

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1305 (Chair, Environmental Matters Committee)(By Request -
Departmental - Natural Resources)

Environmental Matters Education, Health, and Environmental Affairs

Department of Natural Resources - Authority to Establish Free Fishing Areas

This departmental bill authorizes the Department of Natural Resources (DNR) to adopt regulations establishing free recreational finfish fishing areas in tidal and nontidal waters of the State. A Chesapeake Bay and coastal sport fishing license, an angler's license, and a trout stamp are not required to fish in these areas; however, a person must register with DNR prior to fishing in free areas located in tidal waters.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances. Any potential decrease in DNR fishing license and stamp revenues is expected to be minimal.

Local Effect: The bill does not materially affect local finances or operations.

Small Business Effect: DNR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: Generally, a person must have (1) an angler's license to fish in nontidal waters of the State; (2) a trout stamp to fish in a catch-and-release trout management area or to possess trout while fishing in nontidal waters; and (3) a Chesapeake Bay and coastal sport fishing license or registration to fish for finfish in the Chesapeake Bay and its tributaries up to tidal boundaries or in State waters of the Atlantic Ocean and the Atlantic

coastal bays and tributaries. An annual angler's license costs \$20.50 for residents and \$30.50, or the fee charged by the nonresident's state for a similar license, for nonresidents; trout stamps cost \$5 for residents and \$10 for nonresidents; and annual Chesapeake Bay and coastal sport fishing licenses cost \$15 for residents and \$22.50 for nonresidents.

The Secretary of Natural Resources may adopt regulations that establish up to three free fishing days each calendar year during which individuals may catch finfish in tidal and nontidal waters of the State for recreational purposes without a license.

A person must register with DNR prior to fishing in any of the following areas that do not require a Chesapeake Bay and coastal sport fishing license: (1) a free fishing area with hook and line; (2) on private real property bordering on tidal water as an owner or tenant of the property, or a spouse or an immediate family member who resides on the property with the owner or tenant; and (3) on a boat with a specified license. There is no fee for this registration, but individuals must provide all information requested on DNR registration forms.

Background: While there are currently 22 designated free fishing areas adjacent to tidal waters throughout the State, DNR's authority to create these areas is not clear. DNR advises that the bill clarifies its authority to establish free fishing areas and expands the authority to include nontidal waters. In the future, DNR plans to create new free fishing areas within State parks and in family areas to encourage more people to try recreational fishing.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 15, 2012
mc/lgc

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Department of Natural Resources – Authority to Establish Free Fishing Areas

BILL NUMBER: HB 1305

PREPARED BY: Maryland Department of Natural Resources

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS