
By: **Senator Colburn**

Introduced and read first time: February 6, 2004

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Secretary of Natural Resources - Consideration of Information and**
3 **Research**

4 FOR the purpose of requiring the Secretary of Natural Resources to consider certain
5 information and research in the formulation of certain legislation or certain
6 regulatory proposals.

7 BY repealing and reenacting, with amendments,
8 Article - Natural Resources
9 Section 1-104(a) and (g)
10 Annotated Code of Maryland
11 (2000 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Natural Resources**

15 1-104.

16 (a) (1) The Secretary is responsible for the development of coordinated
17 policies for the preservation, conservation, enhancement, wise use, and perpetuation
18 of the natural resources of the State. He is responsible for the efficient coordination of
19 all the natural resources activities of the State including the settlement of conflicts
20 that may arise among units within the Department of Natural Resources. In the
21 discharge of his responsibility the Secretary shall:

22 [(1)] (I) Provide a forum of communication among natural resources
23 units and a source of information for the Governor and General Assembly as to the
24 preservation, conservation, development, and use of all the State's natural resources;

25 [(2)] (II) [Study] SUBJECT TO THE REQUIREMENT UNDER PARAGRAPH
26 (2) OF THIS SUBSECTION, STUDY and evaluate any plan, program, or activity or any
27 combination of plans, programs, or activities within one or more of the units of the
28 Department, and recommend any legislative, budgetary, or administrative changes to

1 provide more effective administration, clarify responsibilities, terminate obsolete
2 programs, establish desirable programs, or alter or amend programs to meet changed
3 or changing conditions;

4 [(3)] (III) Review federal statutes, policies, programs, and activities which
5 affect or may affect natural resources in the State and recommend to federal, State,
6 and local agencies and institutions procedures for the coordination of these programs;

7 [(4)] (IV) Study the natural resources activities of the subdivisions of the
8 State and recommend procedures for coordination of the natural resources activities
9 of the State and its subdivisions;

10 [(5)] (V) Maintain a catalog classified by use, of public land acquired or
11 used in the preservation, conservation, development, management, or enjoyment of
12 the natural resources; review and approve all plans and proposals of the units of the
13 Department for the acquisition of additional land for such purposes, taking into
14 account public land owned and managed for identical or similar purposes by federal
15 agencies and by counties, municipalities, and other political subdivisions of the State;

16 [(6)] (VI) Establish and maintain, for the use of the Department, a
17 natural resources library, cataloged according to a recognized library system and
18 containing legal, scientific, and administrative reports, books, documents,
19 photographs, records, and other information on the natural resources and natural
20 resources administration; and

21 [(7)] (VII) Provide technical assistance to other State units, counties,
22 municipalities, corporations, organizations, groups, and individuals in planning,
23 organizing, and conducting leisure activities and recreation programs.

24 (2) IN THE FORMULATION OF DEPARTMENT-INITIATED LEGISLATION
25 OR REGULATORY PROPOSALS, THE SECRETARY SHALL CONSIDER THE BEST
26 SCIENTIFIC, ECONOMIC, AND BIOLOGICAL INFORMATION AND RESEARCH
27 AVAILABLE.

28 (g) [The] SUBJECT TO THE REQUIREMENT UNDER SUBSECTION (A)(2) OF
29 THIS SECTION, THE Secretary is responsible for promulgating rules and regulations
30 for the Department. He shall review and have the power to approve, disapprove,
31 issue, or revise the rules and regulations of every unit of the Department.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2004.