

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources
(DLS Control No. 16-070)**

Overview and Legal and Fiscal Impact

This regulation adds striped skunks and fishers to the species of wildlife an individual may hunt while using recorded or electrically amplified bird or animal calls or sounds.

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: General Wildlife Hunting Regulations: COMAR 08.03.10.02

Legal Analysis

Background

The Department of Natural Resources regulates hunting and trapping of furbearers, including skunks and fishers, to ensure the viability and ecological integrity of native populations, while promoting sustainable and compatible uses of the resource. Among other things, existing regulations exempt individuals who are hunting foxes, coyote, raccoon, opossum, or crows from the general prohibition against hunting game birds or mammals with the aid of recorded or electrically amplified bird or animal calls or sounds.

Summary of Regulation

This regulation adds striped skunks and fishers to the list of species that are exempted from the general prohibition against hunting game birds or mammals with the aid or possession of recorded bird or animal calls or sounds, recorded or electrically amplified imitations of bird or animal calls or sounds, or any electronic device by which bird or animal calls are conveyed or amplified.

Legal Issues

The regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The department cites § 10-205 of the Natural Resources Article as statutory authority for the regulation. Section 10-205 grants the Secretary of Natural Resources broad authority to adopt regulations to enlarge, extend, restrict, or prohibit hunting, possessing, selling, purchasing, shipping, carrying, transporting, or exporting wildlife, with due regard given for the distribution, abundance, economic value, and breeding habits of wildlife.

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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