

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 257

(Senators Bailey and Elfreth)

Education, Health, and Environmental Affairs

Environment and Transportation

Fishing Gear - Lost and Abandoned Crab Pots - Study

This bill requires the Tidal Fisheries Advisory Commission to (1) study the adverse impacts of lost and abandoned crab pots; (2) identify and assess practices and measures to mitigate the problems associated with lost and abandoned crab pots, as specified; and (3) make recommendations for addressing those problems. The commission must report its findings and recommendations to the Secretary of Natural Resources by December 31, 2020. **The bill takes effect June 1, 2020, and terminates June 30, 2021.**

Fiscal Summary

State Effect: None. The bill can be implemented with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires the commission to:

- study, using relevant literature, adverse impacts to fish species and aquatic habitat caused by lost and abandoned crab pots;
- identify and assess practices and measures that could be implemented or adopted to mitigate the problems associated with lost and abandoned crab pots, including (1) the feasibility and potential impacts of requiring all crab pots to be equipped with ghost panels; (2) costs associated with each mitigating practice and measure

considered by the commission; and (3) the optimal timing for implementing any mitigating practices or measures recommended by the commission; and

- make recommendations for addressing problems associated with lost and abandoned crab pots in the State.

Current Law/Background: The Department of Natural Resources (DNR) is authorized to adopt rules and regulations to, among other things, (1) establish the methods by which crabs are taken and (2) prohibit or restrict devices used to catch crabs. DNR also has authority to adopt regulations to establish conservation and management measures associated with its responsibility/authority to adopt fishery management plans for various species, including blue crabs.

As defined in DNR regulations, a “crab pot” is a cube-shaped or rectangular shaped device with openings toward the inside for the entrance of crabs. With the exception of certain crab pots constructed with unstretched mesh of specified measurements, crab pots set in the Chesapeake Bay or its tidal tributaries must have two “cull rings” – devices in a crab pot for the escapement of undersized crabs.

The Tidal Fisheries Advisory Commission is established in statute and consists of up to 14 commercial watermen, 1 member of the Sport Fisheries Advisory Commission, and 1 representative of the aquaculture industry in the State. Pursuant to DNR regulations, the commission has the duty of advising the Director of Fishing and Boating Services on all matters referred to the commission by the director.

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 27, 2020
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