

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1134

(Delegate Carey)

Environment and Transportation

Education, Health, and Environmental Affairs

Natural Resources - Fishing and Hunting Rights

This bill states that the General Assembly finds that (1) hunting and fishing are valued parts of the State's cultural and social heritage that provide unique recreational benefits to State residents and (2) hunting and fishing play important parts in the State's economy and support the conservation, preservation, and management of the State's natural resources. The bill also expresses the General Assembly's intent that residents of the State have a right to hunt and fish subject to regulations and restrictions under State laws.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Department of Natural Resources' (DNR) Fishing and Boating Service is responsible for conservation management of the fish, fisheries, fish resources, and aquatic life within the State. DNR issues licenses for fishing in nontidal (fresh) waters, tidal (salt or brackish) waters, or both. DNR determines whether waters of the State are tidal or nontidal by regulation. Nontidal and tidal fishing licenses are further categorized as recreational (or sport) or commercial fishing licenses.

Chapter 217 of 2007 established (1) a finding of the General Assembly that robust fishing resources are critical to the economy of the State and vital to a treasured heritage and way of life and (2) the intent of the General Assembly that DNR manage fisheries under fishery

management plans to optimize the yield of fishery resources for the benefit of all citizens of the State.

DNR's Wildlife and Heritage Service is responsible for administering the State's hunting programs, laws, and regulations. These responsibilities include setting bag limits, establishing seasons, and managing the sale of hunting licenses, permits, and stamps. Land management divisions within DNR, such as the Maryland Park Service and the Maryland Forest Service, have certain authority over the access to hunting on public lands within their jurisdiction.

Additional Information

Prior Introductions: SB 86 of 2020 passed the Senate with amendments and received a hearing in the House Environment and Transportation Committee, but no further action was taken. SB 33 of 2010, a proposed constitutional amendment addressing the right to hunt, fish, and harvest wild game, received an unfavorable report from the Senate Education, Health, and Environmental Affairs Committee.

Designated Cross File: SB 318 (Senators Bailey and Simonaire) - Education, Health, and Environmental Affairs.

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

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