

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 1387

(Delegate Hornberger, *et al.*)

Environment and Transportation

Education, Health, and Environmental Affairs

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**Commercial Northern Snakehead Bowfishing License - Establishment**

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This bill establishes a commercial northern snakehead bowfishing license, issued by the Department of Natural Resources (DNR) or its designee, which authorizes the licensee to catch for sale northern snakeheads in the tidal waters of the State using a bow and arrow attached to a retrieval line. A licensee may not fish within 100 yards of (1) another person or vessel; (2) a public or private swimming area; (3) a diver down flag; or (4) an occupied offshore stationary blind. An applicant does not need to hold a tidal fishing license to be eligible for the new license. The term of a license is one year, and a license is nontransferable. The annual license fee is \$15. DNR is authorized to adopt regulations defining and governing the use of commercial bowfishing gear.

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**Fiscal Summary**

**State Effect:** DNR only expects to sell a small number of commercial northern snakehead bowfishing licenses. As such, the bill does not materially affect State operations or finances. DNR can adopt regulations relating to the use of commercial bowfishing gear with existing resources.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful impact on small businesses that are able to successfully catch and sell northern snakehead fish as a result of the bill.

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## Analysis

### Current Law:

#### *Snakeheads*

DNR regulations prohibit a person from (1) importing, transporting, or introducing any live snakehead fish or viable snakehead eggs into the State and (2) selling or breeding live snakehead fish in the State. In general, a person may not possess viable eggs or live snakehead fish. These prohibitions extend to any snakehead fish of the family *Channidae*. Further, a person is prohibited from selling or breeding specified live snakehead fish in the State unless, upon capture (1) the head is immediately removed; (2) the body is gutted; (3) the gill arches are removed from both sides of the fish; or (4) the fish is filleted.

DNR may issue a permit to specified entities for the possession of a live snakehead fish for scientific purposes.

#### *Commercial Fishing Licenses*

In general, all persons commercially fishing in the tidal waters of the State must be licensed. DNR operates a limited entry program for commercial fishing licenses. A commercial fishing license year begins September 1 through August 31, and annual fees range from \$37.50 for a finfish hook and line license to \$300 for an unlimited tidal fish license.

**Background:** According to DNR, in 2002, a reproducing population of northern snakeheads was discovered in a pond in Crofton, Maryland. The snakeheads were exterminated and subsequently assigned injurious wildlife status under the Federal Lacey Act, which prohibits import and interstate transport. A mid-Atlantic Aquatic Nuisance Species Council was formed, and a management plan for northern snakeheads was drafted. Despite intense media and political attention, increased awareness did not serve to prevent further introductions. In 2004, northern snakeheads were found in the Potomac River near Washington, DC, and have since established a reproducing population. Northern snakeheads have also been found in Arkansas, Pennsylvania, and New York.

Since then, northern snakeheads have become firmly established in more than 60 river miles of the Potomac River. The U.S. Fish and Wildlife Service (USFWS), with its partners, continues to conduct research to assess the impacts on the ecosystem and the effects of the snakehead introduction on fish populations. DNR, the Virginia Department of Game and Inland Fisheries, D.C. Fisheries and Wildlife, and USFWS have placed reward tags on snakeheads to estimate the size of the population in the Potomac River and to learn more about how they are moving in the river and its tributaries.

DNR is holding a 2016 “Stop the Snakehead” Fishing Derby to raise awareness and reduce the negative impact of snakeheads on Maryland’s ecosystems.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 1054 (Senator Mathias) - Education, Health, and Environmental Affairs.

**Information Source(s):** Department of Natural Resources, Department of Health and Mental Hygiene, U.S. Fish and wildlife Service, Department of Legislative Services

**Fiscal Note History:** First Reader - March 7, 2016  
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