

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources
(DLS Control No. 16-141)**

Overview and Legal and Fiscal Impact

The regulations raise the eligible age of an individual participating in a junior hunting day to hunt waterfowl from 15 years old or younger to 16 years old or younger.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Department of Natural Resources:

Wildlife: General: COMAR 08.03.01.01

Legal Analysis

Background

On March 28, 2016, the U.S. Fish and Wildlife Service published in the *Federal Register* their final frameworks for migratory bird hunting regulations, which included a change in the eligible age of a youth hunter to participate in special youth waterfowl hunting days from 15 years old or younger to 16 years old or younger.

Summary of Regulation

The regulation raises the eligible age of an individual participating in a junior hunting day to hunt waterfowl from 15 years old or younger to 16 years old or younger, to be consistent with federal regulations.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The Department of Natural Resources cites §§ 10-405 and 10-407 of the Natural Resources Article as statutory authority for the regulation. Specifically, § 10-407(b) requires the department

to annually establish and publish the open season for wetland game birds, including wild waterfowl, “in conformity with the federal migratory bird rules and regulations adopted annually by the Secretary of the Interior of the United States.”

The remaining cited authority is not relevant to this regulation.

The relevant cited 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 notes that the regulation may result in a minimal increase in the purchase of food and gas by a few more junior hunters. The Department of Legislative Services concurs.

Contact Information

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