

Department of Legislative Services
 Maryland General Assembly
 2018 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1338 (Delegate Anderton, *et al.*)
 Environment and Transportation

Natural Resources - Hunting - Sundays

This bill repeals the general prohibition against a person hunting any game bird or mammal on Sundays, and authorizes the Department of Natural Resources (DNR) to allow a person to hunt on Sunday on private property or on public land designated by DNR, subject to specified restrictions. Generally, DNR may only allow a person to hunt deer on any additional Sunday in a county from 30 minutes before sunrise until 10:30 a.m. However, DNR may allow a person to hunt deer on any additional Sunday in a county from 30 minutes before sunrise until 30 minutes after sunset on (1) three Sundays in deer firearms season; (2) two Sundays in deer muzzleloader season; and (3) all Sundays in bow hunting season. DNR must adopt implementing regulations by October 1, 2018. **The bill takes effect June 1, 2018.**

Fiscal Summary

State Effect: Special fund revenues increase by \$35,600 annually beginning in FY 2019 from the sale of additional nonresident three-day waterfowl and small game licenses. Expenditures are not materially affected.

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
SF Revenue	\$35,600	\$35,600	\$35,600	\$35,600	\$35,600
Expenditure	0	0	0	0	0
Net Effect	\$35,600	\$35,600	\$35,600	\$35,600	\$35,600

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill is not expected to materially affect local operations or finances.

Small Business Effect: Meaningful.

Analysis

Current Law: Hunting game birds or mammals on Sundays is generally prohibited, with specified exceptions.

Deer on Private Property

In Calvert, Caroline, Carroll, Charles, Dorchester, Harford, Queen Anne's, St. Mary's, Somerset, Talbot, Wicomico, and Worcester counties, a person may hunt deer on private property with a bow and arrow or crossbow during open season on the last three Sundays in October and the second Sunday in November.

In Calvert, Caroline, Charles, Harford, Queen Anne's, St. Mary's, Somerset, and Worcester counties, a person may hunt deer on private property on the first Sunday of the bow hunting season in November and each Sunday in the deer firearms season. In addition, DNR may allow deer hunting on private property statewide (with the exception of Baltimore City and Baltimore, Howard, Kent, Montgomery, and Prince George's counties) on the first Sunday of the bow hunting season in November, and the first Sunday of the deer firearms season.

In Carroll County, DNR may authorize deer hunting on Sundays on private property from the first Sunday in October through the second Sunday in January of the following year.

In Montgomery County, DNR may allow a person to hunt deer on a Sunday throughout the deer hunting season on private property. DNR may only allow such hunting from 30 minutes before sunrise until 10:30 a.m., subject to specified exceptions. The time restrictions do not apply (1) to a participant in the junior deer hunt; (2) on private land only on one Sunday designated by DNR during deer bow hunting season; and (3) on private land only on one Sunday designated by DNR during the firearms season.

In Kent County, DNR may allow a person to hunt deer on a Sunday on private property throughout all deer hunting seasons. However, DNR may only allow a person to hunt deer during firearms season from 30 minutes before sunrise until 10:30 a.m., subject to specified exceptions. The time restrictions do not apply (1) to a participant in the junior deer hunt and (2) on private land only on one Sunday designated by DNR during the firearms season.

Deer Management Permits

Chapter 460 of 2017 clarified statutory provisions related to deer management permits and explicitly authorized deer management permittees and their agents to hunt on any Sunday throughout the year. Deer management permits can be issued for both private and State-leased agricultural land throughout the State.

Game Birds and Mammals on Private Property and Public Land

DNR may allow hunting on Sundays in Allegany, Garrett, and Washington counties for any game bird or mammal, except migratory and wetland game birds, during the open season for these animals on specified private property and public land designated for Sunday hunting by DNR. Additionally, DNR is authorized to allow Sunday deer hunting in Frederick County from the first Sunday in October through the second Sunday in January of the following year on specified private property and public land designated for Sunday hunting by DNR.

In addition, the following persons may hunt game birds and mammals on Sundays: (1) a person using State-certified raptors during open season; (2) an unarmed person participating in an organized fox hunt; and (3) a person using a regulated shooting ground to hunt pen-reared game birds.

Turkey on Private Property and Public Land

A person may hunt turkey on *private* property in Calvert, Caroline, Carroll, Charles, Dorchester, Kent, and St. Mary's counties on Sundays during the spring turkey hunting season. In Dorchester County, a person may hunt turkeys on Sundays on *public* land designated for hunting by DNR during the spring turkey hunting season.

Background: Because white-tailed deer thrive in habitat that is composed of woods and openings and because hunter access in those areas is limited, suburban development has provided excellent deer habitat in the State. This has resulted in growing deer populations in suburban areas. Higher populations of deer can lead to a greater number of negative interactions with suburban residents, such as deer-vehicle collisions and vegetation damage. Deer also cause agricultural damage.

According to DNR, regulated hunting is the most cost-effective deer population control mechanism available throughout most of the State, and Sunday hunting has contributed positively to managing the State's white-tailed deer population in the 20 counties where it is now permitted.

Hunters have harvested more than 70,000 deer on Sundays since becoming a legal hunting day in 2003. Deer hunters harvested 7,204 deer on Sundays during the 2017-2018 hunting season. Specifically, archery hunters harvested 1,314 deer, firearm hunters harvested 5,756 deer, and muzzleloader hunters harvested 134 deer. Junior hunters harvested 878 deer on the Sunday of the Junior Hunt Weekend. The Sunday firearms harvest typically represents about 10% to 15% of the total two-week firearms harvest each year in those counties that permit Sunday hunting.

DNR estimates that 10,000 additional deer could be harvested on the Sundays open to deer hunting as a result of the bill.

State Revenues: DNR special fund revenues for the Wildlife Management and Protection Fund increase by an estimated \$35,550 annually beginning in fiscal 2019 from the sale of additional nonresident three-day waterfowl and small game licenses. This estimate accounts for the fact that the next season for waterfowl hunting does not begin until July 1, 2018. The information and assumptions used in calculating the estimate are stated below:

- during the 2017-2018 season, 7,896 nonresident three-day waterfowl and small game licenses were sold;
- the fee for nonresident three-day waterfowl and small game licenses is \$45;
- the bill results in a 10% increase in the number of these licenses sold from out-of-state hunters coming into Maryland for weekend trips (or an additional 790 licenses sold); and
- the bill does not materially affect the number of other types of hunting licenses sold.

Small Business Effect: Authorizing additional deer hunting likely has a meaningful economic impact on certain types of businesses throughout the State. The U.S. Fish and Wildlife Service reports that, in 2011, the average hunter in Maryland spent \$49 per hunting day on trip-related expenditures and \$9.67 on ammunition. DNR advises that the most recent National Survey of Fishing, Hunting, and Wildlife Associated Recreation estimated that hunters in Maryland spend more than \$200 million annually on food, lodging, equipment, and transportation.

In addition to businesses directly affected by hunting, the bill may also affect several other types of businesses. Most farms, for example, are small businesses. In 2011, the U.S. Department of Agriculture National Agricultural Statistics Service estimated that Maryland deer caused \$7.7 million in agricultural damage statewide. Based on past estimates of crop damage losses, DNR estimates that an individual deer causes \$33.05 in agricultural damage annually. To the extent that the bill reduces crop damage, farmers benefit.

The bill may also affect vehicle owners and businesses involved in the repair of vehicles. According to DNR, State Farm Insurance Company estimates that there was an average of more than 31,000 deer-vehicle collisions in Maryland in each of the last five years. The insurance industry estimates that the average cost per collision is \$4,179. The car insurance industry projects that the total annual damage in Maryland due to deer-vehicle collisions is nearly \$133 million. Reducing the deer population in the State likely reduces the number

of deer-vehicle collisions, which has a positive impact on vehicle owners and a corresponding negative impact on vehicle repair businesses.

Additional Information

Prior Introductions: None.

Cross File: SB 817 (Senator Salling, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): Baltimore, Charles, Frederick, and Montgomery counties; Department of Natural Resources; U.S. Fish and Wildlife Service; U.S. Department of Agriculture; Department of Legislative Services

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