

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 668

2015 Regular Session

Hill

FISHING/SHRIMP: Repeals the prohibition on enforcement of the federal TEDS in shrimp nets requirement

Synopsis of Senate Amendments

1. Add a provision authorizing the Wildlife and Fisheries Commission to make rules relative to the use, possession, and configuration of certain excluder devices.
2. Repeal a provision prohibiting the department from enforcing any rules relative to fish excluder devices by commercial fishermen.
3. Change the dates in which enforcement agents are required to wear electronic recording devices and adds that any defect in the device will not be a defense.
4. Remove a provision that makes any seafood retailer who boycotts shrimp caught in La. waters ineligible for any tax credit or rebates or any other type of incentive provided by the state.
5. Make technical changes.

Digest of Bill as Finally Passed by Senate

Proposed law provides that the La. Wildlife and Fisheries Commission may promulgate rules and regulations in accordance with the Administrative procedure Act relative to the use, possession, and configuration of devices designed to exclude the take of certain fish and other aquatic life from fishing gear within the territorial waters of the state and in the federal exclusive economic zone.

Present law prohibits the enforcement in state waters of federal regulations that require the use of turtle excluder devices in shrimp trawls until certain conditions and data can be determined and verified.

Proposed law repeals present law.

Proposed law requires that during the time period from June 1, 2016 through Dec. 31, 2018, at all times while enforcing turtle excluder device requirements, a wildlife agent must wear an electronic device capable of recording video and audio data. Further provides that in the event that the electronic device is broken, malfunctioning, powered off, absent, or otherwise unavailable, proposed law will not prohibit a wildlife agent from making a case, a district attorney or federal prosecutor from prosecuting a violation, or a court from considering all applicable evidence when adjudicating such an offense.

Present law prohibits the department from enforcing any rules relative to fish excluder devices by commercial fishermen.

Proposed law repeals present law.

Proposed law requires the La. Shrimp Task Force to submit a written report to the House Committee on Natural Resources and Environment and the Senate Committee on Natural Resources by Feb. 1, 2018, with recommendations for whether or not the use of turtle excluder devices should be enforced in state waters and the rules and regulations under which such devices should be enforced in state waters.

(Adds R.S. 56:492.1; Repeals R.S. 56:57.2 as enacted by Act 283 of the 1987 R.S., R.S. 56:57.2 as enacted by Act 891 of the 1987 R.S. as amended, and R.S. 56:57.4)