

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1325

(Delegate O'Donnell)

Environmental Matters

Education, Health, and Environmental Affairs

Natural Resources - Crabs - Catch Times for Trotline Gear

This bill authorizes the Department of Natural Resources (DNR) to allow tidal fish licensees who catch crabs with trotline gear to begin working prior to one hour before sunrise; however, if this occurs (1) DNR may not adopt regulations that restrict these licensees to less than an 11-hour workday, including time spent setting or taking up gear; and (2) trotline gear may not be set earlier than the catch time DNR establishes.

Fiscal Summary

State Effect: The bill does not materially affect State finances.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law: The Secretary of Natural Resources is responsible for conservation management of the fish, fisheries, fish resources, and aquatic life within the State. Various statutory provisions govern the manner, methods, and gear for catching and possessing fish.

DNR may adopt rules and regulations that (1) restrict catching and possessing any blue crab; (2) address the methods by which crabs are taken; (3) close or open any specified area to catch crabs; (4) prohibit or restrict devices used to catch crabs; (5) establish seasons to catch crabs; and (6) establish minimum size limits for crabs.

DNR may not adopt regulations to (1) restrict a tidal fish licensee who catches crabs using trotline gear to less than an eight-hour workday, excluding time spent setting or taking up gear; or (2) establish time restrictions on a tidal fish licensee using trotline gear for setting and taking up gear.

Under current regulations, an individual licensed to catch crabs for sale may remove crabs from trotlines between 1 hour before sunrise to 9 hours after sunrise from May through September and between sunrise and 10 hours after sunrise during April, October, November, and December.

Background: DNR's Fisheries Service is responsible for managing commercial and recreational fishing in the State. The Fisheries Service seeks to develop a management framework for the conservation and equitable use of fishery resources; manage fisheries in balance with the ecosystem for present and future generations; monitor and assess the status and trends of fishery resources; and provide high quality, diverse, and accessible fishing opportunities.

A tidal fishing license is the single commercial license issued by DNR with respect to fishing and fisheries in tidal waters. A person must obtain authorizations on the license, for which various fees apply, to engage in different types of fishing or commercial activity. The annual fee for an unlimited authorization is \$300. An example of a more specific authorization is a \$50 fee to catch crabs by using up to 50 pots, trotlines, and other specified gear. The license year for each tidal fish license is from September 1 through August 31 of the following year.

Currently, 5,205 individuals are authorized to harvest crabs and eligible to use trotlines. DNR advises that the bill provides these license holders with greater flexibility.

Small Business Effect: Small fishing businesses benefit to the extent they are able to fish at more convenient times and for a longer period of time.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - March 15, 2012
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