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**TEXAS
PARKS AND WILDLIFE DEPARTMENT**
4200 Smith School Road • Austin, Texas 78744 • 512-389-4800

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Executive Director

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June 25, 1991

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Hon. Dan Morales
Attorney General of Texas
P.O. Box 12548
Capitol Station
Austin, Texas 78711-2548

Re: Request for an Attorney General's Opinion Letter

Dear General Morales:

In this most recent regular legislative session, two bills affecting the regulation of fish and fishing were enacted by the legislature. SB 726 (Armbrister) amended Chapters 43, 47, and 66 of the Texas Parks and Wildlife Code and was enrolled on May 15, 1991. HB 2494 (Tallas) amended Chapters 47, 66, repealed Subchapter B of Chapter 78 and was enrolled on May 23, 1991. This Department is attempting to publish a commercial fishing guide which will inform commercial fisherman as to the statutory and regulatory limitations applicable to them. There are provisions of both bills which are difficult to interpret in harmony with one another without causing confusion and thus are difficult to explain in a publication.

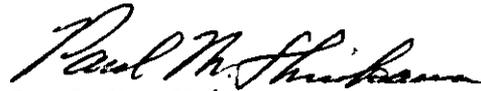
It is particularly important for the Department to be precise in any fishing or game publication because our experience has demonstrated that in local courts, interpretations which are contrary to published guides are usually ignored. Of particular concern are sections which we have identified in the attachment to this letter. These sections have the greatest potential to cause problems of interpretation.

For your convenience, we have included copies of both bills as well as a copy of the relevant chapter as it exists prior to amendment. We would like to meet with the attorney assigned to this opinion in order to explain how these two

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FILED SEPARATELY**

bills will affect the Department's enforcement. To set up a meeting please free to contact me at 389-4419 or Chester Burdett, Director of Law Enforcement at 389-4623.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul M. Shinkawa".

Paul M. Shinkawa
Director, Legal Services Division

enclosure