

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 86

(Senator Simonaire)

Education, Health, and Environmental Affairs

Environment and Transportation

Natural Resources - Fishing and Hunting Rights

This bill states that the General Assembly finds that (1) hunting and fishing are valued parts of the State’s cultural and social heritage that provide unique recreational benefits to State residents and (2) hunting and fishing play important parts in the State’s economy, as specified. The bill also expresses the General Assembly’s intent that residents of the State have a right to hunt and fish subject to regulations and restrictions enacted under State law.

Fiscal Summary

State Effect: None. The bill does not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: The mission of the Department of Natural Resources (DNR) is securing a sustainable future for the environment, society, and economy by preserving, protecting, restoring, and enhancing the State’s natural resources. As part of this mission, DNR’s Fishing and Boating Service manages Maryland’s fisheries for the conservation and equitable use of fisheries resources for present and future generations. Similarly, DNR’s Wildlife and Heritage Service strives to conserve Maryland’s diverse native wildlife, manage game species, regulate hunting and trapping activity, and conserve wildlife habitat.

The 2011 National Survey of Fishing, Hunting, and Wildlife Associated Recreation estimated that anglers and hunters in Maryland spent nearly \$800 million in trip- and

equipment-related expenditures. Fishing accounted for an estimated \$535.2 million of that total, and hunting accounted for \$264.1 million of the total.

DNR is responsible for conservation management of the fish, fisheries, fish resources, and aquatic life within the State. DNR issues the licenses for fishing in nontidal (fresh) waters, tidal (salt or brackish) waters, or both. DNR determines whether waters of the State are tidal or nontidal by regulation. Both nontidal and tidal fishing licenses are further categorized as recreational (or sport) or commercial fishing licenses.

The Wildlife and Heritage Service, in cooperation with DNR's Natural Resources Police, is responsible for administering and enforcing the State's hunting programs, laws, and regulations. These responsibilities include setting bag limits, establishing seasons, and managing the sale of hunting licenses, permits, and stamps. Land management divisions within DNR, like the Maryland Park Service and the Maryland Forest Service, have certain authority over the access to hunting on public lands within their jurisdiction.

According to the National Conference of State Legislatures, as of April 2017, 21 states guaranteed the right to hunt and fish in their constitutions, with 20 of those approved by the voters. In November 2018, North Carolina became the 22nd state to protect the right to hunt and fish when voters approved a constitutional amendment to do so.

Additional Information

Prior Introductions: SB 33 of 2010, a proposed constitutional amendment addressing the right to hunt, fish, and harvest wild game, received an unfavorable report from the Senate Education, Health, and Environmental Affairs Committee.

Designated Cross File: None.

Information Source(s): Department of Natural Resources; National Conference of State Legislatures; U.S. Fish and Wildlife Service; *Governing Magazine*; Department of Legislative Services

Fiscal Note History: First Reader - January 16, 2020
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