

BILL ANALYSIS

Senate Research Center
77R4095 SGA-D

S.B. 810
By: Lucio
Natural Resources
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DIGEST AND PURPOSE

On August 31, 2000, the Texas Parks and Wildlife Department (TPWD) adopted new regulations for the shrimping industry. These regulations include increasing the size of shrimp nursery areas; a shortening of the fall bay season by 15 days; establishing a closed shrimping area in the Gulf from the Corpus Christi Fish Pass to the Texas-Mexico border; establishing a Northern Shrimp Zone in the Gulf from the Corpus Christi Fish Pass to the Texas-Louisiana border; and increasing the baitfish season by one month. As well, the new rules require the use of a turtle excluder device in all trawls in the Gulf except for specific exemptions; extends the current winter Gulf closure by 30 days; require a bycatch reduction device, and increase the cost of a commercial shrimp vessel and business license by 50 percent. As proposed, S.B. 810 directs the TPWD to return to the rules which were in place as of June 30, 2000, until detailed studies of the probable economic and ecological impacts of the regulations adopted on August 31, 2000, have been completed. S.B. 810 also directs a moratorium on the creation of any new shrimping regulations except as authorized by the legislature or as required for compliance with federal law.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Parks and Wildlife Commission in SECTION 1 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. RULES RELATED TO SHRIMPING. Provides that on the effective date of this Act, all rules adopted and proclamations issued by the Parks and Wildlife Commission (commission) on or after July 1, 2000, that relate to the regulation of the shrimping industry along the Texas Gulf Coast and in the Gulf of Mexico are repealed. Requires the Parks and Wildlife Commission, on the effective date of this Act, to adopt the rules and proclamations relating to the regulation of the shrimping industry that were in effect on June 30, 2000, as emergency rules for the regulation of the shrimping industry. Provides that before the emergency rules expire, the commission is required to adopt those rules as the rules relating to the regulation of the shrimping industry. Prohibits the Parks and Wildlife Commission from adopting any new rules, issuing new proclamations, or amending existing regulations that relate to the shrimping industry except as authorized by the legislature or as required for compliance with federal law.

SECTION 2. ECONOMIC IMPACT ANALYSIS. Requires the Parks and Wildlife Department to conduct a comprehensive economic impact analysis of all current state and federal regulations on the shrimping industry. Requires the analysis to include input from representatives of the shrimping industry and all other interested persons. Requires the analysis to estimate the economic impact that regulations passed on or after July 1, 2000, would have had if those regulations had remained in effect after the effective date of this Act. Requires the Parks and Wildlife Commission to deliver the analysis to the legislature, the lieutenant governor, and the governor on or before September 1, 2002.

SECTION 3. STUDY OF SHRIMPING INDUSTRY. Requires the Parks and Wildlife Department to prepare a comprehensive study of the economic and biological health of the shrimping industry.

Requires the study to include input from representatives of the shrimping industry and all other interested persons. Requires the Parks and Wildlife Commission to deliver the report to the legislature, the lieutenant governor, and the governor on or before September 1, 2002.

SECTION 4. EFFECTIVE DATE. upon passage or September 1, 2001.