

Department of Legislative Services
 Maryland General Assembly
 2004 Session

FISCAL AND POLICY NOTE

House Bill 906 (Chairman, Environmental Matters Committee)
 (By Request – Departmental – Natural Resources)

Environmental Matters Education, Health, and Environmental Affairs

Hunting - Furbearing Mammals

This departmental bill establishes a furbearer stamp for those who hunt, trap, or chase furbearers and nutria, with specified exceptions. The fee for the stamp is \$9. The Department of Natural Resources (DNR) is authorized to establish criteria and fees for fox chasing associations to obtain a fox chasing group license. DNR must adopt regulations establishing trapping and chasing certification courses. After specified dates, persons wishing to trap or chase furbearing mammals must be certified. The bill also repeals the existing nonresident trapper’s license and a provision prohibiting a nonresident to hunt or trap beaver or otter.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: Special fund revenue increase of \$41,900 annually beginning in FY 2005. Federal fund revenue increase of \$8,300 annually beginning in FY 2007. Special fund expenditure increase of \$41,900 in FY 2005. Future year estimates are annualized, adjusted for inflation, and reflect ongoing operating expenses.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
SF Revenue	\$41,900	\$41,900	\$41,900	\$41,900	\$41,900
FF Revenue	0	0	8,300	8,300	8,300
SF Expenditure	41,900	51,800	54,700	57,800	61,100
Net Effect	\$0	(\$9,900)	(\$4,500)	(\$7,600)	(\$10,900)

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: The bill exempts any unarmed nonresident participating in an organized raccoon chase accompanied by a Maryland resident from the requirement to obtain a hunting license. A person who actively participates in the unarmed chasing of fox and is exempt from the hunting license requirement under current law must either obtain a furbearer stamp or chase fox with an organization that has obtained a fox chasing group license pursuant to regulations adopted by DNR. A person who is legally hunting may hunt coyote without the need for a furbearer stamp. A person may kill furbearing mammals and nutria that are actively involved in the deprecation of real or personal property without first obtaining a hunting license or furbearer stamp and without regard to established hunting seasons and bag limits.

DNR must adopt regulations that prescribe a course of instruction in trapper education and provide for the issuance of a trapper education certificate. Beginning August 1, 2005, a person younger than 18 may not trap furbearing mammals in the State without a certificate. Beginning August 1, 2010, any person wishing to trap furbearing mammals must have a certificate.

DNR must also adopt regulations that prescribe a course of instruction in furbearer chasing education and provide for the issuance of a certificate. DNR may adopt regulations that establish criteria for a fox chasing association to obtain a group certification. Beginning August 1, 2006, a person under the age of 18 may not chase furbearing mammals without a certificate unless the person chases fox with a certified association. Beginning August 1, 2010, any person wishing to chase furbearing mammals must have a certificate unless the person chases fox with a certified association. Nonresidents chasing furbearing mammals would not be required to be certified if accompanied by a Maryland resident legally chasing furbearing mammals. Similar certificates issued by other states are acceptable if the privileges are reciprocal for Maryland residents.

The bill also establishes provisions regarding persons designated to give a course of instruction in trapper education or furbearer chasing education.

Current Law: In general, a hunting license is required to hunt, trap, and/or chase furbearing mammals, except for unarmed 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 hunting licenses are as follows: (1) resident junior license (under the age of 16), \$10.50; (2) resident regular license (ages 16 to 64), \$24.50; (3) resident senior license (at least age 65), \$5; (4) nonresident basic hunting license, the greater of the fee charged by the nonresident's home state for a similar basic hunting license or the fee applicable to residents of the following states: Delaware, \$86; Pennsylvania, \$101; Virginia, \$120; and West Virginia, \$135; and (5) nonresident three-day hunting license, \$45. Agents retain as compensation \$0.75 for each resident senior hunting license and individual hunting stamp sold and \$1.50 for each resident junior, resident regular, nonresident hunting license, and nonresident three-day license 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. The hunting or trapping of otter or beaver by a nonresident is prohibited.

Background: DNR has difficulty tracking information relating to the furbearer harvest because current law does not require trappers to obtain a separate license or stamp. 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. In addition, DNR advises that beaver populations are extremely high and that the populations of river otter have increased sufficiently to sustain a harvest; accordingly, DNR advises that repealing the current prohibition on trapping by nonresidents is warranted.

State Revenues: Special fund revenues could increase by an estimated \$41,918 annually beginning in fiscal 2005. This estimate, which is based on information provided by DNR, assumes that:

- an estimated 3,500 furbearer stamps (at \$9 each) will be sold;
- 50 additional nonresident hunting licenses (at \$101 each, assuming the vast majority will be sold to Pennsylvania residents) will be sold due to the repeal of the prohibition relating to hunting or trapping beaver or otter; and
- 40 fox chasing group licenses (fee to be established by regulation, but estimated at \$200 each) will be sold.

The estimate assumes agents sell 97.5% of furbearer stamps and nonresident hunting licenses. Based on information provided by DNR, the estimate assumes that the repeal of the nonresident trapper's license would not materially affect special fund finances. (DNR only sells a handful of these licenses.) All fees would be paid into the Wildlife Management and Protection Fund.

Because DNR receives approximately \$5 in federal funds for each additional individual that purchases a license or stamp, the bill could also result in an increase in federal fund revenues of an estimated \$8,250 annually. This estimate, which assumes that an additional 1,650 individuals will purchase a license or stamp as a result of the bill, is based on the following information and assumptions:

- 1,300 fox chasers who are not currently licensed will purchase a furbearer stamp;
- 300 resident trappers who are not currently licensed (because they trap on their own land) will purchase a furbearer stamp; and
- 50 nonresidents who are not currently licensed will purchase a hunting license.

Federal funds would not be affected until fiscal 2007, however. The number of licensed hunters in fiscal 2005 drives federal funds provided in fiscal 2007.

State Expenditures: Special fund expenditures could increase by an estimated \$41,898 in fiscal 2005, which accounts for a 90-day start-up delay. This estimate reflects the cost of hiring one natural resource biologist to coordinate and oversee the educational programs required by the bill. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salary and Fringe Benefits	\$33,785
Equipment	4,040
Contractual Services – Printing	2,250
Other Operating Expenses	<u>1,823</u>
Total FY 2005 State Expenditures	\$41,898

Future year expenditures reflect: (1) a full salary with 4.6% annual increases, with 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Additional Information

Prior Introductions: HB 1383 of 2001 would have established a furbearer user's license. The bill received an unfavorable report from the House Environmental Matters Committee.

Cross File: None.

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

Fiscal Note History: First Reader - March 7, 2004
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