

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 68

(Senators Conway and Waugh)

Education, Health, and Environmental Affairs

Environment and Transportation

Charles County and St. Mary's County - Deer Management Permit

This emergency bill repeals (1) the requirement that the Department of Natural Resources (DNR) establish a three-year program to train rifle shooters to hunt deer to control the deer population in Charles and St. Mary's counties; (2) a deer hunting season specific to Charles and St. Mary's counties; and (3) the termination date for Chapter 574 of 2014. The bill also makes changes related to deer hunting under a deer management permit in Charles and St. Mary's counties.

Fiscal Summary

State Effect: The bill does not materially affect State finances. Any decrease in workload for DNR will be handled by reallocating affected staff to other areas.

Local Effect: None. The bill is not expected to affect local operations or finances.

Small Business Effect: Minimal overall, but potential meaningful impact to Charles and St. Mary's counties from any decrease in deer hunting that occurs as a result of the bill. DNR advises however, that repealing the three-month deer hunting season in Charles and St. Mary's counties will reduce the number of white-tailed deer harvested by less than 300 animals.

Analysis

Bill Summary:

A hunter with a deer management permit in Charles and St. Mary's counties may use a "breech loading center fired rifle" approved by DNR to hunt deer throughout deer season in the locations and under the conditions set forth in the permit, in addition to a shotgun, as allowed under current law. Additionally, a deer management permit holder in Charles and St. Mary's counties who leases land for crop cultivation may hunt deer on the leased land in the locations and under the conditions set forth in the permit.

The bill repeals statutory provisions related to the renewal of a deer management permit in Charles and St. Mary's counties.

The bill repeals the restriction prohibiting DNR from authorizing Sunday hunting in Charles or St. Mary's counties under a deer management permit. Further, the bill repeals DNR's authorization to terminate the deer hunting season established under Chapter 574. However, DNR retains the ability to restrict the lands on which an individual may hunt deer. The bill clarifies that this ability pertains to hunting deer under a *deer management permit*.

Current Law:

Hunting Generally

In general, DNR establishes the open season to hunt forest and upland game birds and mammals by regulation each year. DNR may adopt regulations to enlarge, extend, restrict, or prohibit hunting wildlife. There are three seasons to hunt deer in Maryland: deer bow hunting season; deer firearms season; and deer muzzle loader season. Statewide, DNR also issues deer management permits to individuals so that they may harvest a certain number of deer outside of the regular deer hunting seasons in order to mitigate severe crop damage. There is no fee associated with this permit.

Chapter 574 of 2014

Chapter 574 of 2014, which is amended and made permanent by this bill:

- required DNR to establish a three-year program to train rifle shooters to hunt deer to control the deer population in Charles and St. Mary's counties; priority for participation in the rifle shooter program is given to applicants who hold a deer management permit;

- established a deer hunting season specific to Charles and St. Mary’s counties. A person may hunt deer with a shotgun approved by DNR from January through March in Charles and St. Mary’s counties. To protect public safety and welfare, DNR can (1) terminate the deer hunting season and (2) restrict the lands on which an individual may hunt deer;
- allowed DNR to authorize the holder of a “deer management permit” in Charles and St. Mary’s counties to hunt deer outside of deer hunting season for the purpose of preventing damage to crops. DNR may not (1) require a holder of a deer management permit in Charles or St. Mary’s counties to apply for renewal more than once every three years or (2) authorize an individual in Charles or St. Mary’s counties to hunt deer on Sundays under a deer management permit;
- authorized a person who holds a deer management permit in Charles and St. Mary’s counties to use a shotgun approved by DNR to (1) hunt deer throughout deer season in the locations and under the conditions set forth in the permit and (2) hunt deer on State agricultural crop land located in Charles and St. Mary’s counties to the same extent as the person is authorized under the deer management permit to hunt on private land in those counties;
- required DNR to adopt regulations to implement the provisions of the Act relating to the rifle shooter training program, including a system for staggering participation in the program; and
- required DNR to report to the General Assembly by December 1, 2016, on the implementation of the program.

Chapter 574 took effect July 1, 2014, and, under current law, is set to terminate June 30, 2017.

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, resulting in an escalation of 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.

According to DNR, regulated hunting remains the most cost-effective deer population control mechanism available throughout most of the State. However, DNR advised prior to the enactment of Chapter 574, that allowing three additional months of shotgun deer hunting would effectively eliminate its ability to manage deer populations in a scientific manner in the region.

State Expenditures: The fiscal and policy note for Senate Bill 966 of 2014 (Chapter 574) estimated that DNR's general fund expenditures increase by \$92,600 in fiscal 2015, \$66,100 in fiscal 2016, and \$68,900 in fiscal 2017. The estimate assumed that DNR needed to hire two contractual natural resource technicians to assist with the rifle shooter training program and the issuance of deer management permits under the Act. However, DNR advises that it did not receive additional funding to implement Chapter 574. Instead, DNR absorbed the additional workload with existing resources. Further, although DNR promulgated regulations to establish the rifle shooter training program required by Chapter 574, the program has not yet been implemented. Thus, it is assumed that DNR will reallocate any resources that would have been involved with the implementation of the rifle shooter program to other activities.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Charles and St. Mary's counties, Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - January 30, 2015
md/lgc Revised - Senate Third Reader - March 23, 2015
Revised - Enrolled Bill - April 30, 2015

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