

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 243 (Senator Bailey)
Education, Health, and Environmental Affairs

Natural Resources - Sunday Hunting - Migratory Game Birds

This bill authorizes the Department of Natural Resources (DNR) to allow a person to hunt any migratory game birds on Sundays during the open season on private property (subject to specified current law provisions relating to hunting on private property) or on public land designated for Sunday hunting by DNR in any county in the State. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: Potential minimal increase in special fund revenues annually beginning in FY 2021 from the sale of additional three-day waterfowl and small game hunting licenses and any associated stamps. Expenditures are not materially affected.

Local Effect: The bill is not expected to materially affect local operations or finances.

Small Business Effect: Potential minimal increase in sales for small businesses that support hunting, including sporting goods stores, restaurants, and motels.

Analysis

Current Law: A “migratory game bird” means any wetland game bird, dove, or woodcock, or any part, egg, offspring, or dead body of any of them. A “wetland game bird” means brant, coots, ducks, gallinules, geese, mergansers, rails, snipe, and swan or any part, egg, offspring, or dead body of any of them (including birds raised in captivity and released to the wild or otherwise used for hunting purposes.” Hunting game birds and mammals on Sundays is generally prohibited, with specified exceptions.

Hunting Game Birds and Mammals on Private Property and Public Land

DNR may allow hunting on Sundays in Allegany, Cecil, Garrett, and Washington counties for any game bird or mammal, *except migratory game birds*, during the open season for these animals on specified private property and public land designated for Sunday hunting by DNR. Additionally, in St. Mary's County, DNR may allow a person to hunt any game bird or mammal, *except migratory game birds*, on any Sunday during the open season for these animals on private property or public land (except State parks) designated for Sunday hunting by DNR.

In addition, the following persons may hunt game birds and mammals on Sundays: (1) a person using State-certified raptors during open season; (2) an unarmed person participating in an organized fox hunt; and (3) a person using a regulated shooting ground to hunt pen-reared game birds.

Hunting Turkey on Private Property and Public Land

A person may hunt turkey on *private* property in Calvert, Caroline, Carroll, Charles, Dorchester, and Kent counties on Sundays during the spring turkey hunting season. In Dorchester County, a person may hunt turkeys on Sundays on *public* land designated for hunting by DNR during the spring turkey hunting season.

Hunting on Private Property, Generally

In general, a person may not hunt on lands owned by another person without the written permission of the landowner or the landowner's agent or lessee. Any person hunting on private property is liable for any damage to the property caused by the person while hunting. In addition, the landowner is not liable for accidental injury or damage to the person whether or not the landowner or the landowner's agent gave permission to hunt on the private property.

Background: DNR advises that Maryland is a major wintering area for migratory waterfowl, especially ducks and Canada geese. For this reason, many nonresident hunters come to Maryland to hunt waterfowl. During the 2018-2019 hunting season, there were 48,598 waterfowl hunters, 13,017 of whom were nonresidents. A total of 8,598 three-day waterfowl and small game hunting licenses were sold.

Nonresident three-day hunting licenses (also known as nonresident three-day waterfowl and small game licenses) enable a purchaser to hunt all legal game during the appropriate season except deer, bear, and turkey. The license fee is \$45. Additional stamps are needed to hunt migratory game birds and wild waterfowl.

Additional Information

Prior Introductions: SB 293 of 2019 received a hearing in the Senate Education, Health, and Environmental Affairs Committee but was subsequently withdrawn. Its cross file, HB 1378, was referred to the House Rules and Executive Nominations Committee, but no further action was taken.

Designated Cross File: None.

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

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