

HOUSE COMMITTEE AMENDMENTS

2019 Regular Session

Amendments proposed by House Committee on Natural Resources and Environment to
Original House Bill No. 355 by Representative Gisclair

AMENDMENT NO. 1

On page 1, line 17, change "making" to "producing"

AMENDMENT NO. 2

On page 2, line 2, change "two" to "five"

AMENDMENT NO. 3

On page 2, line 5, change "two" to "five"

AMENDMENT NO. 4

On page 3, line 22, before "Violation" insert "(1)"

AMENDMENT NO. 5

On page 3, between lines 24 and 25, insert the following:

"(2) In addition to the penalties associated with a class four violation under the provisions of R.S. 56:34, for the first conviction of a class four violation of this Section, the court shall also sentence the violator to perform forty hours of community service. If a litter abatement community service is available, the hours shall be served in a community service litter abatement program. In addition, for a 29 period of one year from the date of conviction, the violator may be present on a vessel harvesting or possessing crabs only if the vessel is equipped with and equipped with and is actively using a vessel monitoring system accessible to the Department of Wildlife and Fisheries as prescribed in R.S. 56:424.1(B).

(3) In addition to the penalties associated with a class four violation under the provisions of R.S. 56:34, for the second conviction of a class four violation of this Section, the court shall revoke or suspend the violator's crab trap gear license for one year from the date of the conviction and no new crab trap gear license shall be issued to the violator during the period of suspension or revocation. During such revocation or suspension, the violator may be present on a vessel harvesting or possessing crabs only if the vessel is equipped with and is actively using a vessel monitoring system accessible to the Department of Wildlife and Fisheries as prescribed in R.S. 56:424.1(B).. The court shall also sentence the violator to perform forty hours of community service. If a litter abatement community service is available, the hours shall be served in a community service litter abatement program.

(4) For a third conviction of a class four violation of this Section, the court shall revoke or suspend the violator's crab gear license for three years from the date of the second conviction and no new crab trap gear license shall be issued to the violator during the period of suspension or revocation. During such revocation or suspension, the violator may be present on a vessel harvesting or possessing crabs only if the vessel is equipped with and employs an operating vessel monitoring system as described in R.S. 56:424.1(B) that is accessible to the Department of Wildlife and Fisheries. In addition, the court shall sentence the violator to perform no less than

1 ninety hours of community service. If a litter abatement community service
2 is available, the hours shall be served in a community service litter abatement
3 program.

4 (5) For a fourth or subsequent conviction of a class four violation of
5 this Section, the court shall revoke or suspend the violator's crab gear license
6 for ten years from the date of the last conviction and no new crab trap gear
7 license shall be issued to the violator during the period of suspension or
8 revocation. During such revocation or suspension, the violator may be
9 present on a vessel harvesting or possessing crabs only if the vessel is
10 equipped with and employs an operating vessel monitoring system as
11 described in R.S. 56:424.1(B) that is accessible to the Department of Wildlife
12 and Fisheries. In addition, the court shall sentence the violator to perform no
13 less than one hundred twenty hours of community service. If a litter
14 abatement community service is available, the hours shall be served in a
15 community service litter abatement program."