

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

House Bill 1383 (Chairman, Rules and Executive Nominations Committee)

(Departmental – Natural Resources)

Environmental Matters

Hunting and Chasing - Fur-Bearing Mammals and Nutria - Licensing

This departmental bill establishes a furbearer user's license for those who hunt, trap, or chase furbearers and nutria, with specified exceptions. The bill also requires any person who sells, transports, or ships any fur-bearing mammal or nutria harvested in the State to obtain a furbearer user's license or a fur dealer's license. The bill authorizes the Department of Natural Resources (DNR) to adopt regulations relating to furbearers and the furbearer user's license. The bill specifies license fees and provides that fees must be paid into the Wildlife Management and Protection Fund to be used only for fur-bearing mammal research, management, and education projects. The bill establishes requirements for obtaining a furbearer user's license and authorizes DNR to establish a citizens advisory committee to advise DNR on the management and protection of fur-bearing mammals and the expenditure of revenue from the sale of licenses. The bill also repeals a provision relating to nonresident trapper's licenses and modifies an existing prohibition relating to the use of steel jaw leghold traps.

Fiscal Summary

State Effect: Special fund revenue increase of \$46,300 annually beginning in FY 2002 in license fees. Federal fund revenue increase of \$5,000 annually beginning in FY 2004. Special fund expenditures would increase by \$66,800 in FY 2002 to implement education programs. Future year estimates are annualized, adjusted for inflation, and reflect ongoing operating expenses.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
SF Revenue	\$46,300	\$46,300	\$46,300	\$46,300	\$46,300
FF Revenue	0	0	5,000	5,000	5,000
SF Expenditure	66,800	60,800	63,400	66,200	69,100
Net Effect	(\$20,500)	(\$14,500)	(\$12,100)	(\$14,900)	(\$17,800)

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

Local Effect: None.

Small Business Effect: DNR has determined that this bill will have minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Bill Summary: Except for specified exceptions, before a license may be issued, a person must successfully complete a hunter safety course, a trapping education course, and a foxchasing education course. DNR must prescribe a course of instruction in trapping and foxchasing education and must designate those entities authorized to give such courses. A certificate of trapping or foxchasing proficiency must be issued to persons upon successful completion of those courses.

A person under the age of 12 may not obtain a furbearer user's license. A person may not obtain a furbearer user's license to harvest fur-bearing mammals or nutria with the aid of a firearm or bow hunting equipment except under specified conditions. A person legally hunting species other than fur-bearing mammals or nutria may take nutria incidental to their hunting activities. The bill specifies the following fees for the new license:

- for a Maryland resident between the ages of 12 and 16, a fee equal to the fee for a resident basic hunting license for residents under age 16;
- for a Maryland resident between the ages of 16 and 65, a fee equal to the fee for a resident basic hunting license for residents between 16 and 65;
- for a Maryland resident at least 65 years old, a fee equal to the fee for a senior consolidated annual license;
- for residents of Delaware, Pennsylvania, Virginia, or West Virginia, \$25.50 or a fee equal to that of the nonresident's state for the same privilege, whichever is higher; and
- for nonresidents engaging only in the unarmed chasing of fox, \$15.50.

Agents retain as compensation 50 cents for each furbearer user's license sold. A license is valid for the period of August 1 through July 31 of the subsequent year. DNR may suspend or refuse to issue a license to violators as provided by the bill.

A person who is not required to obtain a hunting license to hunt on farmland under specified provisions of current law must obtain a furbearer user's license to hunt or chase fur-bearing mammals or nutria on that farmland. In those cases, DNR may not charge a license fee.

Current Law: A general hunting license is required to hunt, trap, and/or chase fur-bearing mammals, except for fox chasing. Fees from hunting licenses, stamps, applications or permits are paid into the Wildlife Management and Protection Fund and may only be used for the scientific investigation, protection, propagation, and management of wildlife. The fees for specified hunting licenses are as follows: (1) resident under the age of 16 years, basic hunting license, \$6.50; (2) resident between 16 and 65, basic hunting license, \$15.50; (3) resident senior consolidated annual license, \$1.25; and (4) nonresident basic hunting license for residents of Delaware, Pennsylvania, Virginia, and West Virginia, \$83, or a fee equal to the fee charged by the nonresident's home state for a similar basic hunting license, whichever is greater. Agents must retain as compensation 50 cents for each of those licenses sold.

Any nonresident of the State who desires to trap furbearers (except otter or beaver) must obtain a nonresident trapper's license. The license fee is \$25.50 or a fee equal to that charged by the nonresident's home state for a similar license, whichever is greater. Except for specified exemptions, any person who desires to buy, acquire, sell, transport, ship, or store at any time any fur or pelt of any wild quadruped taken within or outside the State first must obtain a fur dealer's license. The license fee is \$50 for residents and \$100 for nonresidents.

In specified counties, a person may not use, set, place, or maintain any steel jaw leghold trap on land with specified exceptions.

Background: DNR has difficulty tracking information relating to the furbearer harvest because current law does not require trappers to obtain a separate license. This bill would allow DNR to obtain more detailed data with which to make wildlife management decisions. According to DNR, trapper and fox chasing education is needed to ensure that the practices are being implemented correctly, safely, and with sound ecological principles.

State Fiscal Effect: DNR advises that an estimated 4,300 furbearer user's licenses would be sold. Of these, an estimated 1,000 trappers who do not engage in any other

form of hunting would purchase the furbearer user's license in lieu of a hunting license. Accordingly, an estimated 3,300 additional licenses would be sold as a result of the bill (1,000 to fox chasers that are not currently licensed, and 2,300 to trappers/hunters that would purchase the furbearer user's license in addition to the hunting license). Current license fees vary by type, depending on the age and residence of the licensee. Of the estimated 3,300 additional licenses that would be sold, it is assumed that 3,000 would be sold for \$15.50, 200 for \$6.50, and 100 for \$1.25. Agents would retain 50 cents for each license sold. Assuming agents sell 97.5% of licenses, special fund revenues would increase by \$46,300 annually. All fees would be paid into the Wildlife Management and Protection Fund, as provided by the bill.

These estimates assume that the bill's provision that requires any person who sells, transports, or ships any fur-bearing mammal, nutria, or the raw or green pelt of any fur-bearing mammal or nutria, harvested in the State to obtain a furbearer user's license or a fur dealer's license will not result in the sale of any additional furbearer user's licenses or any decrease in the sale of the existing fur dealer's license. Based on information provided by DNR, the estimates also assume that the repeal of the nonresident trapper's license would not materially affect special fund finances.

Because DNR receives approximately \$5 in federal funds for each additional individual that purchases a license, the bill could also result in an increase in federal fund revenues of an estimated \$5,000 annually. Federal funds would not be affected until fiscal 2004, however. (The number of licensed hunters in State fiscal 2002 drives federal funds provided in federal fiscal 2004, which coincides with State fiscal 2004.)

License fees paid into the Wildlife Management and Protection Fund from the sale of furbearer user's licenses may only be used for fur-bearing mammal research, management, and education projects. Special fund expenditures could increase by an estimated \$66,800 in fiscal 2002, which accounts for the bill's October 1, 2001 effective date. This estimate reflects the cost of hiring one recreational specialist to coordinate and oversee the education programs required by the bill. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses, including contractual services for the printing of educational materials. The information and assumptions used in calculating the estimate are stated below:

- extensive mailings to volunteer instructors;
- extensive travel; and
- vehicle use for approximately 14,000 miles annually.

Salary and Fringe Benefits	\$30,800
Automobile Purchase and Operations	21,300
Contractual Services	5,500
Other Operating Expenses and Equipment	<u>9,200</u>
Total FY 2002 State Expenditures	\$66,800

Future year expenditures reflect: (1) a full salary with a 6.5% increase in fiscal 2003 and a 4.5% increase each year thereafter, with 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

DNR advises that the provision modifying the existing prohibition relating to the use of steel jaw leghold traps is not anticipated to materially affect State operations or finances.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader – March 12, 2001
ncs/jr

Analysis by: Lesley Frymier

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510