

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

Senate Bill 474 (Senators Colburn and Stoltzfus)  
Education, Health, and Environmental Affairs

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**Secretary of Natural Resources - Consideration of Information and Economic Impact**

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This bill requires the Secretary of Natural Resources, in the formulation of a legislative or regulatory proposal, a budgetary or administrative decision, or any policy related to the conservation, management, or sustainability of the natural resources of the State, to consider the best scientific, economic, biological, and sociological information available, and to consider the economic impact of the proposal, decision, or policy.

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**Fiscal Summary**

**State Effect:** Potential significant increase in general/special/federal fund expenditures for the Department of Natural Resources (DNR). No direct effect on revenues.

**Local Effect:** The bill would not directly affect local operations or finances.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Current Law:** The Secretary of Natural Resources is responsible for the development of coordinated policies regarding the use of the State's natural resources. The Secretary is required to study and evaluate any plan, program, or activity and recommend any legislative, budgetary, or administrative changes to provide more effective administration, clarify responsibilities, terminate obsolete programs, establish desirable programs, or alter or amend programs to meet changed or changing conditions.

**Background:** Virginia law includes provisions requiring the Virginia Marine Resources Commission (VMRC) to consider the economic impact of proposed regulatory and legislative changes in the preparation of the blue crab fishery management plan. Further, Virginia law requires VMRC to base fishery management plans and conservation and management measures on the best scientific, economic, biological, and sociological information available. This bill was based on those provisions of Virginia law.

**State Expenditures:** The extent to which this bill will require additional expenditures depends largely on the interpretation of the word “consider.” If DNR interprets the bill to mean that it merely needs to keep these types of impacts in mind when making decisions, the bill could be handled with existing resources. However, if DNR interprets the bill to mean that it needs to thoroughly research and analyze these impacts, DNR expenditures could increase significantly. While existing staff perform some of these functions for proposed legislation and regulations, DNR has no staff assigned to this type of work for every budget, administrative, and policy decision. In addition, there is currently no staff in place to collect, assess, and apply sociological information. Accordingly, DNR would likely have to hire new staff or outside contractors.

**Small Business Effect:** To the extent the bill’s changes have a significant impact on the laws, regulations, decisions, or policies administered by DNR, small businesses affected by those laws, regulations, decisions, and policies could be positively or negatively affected. Because proposals that would be made in the absence of the bill cannot be predicted, the bill’s impact cannot be reliably estimated at this time.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Natural Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - February 13, 2003  
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Analysis by: Lesley Frymier

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510