

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

Revised

Senate Bill 29

(Senator Astle)

Education, Health, and Environmental Affairs

Environmental Matters

**Department of Natural Resources - Preparation of Fishery Management Plans -
Authority**

This bill authorizes the Department of Natural Resources (DNR) to prepare fishery management plans for any species of fish if, after consultation with the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission, such plans are determined to be necessary based on an assessment of the species' population, distribution, or habitat needs or other biological, ecological, or socioeconomic factors concerning the species. The bill also requires DNR to include specified information related to overfishing and sustainable harvesting in a fishery management plan if DNR determines that a fishery has been or is currently overfished; however, DNR may waive these requirements under specified conditions.

The bill takes effect July 1, 2010.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: DNR is required to prepare fishery management plans for a number of specified species, including blue crabs, yellow perch, herring, and oysters. A "fishery management plan" is a document or report that contains a systematic description of a

given fishery and the objectives and conservation and management measures for the fishery. Conservation and management measures adopted under a fishery management plan seek to prevent overfishing, while attempting to achieve the best and most efficient utilization of the State's fishery resources; must be based on the best information available; may not discriminate unfairly among groups of fishermen or have economic allocation as their sole purpose; must account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches; and must avoid duplication of regulatory efforts and unnecessary costs to the State and to any other person.

The Secretary of Natural Resources adopts fishery management plans and associated conservation and management measures by regulation. The State's fishery resources must be harvested in accordance with the conservation and management measures in the fishery management plan and any regulations implementing or amending the plan.

DNR is required to present an annual fishery management plan report to the Legislative Policy Committee; the Education, Health, and Environmental Affairs Committee; and the Environmental Matters Committee.

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. The Fisheries Service develops science-based strategic management plans for species of commercial, recreational, or ecological interest. Public stakeholder input regarding proposed management actions is developed through the use of interim commissions, task forces, and committees.

Both the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission were created in 1973. Under current regulations, the Tidal Fisheries Advisory Commission is charged with advising the Director of DNR's Fisheries Service on matters referred to the commission by the director. The Sport Fisheries Advisory Commission provides DNR with advice on recreational fisheries matters.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - January 12, 2010
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