

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1388

(Delegate Eckardt, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

Natural Resources - Wildlife - Hunting Restrictions

This bill authorizes a person to hunt deer on private property with a bow and arrow on specified Sundays during open season in October and November in Dorchester County. The bill also expands the definition of “safety zone” to include churches.

Fiscal Summary

State Effect: The bill would not materially affect State operations or finances.

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

Small Business Effect: Potential meaningful.

Analysis

Current Law: The Department of Natural Resources (DNR) establishes the open season to hunt forest and upland game birds and mammals by regulation each year. There are three seasons to hunt deer in Maryland: (1) deer bow hunting season; (2) deer firearms season; and (3) deer muzzle loader season. DNR may adopt regulations to enlarge, extend, restrict, or prohibit hunting wildlife. Except for specified persons and under specified conditions, hunting game birds or mammals on Sundays is prohibited.

While hunting for any wild bird or mammal, a person (other than the owner or occupant) is prohibited from shooting or discharging any firearm or other deadly weapon within 150 yards (known as the “safety zone”), of a dwelling house, residence, or other building or camp occupied by people; a person also may not shoot at any wild bird or mammal

while it is within the safety zone, or willfully hunt or chase any wild bird or mammal within the safety zone, without the permission of the owner or occupant.

Background: Because white-tailed deer thrive in habitat that is composed of woods and openings, and because hunter access in those areas is limited, recent suburban development has provided excellent deer habitat in the State. Prior to the 2003-2004 deer hunting season, Maryland's deer population was estimated at 264,000. The high population of deer has resulted in a marked increase in the number of human-deer conflicts, including deer-vehicle collisions, damage to crops and vegetation, and incidents of lyme disease. In addition to the impact of deer overabundance on humans, numerous research studies have documented negative ecological impacts on native vegetation and other species. White-tailed deer in protected forest areas have been shown to lower vegetation density and cause significant shifts in the composition and abundance of bird communities, including migratory bird populations. Additionally, research has shown that 15 mammalian species, including raccoons, squirrels, and skunks, may be affected by the increased populations of deer.

In response to these concerns, legislation was passed during the 2002 session to increase the deer harvest by expanding the firearms season from 13 days to at least 21 days. In seven counties, the first Sunday of the season was to be included in this longer season. Because the first Saturday of the season annually accounts for approximately 35 percent of the total firearms harvest, the addition of the first Sunday of the season was viewed as the strategy most likely to maximize the harvest. Also included was an increased harvest in urban management regions in which deer overpopulation constitutes a nuisance or presents public health or safety issues. This measure was vetoed by Governor Glendening for the policy reason of preventing the loss of the "certainty of having one weekend day during hunting season when... families and children can safely enjoy the outdoors." Chapter 170 of 2003 allows for limited deer hunting on Sundays in certain counties, including Dorchester County.

DNR estimates that the bill's changes could result in the harvest of an additional 50 to 100 deer for each additional Sunday of deer hunting in Dorchester County.

Small Business Effect: By providing for additional Sunday deer hunting in Dorchester County, the bill could result in an increase in revenues for small businesses. DNR advises that there are a number of commercial deer hunting guides in Dorchester County. A 2001 report by the U.S. Fish and Wildlife Service found that Maryland deer hunting resulted in about \$80 million in retail sales in the State, or \$979 per deer harvested. The projected impact on the State's economy totaled \$156 million, or \$1,862 per deer harvested. In addition to businesses affected by hunting, the bill could also affect several other types of businesses. Most farms are small businesses. A 2001 survey by the

Maryland Department of Agriculture found that farmers suffered crop losses of \$13.6 million due to deer (or about \$57 for each deer in the population). To the extent that the bill reduces crop damage, farmers would benefit. The bill could also affect vehicle owners and businesses involved in the repair of vehicles. In 2001, approximately 4,200 deer were reportedly killed by vehicles (or about one deer killed for every 57 deer in the population). Each deer-vehicle collision results in an average of \$2,000 in collision damage. Property owners and businesses could also be affected to the extent that the bill reduces damage to ornamental shrubs and gardens.

Additional Information

Prior Introductions: None.

Cross File: SB 943 (Senator Colburn) – Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - March 17, 2005
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