

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Department of Natural Resources**
(DLS Control No. 16-066)

Overview and Legal and Fiscal Impact

The regulations define the terms “Department” as “the Department of Natural Resources – Forest Service” and “Secretary” as “the Secretary of the Department of Natural Resources” for application to various forest management programs.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Department of Natural Resources:

Forest and Parks: Forest Management Programs: COMAR 08.07.03.01-.04

Legal Analysis

Summary of Regulations

The regulations define the terms “Department” as “the Department of Natural Resources – Forest Service” and “Secretary” as “the Secretary of the Department of Natural Resources” as they apply to the Maryland Forest Tree Nursery, the Forest Conservation and Management Program, and the reforestation or timber stand improvement income tax subtraction modification. The regulations also make corresponding conforming changes.

Legal Issue

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The department cites §§ 5-209(a), 5-210, 5-219, and 5-410 of the Natural Resources Article and § 8-211(p) of the Tax-Property Article as statutory authority for the regulations. Section 5-209(a) of the Natural Resources Article establishes the general authority of the department to regulate and protect trees in the State and preserve the natural beauty within State forests and other land under its control. The remaining provisions of law cited authorize or establish the various forest management programs governed under the regulations.

This authority is correct and complete. The regulations comply 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 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 minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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