

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
Department of Natural Resources  
(DLS Control No. 15-083)**

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**Overview and Legal and Fiscal Impact**

The regulation eliminates the requirement that the Department of Natural Resources offer training sessions on the safe and appropriate use of rifles for the purpose of controlling the deer population.

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: Wildlife Possession: COMAR 08.03.09.11

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**Legal Analysis**

**Background**

During the 2014 legislative session, the General Assembly enacted Chapter 574, which required the department to establish a three-year program to train rifle shooters to hunt deer for the purpose of controlling the deer population in Charles and St. Mary's counties. The bill also added a deer hunting season specific to Charles and St. Mary's counties and allowed additional hunting of deer in those counties with a shotgun under a "deer management permit." The department adopted regulations in December 2014 (41:25 Md. R. 1478) to incorporate the requirements of Chapter 574. However, during the 2015 legislative session, the General Assembly enacted Chapter 147, which repeals several provisions of Chapter 574, including the requirement that the department establish a three-year program to train rifle shooters who hold a deer management permit to hunt deer to control the deer population in Charles and St. Mary's counties.

**Summary of Regulation**

The regulation eliminates the requirement that the department offer training sessions on the safe and appropriate use of rifles for the purpose of controlling the deer population. This is consistent with the provisions of Chapter 147 of 2015.

## **Legal Issue**

The regulation presents no legal issue of concern.

## **Statutory Authority and Legislative Intent**

The department cites § 10-408 of the Natural Resources Article as authority for the regulation. Section 10-408(b)(1) requires the department to “prescribe by regulation the means or weapons for hunting designated wildlife” and “set forth any restrictions related to weapons used to hunt designated wildlife.” Further, the regulation is consistent with Chapter 147 of 2015, which repeals § 10-408.2 of the Natural Resources Article. Section 10-408.2 required the department to establish the rifle safety training sessions previously described.

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 and notes that the regulation implements, in part, Chapter 147 of 2015 (Senate Bill 68). The fiscal and policy note for Senate Bill 68 indicates that the bill does not materially impact State finances.

## **Impact on Budget**

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

## **Agency Estimate of Projected Small Business Impact**

The department indicates that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs. The fiscal and policy note for Senate Bill 68 indicates that the bill has minimal impact on small businesses overall in the State.

## **Contact Information**

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