

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE
Revised

House Bill 189 (Delegate Morhaim, *et al.*)

Environmental Matters

Economic and Environmental Affairs

Aquaculture Operations - Transgenic and Genetically Altered Species

This bill prohibits the Department of Natural Resources (DNR) from issuing an aquaculture permit for the raising of a “transgenic” species or a genetically altered species unless the permit limits the operation to waters of the State that do not flow into any other body of water, and the operation is constructed in a manner that assures that transgenic or genetically altered stocks are precluded from entering any other waters or contaminating other aquatic species of the State.

The bill sunsets on September 30, 2006.

Fiscal Summary

State Effect: The bill would not materially affect State operations or finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: “Transgenic” means an organism into which genetic material from another organism has been experimentally transferred, so that the host acquires the genetic traits of the transferred genes.

Current Law: A person may not engage in aquaculture unless the person has obtained a permit from DNR. DNR may not issue a permit for the raising of nonnative species,

including hybrids of striped bass, or nonnative stocks unless the permit limits the aquaculture operation to nontidal ponds, lakes, or impoundments, and the operation is constructed in a manner that assures that nonnative stocks are precluded from entering the tidal waters or contaminating the native species of the State. DNR must promulgate regulations that are necessary to ensure that aquaculture operations do not adversely impact wild stocks of fish.

Background: According to DNR, it receives approximately 10 to 20 permit applications annually for aquaculture operations. Approximately 175 active aquaculture permits are currently in effect.

Small Business Effect: The number of small businesses that would be affected by this bill is unknown. However, because DNR only receives approximately 10 to 20 aquaculture permit applications per year, and because DNR reports that it has not yet received an application for the raising of a transgenic or genetically altered species, any impact on small businesses wishing to obtain a permit for those purposes is not anticipated to be significant. The bill does not preclude a permit from being issued, but provides control measures that would have to be met before DNR would be able to issue such a permit.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader – February 12, 2001
jm/jr Revised – House Third Reader – March 20, 2001

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