

**Department of Legislative Services**  
Maryland General Assembly  
2020 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

Senate Bill 114

(Chair, Education, Health, and Environmental Affairs  
Committee)(By Request - Departmental - Natural  
Resources)

Education, Health, and Environmental Affairs

Environment and Transportation

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**Natural Resources - Nuisance Organisms - Pilot Projects and Northern  
Snakeheads**

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This departmental bill (1) authorizes the Secretary of Natural Resources to adopt regulations to conduct pilot projects to demonstrate and evaluate new approaches for the management and control of nuisance organisms and (2) modifies the “commercial northern snakehead bowfishing license” by renaming it the “commercial northern snakehead license,” and authorizing the license holder to catch for sale northern snakeheads in the tidal waters of the State using either a bow and arrow attached to a retrieval line *or hook and line*.

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**Fiscal Summary**

**State Effect:** Federal fund revenues and expenditures may increase by corresponding, indeterminate amounts in future years (dependent on the specifics of any pilot projects conducted under the bill). Special fund revenues increase by a relatively minimal amount.

**Local Effect:** None.

**Small Business Effect:** The Department of Natural Resources (DNR) has determined that this bill has a meaningful impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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## Analysis

### Current Law:

#### *Adoption of Regulations Regarding Nonnative Aquatic Organisms*

The Secretary of Natural Resources is authorized to adopt regulations to:

- prohibit the importation, possession, or introduction into State waters of a nonnative aquatic organism in order to prevent an adverse impact on an aquatic ecosystem or the productivity of State waters; and
- manage the sale, transport, purchase, importation, possession, harvest, season, size limits, open area, catch devices, and introduction of nuisance organisms.

“Nuisance organism” is defined as a nonnative aquatic organism that will foreseeably alter and threaten to harm the ecosystem or the abundance and diversity of native or naturalized fish and other organisms.

#### *Commercial Northern Snakehead Bowfishing License*

The commercial northern snakehead bowfishing license authorizes the holder to catch for sale northern snakeheads in the tidal waters of the State using a bow and arrow attached to a retrieval line. An applicant for a license does not need to hold a tidal fish license (DNR’s traditional, limited entry commercial fishing license) to be eligible for the license. The annual license fee is \$15.

**Background:** DNR indicates that it currently uses pilot projects as an adaptive management tool under fishery management plans but does not have authority to create pilot programs to explore harvest methods for nuisance species control unless a fishery management plan for each species is written and adopted. According to DNR, pilot projects have proven to be effective as management tools and the department would like to use them to control aquatic nuisance species, particularly the northern snakehead and blue catfish.

The commercial northern snakehead bowfishing license was established in 2016 (Chapters 708 and 709), enabling the general public to use bow and arrow to commercially harvest northern snakeheads. DNR issued 23 licenses in the 2018-2019 license season. DNR indicates that, since 2016, northern snakeheads have rapidly colonized rivers with more turbid (less transparent) water, where it is difficult to use a bow and arrow to harvest them. Allowing for hook and line to be used under the renamed commercial northern

snakehead license is expected to provide further incentive for the general public to harvest northern snakeheads.

**State Fiscal Effect:** Federal fund revenues and expenditures may increase in future years to implement pilot projects conducted pursuant to the bill. DNR indicates that it will consider projects once the bill is adopted and does not know at this point what projects might be implemented and whether increased expenditures would be incurred to implement them. DNR is eligible for federal grant money for addressing aquatic nuisance species, which may be used for any increased expenditures for pilot projects.

Special fund revenues increase relatively minimally from the collection of additional license fees due to the commercial northern snakehead license being expanded to include hook and line fishing. As mentioned above, the annual fee is \$15 and there were 23 licensees in the 2018-2019 license season. DNR indicates that it is uncertain how many additional people might purchase a license as a result of the bill.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

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

**Fiscal Note History:** First Reader - January 16, 2020  
rh/lgc Third Reader - February 11, 2020

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Analysis by: Scott D. Kennedy

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

## ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Natural Resources - Aquatic Nuisance Organisms

BILL NUMBER: SB 114

PREPARED BY: Sarah Widman, Division Manager, Fishing and Boating Service

### 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

There were 23 bow and arrow snakehead licenses issued for the 2018-2019 season. By adding hook and line gear to this limited license, it would provide those individuals with great business flexibility. It would also potentially allow more commercial licensees to participate as hook-and-liners. The exact extent of the impact is unknown.

Similarly, the ability to create pilot projects for aquatic nuisance species control may also provide an indeterminable positive impact to the commercial industry if their harvest of species is increased from such programs.