

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources
(DLS Control No. 15-080)**

Overview and Legal and Fiscal Impact

This regulation exempts junior hunters from a prohibition against harvesting, during a license year, more than two antlered deer that have antlers with less than three antler points one inch or longer on each antler.

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 08.03.03.07

Legal Analysis

Background

Under Maryland law, the Department of Natural Resources is responsible for establishing open seasons and bag limits for game birds and animals. For white-tailed deer, the bag limits vary based on (1) whether the deer have antlers; (2) the weapon season (bow, muzzleloader, or firearms); and (3) the hunting location. In addition, beginning with the 2014-2015 hunting season, the department instituted an antler point restriction that prohibits a hunter from harvesting, within one license year, more than two antlered deer that have antlers with less than three antler points one inch or longer on each antler.

Summary of Regulation

The regulation exempts a hunter who possesses, or is eligible to possess, a resident or nonresident junior hunting license from the prohibition against harvesting, during a license year, more than two antlered deer that have antlers with less than three antler points one inch or longer on each antler.

Legal Issue

The regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The department cites §§ 10-205, 10-405, and 10-406 of the Natural Resources Article as legal authority for the regulation. More specifically, § 10-205 grants the department broad authority to adopt regulations to enlarge, extend, restrict, or prohibit hunting wildlife in the State.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

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 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 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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