

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 655 (Frederick County Delegation)
Environment and Transportation Education, Health, and Environmental Affairs

Frederick County - Hunting - Nongame Birds and Mammals

This bill repeals the requirement that a person obtain a hunting license before hunting or attempting to hunt nongame birds and mammals in Frederick County.

The bill takes effect June 1, 2017.

Fiscal Summary

State Effect: Because the bill is not anticipated to result in a material decrease in the number of hunting licenses sold, State finances are not materially affected.

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

Small Business Effect: None.

Analysis

Current Law/Background:

Relevant Definitions

- “Nongame birds and mammals” – every wild mammal and bird not classified as game birds and mammals, or any part, egg, offspring, or dead body of any of them. “Unprotected birds,” “unprotected mammals,” and “protected birds” are subsets of nongame birds and mammals.
- “Unprotected birds” – English sparrows and European starlings.

- “Unprotected mammals” – nutria and woodchuck, which are sometimes referred to as groundhogs.
- “Protected birds” – any wild bird not included in the definition of “game bird” or “unprotected bird.” Protected birds technically fall under the umbrella definition of “nongame birds and mammals.” However, unlike unprotected birds and mammals, there are specific State and federal legal protections that prohibit a hunter from hunting protected birds with or without a hunting license.

Generally Hunters Must Obtain a Hunting License

With certain exceptions, a person must have a resident or nonresident hunting license in order to hunt or attempt to hunt all legal game birds and mammals during the appropriate season in the State. Except for unprotected birds and game birds hunted during open season, a person may not hunt, destroy, or possess a wild bird within the State whether or not the bird was killed in the State or in any other state, territory, or country. Generally, there are no restrictions on hunting unprotected birds and unprotected mammals, and a person does not need a hunting license to do so. However, in order to hunt unprotected birds and unprotected mammals in Baltimore and Frederick counties, a person must first obtain a hunting license.

The Department of Legislative Services notes that under the bill, a person in Frederick County is no longer required to obtain a hunting license before hunting or attempting to hunt nongame birds and mammals under § 10-301 of the Natural Resources Article. However, a person in Frederick County is still not able to hunt protected birds, as those birds are protected by other provisions of State law and, in some cases, federal law. Thus, in practice, the bill authorizes a person in Frederick County to hunt *unprotected* birds and *unprotected* mammals without first obtaining a hunting license.

Chesapeake Bay Nutria Eradication Project

Nutria are invasive, semi-aquatic South American rodents that were first released into Dorchester County in 1943. A concerted effort to eradicate nutria in Maryland began in 2002, following a two-year pilot project to determine if nutria could feasibly be eradicated from the Chesapeake Bay. The Chesapeake Bay Nutria Eradication Project, which was primarily implemented by the U.S. Department of Agriculture, along with State agency assistance, has been largely successful. According to the U.S. Fish and Wildlife Service’s Chesapeake Bay Field Office, as of 2016, all known nutria populations were removed from more than a quarter million acres of the Delmarva Peninsula. The Chesapeake Bay Nutria Eradication Project continues ongoing efforts to verify eradication and remove residual animals.

Additional Information

Prior Introductions: None.

Cross File: SB 519 (Senators Young and Hough) - Education, Health, and Environmental Affairs.

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

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