

SUMMARY OF NO. 21-17

This proposed law would ban the use of commercial fishing gear likely to entangle whales and sea turtles. Under the proposed law, the state Secretary of Environmental Affairs would be required to make an annual written scientific determination whether any type of fishing gear could reasonably be expected to entangle whales or sea turtles. The Director of the state Division of Marine Fisheries could allow for commercial fishing gear only that year determined not to cause such entanglements. The use of fishing gear that employs vertical buoy ropes or gill nets would be prohibited.

Any member of the public could enforce the proposed law by filing a civil lawsuit, and either party in that suit could demand to have the case heard by a jury. Successful plaintiffs would be awarded the costs of litigation.