

## **BILL ANALYSIS**

Senate Research Center

H.B. 520  
By: Woolley (Brown)  
Natural Resources  
3-24-97  
Engrossed

### **DIGEST**

Currently, Texas law prohibits boats from being used for the purpose of catching menhaden unless the owner of the boat has acquired a menhaden boat license. Prior to the September 1, 1996, licensing year, the Texas Parks and Wildlife Department had treated the main 165-foot menhaden vessel (the "steamer") as the menhaden boat for licensing purposes. In most cases there are two 38-foot "purse boats," which are carried on the steamer for the purpose of assisting in the catching of menhaden. These purse boats had not been licensed in the past, but as of September 1, 1996, the law was interpreted to require that the purse boats also have menhaden boat licenses, effectively tripling the cost for menhaden operators. The Parks and Wildlife Code sets the license fee for each menhaden boat at \$2,000, or at an amount set by the Parks and Wildlife Commission (commission), whichever is higher. The current fee for the menhaden boat license is \$3,500 for each menhaden boat, which was increased from \$2,000 to \$3,500 by the commission in 1991. H.B. 520 would make a distinction between "steamers" and "purse boats" for licensing purposes and would charge separate licensing fees for each.

### **PURPOSE**

As proposed, H.B. 520 makes a distinction in reference to a boat used for the purpose of catching, storing, and transporting menhaden and a boat used for assisting in the catching of menhaden and requires a separate license for each.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 47.008, Parks and Wildlife Code, to prohibit the use of a boat for the purpose of catching, storing, and transporting menhaden in tidal water unless the owner of the boat has acquired a Class A menhaden boat license. Prohibits the use of a boat for the purpose of assisting in catching menhaden in tidal water unless the owner of the boat has acquired a Class B menhaden boat license. Provides that the license fee for each Class A menhaden boat is \$2,000 or an amount set by the Parks and Wildlife Commission (commission), whichever is more, for each yearly period. Requires the commission to set the license for each Class B menhaden boat for each yearly period in an amount not to exceed \$50.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.