

MARYLAND REGISTER

Proposed Action on Regulations

Comparison to Federal Standards Submission and Response

Name: Lisa A Eutsler
Agency: Department of Natural Resources
Address: Tawes State Office Building, 580 Taylor Avenue, C-4
State: MD
Zip: 21401
Phone: 410-260-8107
Email: lisa.eutsler@maryland.gov

In accordance with Executive Order 01.01.1996.03 and memo dated July 26, 1996, the attached document is submitted to the Department of Business and Economic Development for review.

The Proposed Action is not more restrictive or stringent than corresponding federal standards.

COMAR Codification: 08.03.01.01

Corresponding Federal Standard:

50 CFR Part 20

Discussion/Justification:

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 the special youth waterfowl hunting days. They changed the age to under 17 years old. We propose to change State regulation to conform to this federal change for youth waterfowl hunting days.

TO BE COMPLETED BY DBED

- Agree

-Disagree

Comments:

Commerce does not have the necessary expertise in this area. Commerce feels that the Department of Natural Resources does have the necessary expertise and therefore Commerce trusts their assertion that the proposal is not more restrictive/stringent than corresponding federal standards.

Name: Jennifer Cox

Date: 6/30/2016

-Submit to Governor's Office

Governor's Office Response

Comments:

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	06/30/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 8/5/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

08 03 01 01

3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator

Lisa A Eutsler

Telephone Number

410-260-8107

Mailing Address

Tawes State Office Building, 580 Taylor Avenue, C-4

City State Zip Code

Annapolis MD 21401

Email

lisa.eutsler@maryland.gov

5. Name of Person to Call About this Document

Glenn D. Therres

Telephone No.

410-260-8572

Email Address

glenn.therres@maryland.gov

6. Check applicable items:

New Regulations

X- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: 06/06/2016.

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R

(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes **X-** No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Shara Mervis Alpert, Assistant Attorney General, (telephone #410-260-8358) on June 15, 2016. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Mark J. Belton

Title

Secretary

Telephone No.

410-260-8100

Date

July 1, 2016

Title 08
DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

08.03.01 General

Authority: Natural Resources Article, §§10-405 and 10-407, Annotated Code of Maryland

Notice of Proposed Action

[]

The Secretary of Natural Resources proposes to amend Regulation .01 under COMAR 08.03.01 General.

Statement of Purpose

The purpose of this action is to conform to changes made by the U.S. Fish and Wildlife Service for the age at which a youth hunter may hunt waterfowl during the junior waterfowl hunting days. The U.S. Fish and Wildlife Service recently increased the maximum age allowed for hunters participating in junior waterfowl hunting days to 16 years old or younger. The previous eligibility was for junior hunters 15 years old or younger.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

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 Peter Jayne, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, P.O. Box 68, Wye Mills, MD 21679, or call 410-827-8612, or email to peter.jayne@maryland.gov, or fax to 410-827-5186. Comments will be accepted through September 6, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 17

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 (Wildlife Management and Protection 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:
Implementation of this regulation will not result in any operational or fiscal changes for the Department of Natural Resources.

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

There may be a minimal increase in the purchase of food and gas by a few more junior hunters as a result of the change.

G. Small Business Worksheet:

Attached Document:

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

.01 General

Authority: Natural Resources Article, §§10-405 and 10-407, Annotated Code of Maryland

.01 Definitions.

A. In this subtitle, the following terms have the meanings indicated.

B. Terms Defined.

(1) – (20) (text unchanged)

(21) "Junior hunting day" means a day set aside only for individuals[:

(a)] 16 years old or younger to hunt deer [and] , wild turkeys[;] , and *waterfowl*.

[(b) 15 years old or younger to hunt waterfowl.]

(22) – (41) (text unchanged)

