

BILL ANALYSIS

C.S.H.B. 4593
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Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During the 78th Legislature, Regular Session, 2003, a program was initiated called the shrimp marketing assistance program. It was originally tailored to shrimpers catching shrimp from the coastal waters. At the time, a significant amount of shrimp was being raised on Texas farms. Texas shrimp farmers decided to be a part of the program, and were statutorily obligated to contribute \$25,000 to the effort. At the time, the \$25,000 in fees was spread over a significant number of Texas shrimp farms and thus was not an unreasonable burden. Since then, the price of shrimp has declined due to imported shrimp, and many shrimp farmers have ceased operation or have moved to different aquacultural species, with the result that the number of ponds dedicated to shrimp production has declined by more than half. Therefore, the \$25,000 shrimp farmer contribution to the marketing program has become an unreasonable burden to the remaining shrimp farms. In order to address this problem, this legislation proposes to remove the Texas shrimp farms from the shrimp marketing program.

C.S.H.B. 4593 implicitly removes the Texas shrimp aquaculture industry from the state's oyster and shrimp program and removes a requirement for a related shrimp aquaculture surcharge. The bill redefines "Texas-produced shrimp" to refer to wild-caught shrimp. The bill reduces the number of members on the shrimp advisory committee to eliminate the member of the Texas shrimp aquaculture industry.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4593 amends the Agriculture Code to define "Texas-produced shrimp" to mean wild-caught shrimp commercially harvested from coastal waters by shrimp boats licensed by the Texas Parks and Wildlife Department, rather than shrimp harvested from coastal waters and produced within the borders of the state as under existing law. The bill makes conforming changes to refer to wild-caught shrimp and the wild-caught shrimping industry.

C.S.H.B. 4593 reduces the number of members on the shrimp advisory committee from ten to nine, removing the member of the Texas shrimp aquaculture industry. The bill changes two other advisory committee positions, requiring one member who is a retail wild-caught shrimp dealer and one wholesale wild-caught shrimp dealer, rather than one member who is a retail fish dealer and one wholesale fish dealer.

C.S.H.B. 4593 removes a requirement that the Texas Department of Agriculture assess and collect a surcharge on the annual license fee for shrimp aquaculture facilities for the purpose of funding the Texas shrimp marketing assistance program, omits this surcharge as a source of funding for employee salaries in the program, and makes a conforming change to the Parks and Wildlife Code.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4593 makes technical corrections. The substitute adds a provision, not in the original, to remove the surcharge on the shrimp aquaculture license fee as a source of funding for employee salaries in the shrimp marketing assistance program and makes a conforming change in the Parks and Wildlife Code relating to deposit of those funds in the shrimp marketing account, whereas the original contains no such provision.