

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources
(DLS Control No. 20-050)**

Overview and Legal and Fiscal Impact

The regulation repeals the requirement that hunters retain specified proof of species and sex for pheasants after harvest.

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: Upland Game Birds and Mammals: COMAR 08.03.05.03

Legal Analysis

Background

Current regulation requires hunters to retain specified proof of the sex and species of pheasants harvested. However, according to the Department of Natural Resources, the department allows the harvest of both male and female pheasants during the open pheasant season. Further, there is only one species of wild pheasant in Maryland. Therefore there is no need to require hunters to retain proof of the sex and species of pheasants harvested.

Summary of Regulation

The regulation repeals the general requirement that, while being transported from the place where they are killed and until they have arrived at the place of final disposition, the head, head plumage, and feet remain attached to all pheasants in such a manner as to permit identification of the species and sex.

Legal Issues

The regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The department cites § 10-205 of the Natural Resource Article as statutory authority for the regulation. This section grants the department broad authority to adopt regulations governing the hunting, possessing, selling, purchasing, shipping, carrying, transporting or exporting 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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