to \$500 for residents and \$2,000 for nonresidents. Dedicates all the fees derived from sale of the permits to the Public Oyster Seed Ground Development Account.

Proposed law authorizes, notwithstanding the date limitation contained in present law, a person who owns an oyster vessel who has satisfactorily completed the requirements of a professionalism program to submit an application for a seed ground vessel permit. Requires the Wildlife and Fisheries Commission to develop, establish, and monitor a professionalism program to train vessel owners in appropriate methods and practices of oyster harvest from the public seed grounds.

Proposed law repeals the Nov. 15, 2016, sunset date.

(Amends R.S. 56:433.1(A)(1) and (2); Adds R.S. 56:433.1(B)(4); Repeals R.S. 56:433.1(E))