

**Department of Legislative Services**  
Maryland General Assembly  
2022 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 455

(Senator Bailey)

Education, Health, and Environmental Affairs

Environment and Transportation

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**Chesapeake Bay and Coastal Sport Fishing License and Recreational Fishing -  
Pilot Program and Task Force**

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This bill establishes a Chesapeake Bay and Coastal Sport Fishing License Pilot Program in the Department of Natural Resources (DNR) and a Task Force on Recreational Fishing Data Collection and Licensing. **The bill takes effect June 1, 2022. The provisions that establish the task force terminate June 30, 2023, and the provisions that establish the pilot program terminate June 30, 2027.**

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**Fiscal Summary**

**State Effect:** General fund expenditures may increase by at least approximately \$250,000 in FY 2023 and by indeterminate amounts in future years, through FY 2027, and special fund revenues may decrease annually from FY 2023 through 2027, as discussed below.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:**

*Chesapeake Bay and Coastal Sport Fishing License Pilot Program*

The bill establishes a Chesapeake Bay and Coastal Sport Fishing License Pilot Program in DNR. The purpose of the pilot program is to (1) collect contact information and demographic data of individuals fishing under a consolidated Chesapeake Bay and coastal

sport boat license; (2) collect information regarding the number of trips taken and fish caught and released under a consolidated Chesapeake Bay and coastal sport boat license; and (3) improve compliance with a provision that requires certain persons authorized to fish without a Chesapeake Bay and coastal sport fishing license (including those fishing on a boat that has a consolidated Chesapeake Bay and coastal sport boat license affixed to it) to register with DNR.

To maintain eligibility to purchase a consolidated Chesapeake Bay and coastal sport boat license, the holder of a license must provide DNR all information requested under the pilot program.

DNR must track monthly costs associated with implementing the pilot program, and by December 1, 2023, and each December 1 thereafter for the duration of the program, report recommendations on expected funding needed to grow and establish the program as a permanent program, to the Governor and the General Assembly.

DNR must adopt regulations to carry out the pilot program by January 1, 2023.

#### *Task Force on Recreational Fishing Data Collection and Licensing*

The bill creates a Task Force on Recreational Fishing Data Collection and Licensing to study specified methods and information, and develop specified plans, related to improving recreational fishing data collection for fisheries management. The task force is staffed by DNR and must report its findings and recommendations to the Governor and the General Assembly by December 1, 2022. Task force members may not receive compensation but are entitled to reimbursement for expenses.

#### **Current Law:**

##### *Department of Natural Resources Fisheries Management*

DNR's 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. Both nontidal and tidal fishing licenses are further categorized as recreational (or sport) or commercial fishing licenses.

##### *Chesapeake Bay and Coastal Sport Fishing License*

In general, a person who is 16 years of age or older is required to obtain a Chesapeake Bay and coastal sport fishing (recreational tidal) license before fishing for finfish in the tidal

waters of the State, including the Chesapeake Bay and its tributaries, the State waters of the Atlantic Ocean, and the Atlantic coastal bays. The annual license fee for a Maryland resident is \$15.00, while the fee for a resident seven-day short-term recreational tidal fishing license is \$6.00. The annual license fee for a nonresident is \$22.50, while the fee for a nonresident seven-day short-term recreational tidal fishing license is \$12.00. DNR collects these fees and deposits them into the Fisheries Research and Development Fund.

#### *Consolidated Chesapeake Bay and Coastal Sport Boat License*

Statute also authorizes DNR to provide by regulation for the issuance of an annual special Chesapeake Bay and coastal sport fishing license (which DNR calls a “consolidated Chesapeake Bay and coastal sport boat license”), which when permanently affixed to a boat (other than a boat hired to take persons fishing) authorizes any person on the boat to fish under the license, provided the person registers with DNR. The annual license fee is \$50.

#### *Registration Requirement*

A person must register with DNR if they fish on a boat that has a consolidated Chesapeake Bay and coastal sport boat license affixed to it (and are not the holder of the license). There is no fee for the registration. The registration requirement also applies to persons fishing under certain other exceptions to the requirement to hold a Chesapeake Bay and coastal sport fishing license – those fishing in a free fishing area established by the department or 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.

**State Expenditures:** General fund expenditures may increase by approximately \$250,000 in fiscal 2023 to develop a web-based reporting system to implement the pilot program, similar to DNR’s commercial fishing reporting system. However, DNR indicates that information may be able to be collected from recreational licensees using DNR’s existing COMPASS licensing system, which could be accomplished with existing resources, but would not provide the same information-gathering capability as a system designed specifically for reporting.

General fund expenditures may also increase, beginning in fiscal 2023, for efforts under the pilot program to improve registration compliance. In DNR’s report submitted to the General Assembly in 2021, in response to Chapter 587 of 2020, it mentioned that an education campaign – regarding who needs to get a free registration and why it is important – could help improve compliance (pgs. 5 and 26 of the report). DNR has indicated that there may be costs associated with efforts to improve registration compliance but has not provided an estimate of those costs.

Any expense reimbursements for task force members or costs associated with staffing the task force are assumed to be minimal and absorbable within existing budgeted resources.

**State Revenues:** Special fund revenues may decrease annually from fiscal 2023 through 2027 to the extent licensees do not comply with the bill's requirement that they provide DNR all information requested under the pilot program in order to maintain eligibility to purchase a consolidated Chesapeake Bay and coastal sport boat license. *For illustrative purposes*, based on 2020 consolidated Chesapeake Bay and coastal sport boat license sales, a 5% reduction in license sales results in an annual special fund revenue decrease of approximately \$120,000.

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## **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 601 (Delegate Jacobs, *et al.*) - Environment and Transportation.

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

**Fiscal Note History:** First Reader - February 15, 2022

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Analysis by: Scott D. Kennedy

Direct Inquiries to:

(410) 946-5510

(301) 970-5510