

Regular Session, 2012

SENATE BILL NO. 202

BY SENATOR MORRISH

FISH/FISHING. Provides relative to oyster harvesting in Calcasieu Lake. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 56:435.1.1(A), relative to oyster harvesting in Calcasieu Lake;
3 to remove the time limitation on the issuance of special permits for oyster harvesting
4 in Calcasieu Lake; to remove the limitations on the number of special permits issued;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:435.1.1(A) is hereby amended and reenacted to read as follows:

8 §435.1.1. Oyster harvest in Calcasieu Lake

9 A.(1) ~~Between July 1, 2011 and June 30, 2014,~~ oyster **Oyster** harvesting in
10 Calcasieu Lake shall be prohibited except by special permit issued annually by the
11 Department of Wildlife and Fisheries or as authorized by R.S. 56:435.1.1(D)(2)
12 **Paragraph (D)(2)** of this Section. ~~There shall be no more than one hundred twenty-~~
13 ~~six such permits issued each year. Sixty-three of the permits shall be issued only to~~
14 ~~a person who can prove through trip-ticket landings that he commercially harvested~~
15 ~~oysters from Calcasieu Lake any time since January 1, 2001. The remaining sixty-~~
16 ~~three permits may be issued to any person. The permits shall be issued on a first-~~
17 ~~come-first-served basis determined by the date the application is received by the~~

1 department. ~~Once one hundred twenty-six permits have been issued, there shall be~~
 2 ~~no more issued that year.~~ The commission shall promulgate rules and regulations to
 3 delineate the procedures by which the permits shall be issued.

4 (2) Such permit shall be in addition to all other licenses and permits required
 5 for harvesting of oysters. ~~After July 1, 2014, no special permit shall be required to~~
 6 ~~harvest oysters in Calcasieu Lake.~~ At all times, such oyster harvesting shall be
 7 limited to using tongs; ~~a~~ a hand dredge; ~~a~~ a single dredge with mechanical assist that
 8 has a tooth bar no more than thirty-six inches long; or use of a single scraper with
 9 mechanical assist and a flat bar length of no more than thirty-six inches is allowed.

10 * * *

11 Section 2. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

The original instrument was prepared by J. W. Wiley. The following digest,
 which does not constitute a part of the legislative instrument, was prepared
 by Ann S. Brown.

DIGEST

Morrish (SB 202)

Present law provides that between July 1, 2011, and June 30, 2014, oyster harvesting in Calcasieu Lake requires a special permit issued annually by the Dept. of Wildlife and Fisheries. Limits the number of permits to 126 permits each year. 63 of the permits will be issued to a person who can prove through trip ticket landings that he commercially harvested oysters from Calcasieu Lake any time since January 1, 2001. The remaining 63 permits may be issued to any person.

Proposed law removes present law.

Present law provides that after July 1, 2014, no special permit will be required to harvest oysters in Calcasieu Lake.

Proposed law removes present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 56:435.1.1(A))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Legislative Bureau technical changes.