

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

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

Senate Bill 1118

(Senator Guzzone)

Education, Energy, and the Environment

Environment and Transportation

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**Natural Resources - Fish and Fisheries - Reporting Requirements**

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This bill modifies the manner in which persons engaged in the business of packing or dealing in any fish resource within the jurisdiction of the Department of Natural Resources (DNR), and persons licensed by DNR to catch the fish resource, must submit required reports to the department. Under the bill, the reports must be submitted in accordance with regulations adopted by DNR rather than on forms DNR prescribes/provides. The bill also requires persons licensed to fish recreationally (under an angler's license or a Chesapeake Bay and coastal sport fishing license) to submit any report DNR requires in accordance with DNR regulations. **The bill takes effect July 1, 2024.**

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**Fiscal Summary**

**State Effect:** None. The bill does not directly affect State finances, as discussed below.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Current Law:**

*Reporting Related to Packing, Dealing in, or Catching Any Fish Resource*

Every person engaged in the business of packing or dealing in any fish resource within DNR's jurisdiction must make any report DNR requires on forms the department

prescribes. In addition, every person DNR licenses to catch the fish resource must make any report DNR requires on forms the department provides.

### *Recreational Fishing Data Collection – Pilot Program and Task Force*

Under statute governing the Chesapeake Bay and coastal sport fishing license (which authorizes a license holder to fish recreationally in tidal waters), DNR is authorized to provide by regulation for the issuance of an annual special Chesapeake Bay and coastal sport fishing license (which DNR [calls](#) a “consolidated Chesapeake Bay and coastal sport boat license”). When the license, in the form of a decal, is permanently affixed to a boat (other than a boat hired to take persons fishing), it authorizes any person on the boat to fish under the license, provided the person registers with DNR.

Chapters 409 and 410 of 2022 established a Chesapeake Bay and Coastal Sport Fishing License Pilot Program in DNR. The purpose of the pilot program is to (1) collect contact information and demographic data of individuals fishing under a consolidated Chesapeake Bay and coastal sport boat license; (2) collect information regarding the number of trips taken and fish caught and released under a consolidated Chesapeake Bay and coastal sport boat license; and (3) improve compliance with a provision under the Chesapeake Bay and coastal sport fishing license statute that requires certain individuals authorized to fish without a license (including those fishing on a boat that has a consolidated Chesapeake Bay and coastal sport boat license affixed to it) to register with DNR. The department must track monthly costs associated with implementing the pilot program, and by December 1, 2023, and each December 1 thereafter for the duration of the program, report recommendations on expected funding needed to grow and establish the program as a permanent program, to the Governor and the General Assembly. The provisions of Chapters 409 and 410 that establish the pilot program terminate June 30, 2027.

Chapters 409 and 410 also created a Task Force on Recreational Fishing Data Collection and Licensing to study specified methods and information, and develop specified plans, related to improving recreational fishing data collection for fisheries management. The task force was required to report its [findings and recommendations](#) by December 1, 2022. The provisions of Chapters 409 and 410 that created the task force terminated June 30, 2023.

### *Fishery Management Plans – Conservation and Management Measures*

DNR is required by statute to prepare fishery management plans for various listed species and has specified authority to prepare plans for additional species. The plans contain a systematic description of a given fishery and the objectives and conservation and management measures for the fishery. Various requirements apply to both the plans and

the conservation and management measures in the plans. Regardless of other statutory provisions under State fisheries law, once a fishery management plan has been adopted by regulation, the fishery must be harvested in accordance with the conservation and management measures in the plan and any regulations implementing or amending that plan. “Fishery management” means the system used to conserve and allocate the fishery resource, including research and data collection, determination of objectives and management measures, and establishment, enforcement, and periodic evaluation of regulations. “Conservation and management measures” means one or more techniques through which objectives of a fishery management plan are achieved.

**State Fiscal Effect:** DNR indicates that the bill allows the department to (1) make existing commercial fishing electronic reporting used in pilot programs (conducted under fishery management plans, pursuant to authority in DNR [regulations](#)) available as an option to all licensees, at no additional cost, and (2) potentially establish mandatory recreational fishing reporting. The Department of Legislative Services notes, however, that DNR may already have, at least on a species-specific basis, authority to establish broad commercial and/or recreational licensee reporting requirements or options, in any format (electronic or otherwise), as conservation and management measures under fishery management plans. The department does not have immediate plans for any further expansion of electronic reporting (for commercial or recreational fishing), and any costs associated with future expansion of electronic reporting (*e.g.*, for development of a mobile application) will (1) depend on the manner in which it is expanded and (2) be accounted for when regulations are proposed.

Voluntary recreational fishing [reports/surveys](#) are currently available on DNR’s website.

**Small Business Effect:** DNR indicates that small businesses in the commercial fishing industry could benefit in the future if electronic reporting methods, implemented fishery-wide, improve reporting. Improved commercial fishing reporting, and potential mandatory recreational fishing reporting, would increase the data available to the department in managing sustainable harvest levels, potentially allowing for a greater amount of harvest. According to DNR, there is currently less than 60% commercial reporting compliance for most fisheries, and limited recreational harvest data, causing the department to have to be conservative in the measures it puts in place to manage harvest levels, since it does not know the full amount of harvest that is occurring. Of course, improved reporting could presumably also lead to greater restrictions on harvesting.

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### Additional Information

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

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

**Fiscal Note History:** First Reader - March 22, 2024  
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Analysis by: Scott D. Kennedy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510