

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1399

(Delegate Jacobs)

Environment and Transportation

Education, Health, and Environmental Affairs

Natural Resources - Commercial Fishing - Use of Haul Seines

This bill establishes an exception to the general prohibition against fishing with a haul seine during the period from 12:01 a.m. Saturday until sunrise on Monday in the tidal waters of the State. The bill authorizes a person, if a haul seine is set on a Friday, to empty that haul seine during the period from 12:01 a.m. on the following Saturday until sunrise on the following Monday. However, a person who does so must notify the Natural Resources Police (NRP) within the Department of Natural Resources (DNR) before 11:59 p.m. on Friday and provide NRP with (1) the location of the haul seine that will be emptied and (2) contact information for the tidal fish licensee that is responsible for the haul seine.

Fiscal Summary

State Effect: None. The bill does not directly affect State finances.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law: With certain exceptions, a person may not fish with a haul seine during the period from 12:01 a.m. Saturday until sunrise on Monday in the tidal waters of the State. Specified exceptions are established in (1) Baltimore and Harford counties, where, on prior notification to DNR, a person may catch carp during the period from 12:01 a.m. Saturday until sunrise on Monday, except in areas where it is prohibited by the department and (2) Kent County, where, on prior notification to DNR, a person may catch gizzard shad,

also known as mud shad, carp, or catfish, with a haul seine during the period from 12:01 a.m. Saturday until sunrise on Monday.

Background: DNR indicates that the prohibition on the use of a haul seine during the period from 12:01 a.m. Saturday until sunrise on Monday limits a commercial harvester's ability to use haul seines on a Friday, because they may not be able to empty the net before midnight, depending on how many fish are in the net. According to DNR, allowing a commercial harvester to continue to empty the net on the weekend will prevent them from being penalized if they catch a large number of fish in their haul seine on a Friday.

Small Business Effect: The bill may have a meaningful effect on small businesses by providing increased flexibility for commercial harvesters using haul seines. DNR indicates that over the last three years, 18 commercial licensees reported catching fish with a haul seine.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 510 (Senator Bailey, *et al.*) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 21, 2020
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