

**Department of Legislative Services**  
Maryland General Assembly  
2023 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Joint Resolution 2 (Senator Bailey)  
Education, Energy, and the Environment

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**Atlantic States Marine Fisheries Commission - Atlantic Menhaden - Prohibition  
on Commercial Reduction Fishing**

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This joint resolution, in order to maintain a sustainable Atlantic menhaden fishery, requests that the Atlantic States Marine Fisheries Commission (ASMFC) consider prohibiting the commercial reduction fishing of Atlantic menhaden, including the use of purse seines and spotter planes, in the Chesapeake Bay.

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**Fiscal Summary**

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

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:**

*Atlantic States Marine Fisheries Commission*

Maryland is a member of the Atlantic States Marine Fisheries Compact, which is enacted in State statute. The purpose of the compact is to promote the better utilization of the fisheries – marine, shell, and anadromous – of the Atlantic seaboard by (1) the development of a joint program for the promotion and protection of the fishing industry and (2) the prevention of the physical waste of the fisheries from any cause. The compact established ASMFC and gives the commission the power to recommend the coordination of the

exercise of the police powers of the several states within their respective jurisdictions to (1) promote the preservation of those fisheries and their protection against overfishing, waste, depletion, or any abuse whatsoever and (2) assure a continuing yield from the fisheries resources of the member states.

States are responsible for implementing and enforcing, consistent with state management regimes, the measures contained in ASMFC coastal fishery management plans. If ASMFC determines that a particular state is not in compliance with the strategies of an adopted plan, ASMFC may petition the National Oceanic and Atmospheric Administration to impose a fishing moratorium until compliance is achieved.

#### *Purse Net Prohibition in Maryland*

State law prohibits a person from catching finfish for any purpose in the tidal waters of the State by use of a purse net.

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### **Additional Information**

**Prior Introductions:** Similar legislation has been introduced within the last three years. See SJ 6 of 2022; and SJ 6 and HJ 4 of 2021.

**Designated Cross File:** None.

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

**Fiscal Note History:** First Reader - March 6, 2023  
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