

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	05/20/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 6/24/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

08 02 01 13

3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator Telephone Number
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Title 08
DEPARTMENT OF NATURAL RESOURCES
Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-212, Annotated Code of Maryland

Notice of Proposed Action

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The Secretary of Natural Resources proposes to adopt new Regulation .13 under COMAR 08.02.01 General.

Statement of Purpose

The purpose of this action is to adopt new regulations for scientific collection permits. Natural Resources Article, §4-212, Annotated Code of Maryland was amended during the 2016 legislative session to clarify and make the section more consistent with the scientific collection section in the wildlife title of the Natural Resources Article. Some permits are issued jointly to permittees and having the statutes more aligned and consistent makes the process easier for both the Department and the permittee.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

The proposed action has an economic impact on the Department and on scientific collection permit applicants.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Permit Fee	(R-)	\$585 per year
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	

- D. On regulated industries or trade groups:
Permit Fee (+) \$15 per applicant
- E. On other industries or trade groups: NONE
- F. Direct and indirect effects on public: NONE

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The Department received an average of \$2,125 per year from scientific collection application fees over the last 5 years. Reducing the application fee to be the same as Wildlife will reduce revenue by approximately \$585 per year.

D. The scientific collection permit application fee was reduced from \$25 to \$10 to be the same as Wildlife; therefore, saving each permit applicant \$15.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Scientific Collection Permit Regulations, Regulatory Staff, Department of Natural Resources, Fisheries Service B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2017
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
Yes
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
Special - Fisheries Research and Development Fund
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

The fee of \$10 per year for a scientific collection permit is not a significant fee for a business. The fee has been lowered by \$15 per year.

G. Small Business Worksheet:

Attached Document:

Regulation .13 Scientific Collection Permits

A. In accordance with Natural Resources Article, §4-212, Annotated Code of Maryland, a person shall obtain a scientific collection permit prior to collecting fish, fish eggs, shellfish, or aquatic invertebrates from the wild for scientific or educational purposes.

B. Application.

(1) A person shall apply for a scientific collection permit on a form provided by the Department.

(2) A person shall apply at least 45 days prior to when the activity is requested to begin.

C. The fee for a scientific collection permit is \$10 and shall be submitted with the application.

D. A permittee shall:

(1) Comply with all of the terms and conditions described on the permit; and

(2) Report to the Department as specified by their permit.

E. Denial or Revocation of a Scientific Collection Permit.

(1) In addition to any other penalty, failure to comply with the terms and conditions of the permit may result in the revocation of the current permit or the denial of a subsequent permit.

(2) Prior to denying an application for a permit or revoking a current permit, the Department shall give the permittee notice of its intended action and an opportunity to appear at a hearing conducted in accordance with the contested case procedures set forth in State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland, and COMAR 08.01.04.

MARK J. BELTON
Secretary of Natural Resources