

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Department of Natural Resources**
(DLS Control No. 14-094)

Overview and Legal and Fiscal Impact

These regulations establish open seasons and bag limits for game birds and animals for the 2014-2015 and 2015-2016 hunting seasons.

The regulations present no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Department of Natural Resources:

Wildlife: Open Seasons, Bag Limits for Game Birds and Game Animals:
COMAR 08.03.03.03, .04, .05, .07, and .08

Legal Analysis

Background

Every two years the Department of Natural Resources sets by regulation open seasons and bag limits for game birds and animals for the next two license years.

Summary of Regulations

The regulations repeal current regulations governing the 2012-2013 and 2013-2014 hunting seasons and adopt new regulations to govern the 2014-2015 and 2015-2016 hunting seasons. The new regulations differ from the current regulations by (1) establishing a four-day black bear hunting season, absent a harvest threshold that would trigger closure of the season; (2) establishing a new winter three-day wild turkey season; (3) extending the trapping season for coyotes, fishers, long-tailed weasels, and skunks (for consistency with the seasons for other furbearers); (4) opening the beaver and otter seasons two weeks earlier in Allegany and Garrett counties to avoid potential ice cover on waterways; (5) extending the trapping season for foxes by two weeks in most counties; (6) repealing a limitation on nutria trapping on certain land owned by the department; (7) limiting to two the number of certain young antlered deer that a person may take per license year; (8) reducing the annual bag limit for antlerless deer in the Western Maryland Management Region from three to two antlerless deer; and (9) increasing the bag limit for sika deer from two to three sika deer per weapons season. The remainder of the open seasons and bag limits established by the regulations are substantially the same as those set for the previous two license years.

Statutory Authority and Legislative Intent

The department cites §§ 10-205, 10-405, and 10-406 of the Natural Resources Article as authority for the regulations. In particular, § 10-205 of that article generally authorizes the department to adopt regulations governing the hunting and possession of wildlife, including bag limits, and § 10-405 of that article requires the department to establish open seasons to hunt game birds and mammals. This authority is correct and complete. The regulations comply with legislative intent.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulations have no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulations have a meaningful economic impact on small businesses by allowing for the continuation of hunting for the next two seasons, resulting in continued expenditures by hunters for equipment and travel. The Department of Legislative Services disagrees. When evaluated relative to prior hunting seasons, the seasons and limits established by these regulations are not expected to significantly change the economic impact of hunting on small businesses in the State.

Contact Information

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