

GREEN SHEET REDIGEST

HB 668

2015 Regular Session

Hill

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

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

DIGEST

Abstract: Repeals the prohibition on enforcement of the federal rules on the use of turtle excluder devices in shrimp trawls used in state waters.

Proposed law provides that the La. Wildlife and Fisheries Commission may promulgate rules and regulations in accordance with the APA 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 December 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.

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)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Require wildlife agents to wear body cameras from Aug. 1, 2015 to Aug. 1, 2016, at all times while enforcing turtle excluder device requirements.
2. Make any seafood retailer who boycotts shrimp caught in La. waters after the passage of proposed law ineligible for any tax credit or rebates or any other type of incentive provided by the state.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Natural Resources to the reengrossed bill

1. Adds provision authorizing the La. Wildlife and Fisheries Commission to make rules relative to the use, possession, and configuration of certain excluder devices.
2. Repeals provision prohibiting the department from enforcing any rules relative to fish excluder devices by commercial fishermen.
3. Changes the date 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. Removes 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.