

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
Department of Natural Resources  
(DLS Control No. 14-239)**

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**Overview and Legal and Fiscal Impact**

This regulation implements Chapters 506 and 507 of 2014 by expanding Sunday hunting in Allegany, Frederick, Garrett, and Washington counties.

The regulation presents no legal issue of concern.

There is no fiscal impact on State or local agencies.

**Regulation of COMAR Affected**

**Department of Natural Resources:**

Wildlife: Open Seasons, Bag Limits for Game Birds and Game Animals:  
COMAR 08.03.03.01

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**Legal Analysis**

**Background**

Chapter 506 of 2014 expanded Sunday hunting in Allegany, Garrett, and Washington counties by authorizing the Department of Natural Resources to allow Sunday hunting on private property and designated public land for *any game bird or mammal* (except specified waterfowl) during open season. Likewise, Chapter 507 of 2014 expanded Sunday hunting in Frederick County by authorizing the department to allow Sunday hunting on private property and designated public land for *deer* from the first Sunday in October through the second Sunday in January of the following year, inclusive.

The committee should note that the department submitted an identical set of emergency regulations to the committee on July 31, 2014 (DLS Control No. 14-217). The committee may approve this request for emergency status at a future hearing.

**Summary of Regulation**

The regulation authorizes Sunday deer hunting on private property or designated public land in Allegany, Frederick, Garrett, and Washington counties (1) during the bow season on the last three Sundays in October and the first two Sundays in November; (2) during the muzzleloader season on all Sundays in December and January (the muzzleloader season generally ends in the first week of January); and (3) on all Sundays during the firearms season (the firearms season generally ends on the second Sunday in January). The regulation likewise

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authorizes Sunday hunting for game birds and mammals (not including deer or specified waterfowl) on private property or designated public land in Allegany, Garrett, and Washington counties during open season. The regulation also authorizes participation in the Sunday Junior Deer Hunt on designated public land in Allegany, Frederick, Garrett, and Washington counties. Finally, the regulation designates public land open for Sunday hunting in Allegany, Garrett, and Washington counties.

### **Statutory Authority and Legislative Intent**

The department cites §§ 10-205 and 10-410 of the Natural Resources Article as authority for the regulation. Section 10-205 of that article grants the department broad general authority to regulate hunting in the State, while § 10-410, as amended by Chapters 506 and 507 of 2014, authorizes the department to allow the above-described expanded Sunday hunting on private and designated public land in Allegany, Frederick, Garrett, and Washington counties. This authority is correct and complete. The regulation complies 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 regulation has no material impact on State or local governments. The Department of Legislative Services generally concurs, noting that the regulation should have no impact at all. The regulation implements Chapters 506 and 507 of 2014. The fiscal and policy notes for SB 472 and SB 473 of 2014 (enacted as Chapters 506 and 507) indicated that the bills were not expected to materially affect State or local operations or finances. This regulation should have no independent fiscal impact.

### **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 regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

### **Contact Information**

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