

HB0615_SMD.pdf

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March 31, 2021

The Honorable Paul G. Pinsky
Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

Re: SUPPORT HB0615 Natural Resources - Sunday Deer Hunting - Prince George's County

Chairman and Members of the Committee:

Maryland bans, or otherwise limits, the sale of automobiles and other vehicles (Business Regulation Code Ann. §18–101), and the sale of alcohol (Alcoholic Beverages Code Ann. §11–102), on Sundays. Financial institutions must be closed on Sunday (Financial Institutions Code Ann. §5–704). Maryland is one of eleven states where hunting is still banned or otherwise restricted on Sunday (Natural Resources Code Ann. §10-410). Counties (and Baltimore) have avquired a variety of exemptions from some of these Sunday activity restrictions. Secular Maryland supports these exemption requests. We disagree with the state level Sunday activity restrictions.

Sunday is a special day of the week for many Christians. For other citizens the day of rest and worship may be Friday or Saturday, and for some citizens there is no god to worship or no fixed day of rest each week. Maryland law can be, and should be, more accommodating to this diversity of belief among its citizens. Legally banning business and leisure activity on Sundays favors a majority religious practice. Favoring a majority religious practice is not a proper goal of the laws. To the fullest extent feasible, our laws should accommodate minority religious practices along with non-religious and anti-religion beliefs.

The decisions regarding which day to hunt, to buy or sell alcohol, to buy or sell vehicles, to initiate and process financial transactions, etc., are best left to the citizens. State lawmakers can require one day off every week without specifying a particular day of the week by delegating that decision to the affected businesses. Hunting restrictions to accommodate horseback riding, hiking, and the like during the hunting season can be defined for particular hours throughout the week or rotated to different days for each week of the month instead of every Sunday.

HB0615_SUP_EHEA 3-31-2021.pdf

Uploaded by: McKitrick, James

Position: FAV



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

March 31, 2021

The Honorable Paul G. Pinsky
Chair, Education, Health and Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

The Honorable Cheryl C. Kagan
Vice Chair, Education, Health and Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Re: Letter of Support – House Bill 615 – Natural Resources – Sunday Deer Hunting and Archery Hunting Safety Zones – Prince George's County PG 402-21

Dear Chair, Vice Chair and Committee Members,

The Maryland Department of Natural Resources supports House Bill 615. This bill ends the general prohibition of Sunday hunting in Prince George's County and allows Sunday hunting of deer from the first Sunday in October through the second Sunday in January. It also seeks to allow deer hunting on these Sundays on public lands in Prince George's County; however, there are no public lands in the county open to deer hunting at this time.

In general, the department strongly supports the self-determination of local jurisdictions to expand hunting opportunities within State, and federal rules and regulations. Hunting remains the most cost-effective method for controlling the deer population throughout Maryland. DNR advises that Sunday hunting has contributed positively to managing the State's white-tailed deer population in the 20 counties where it is now permitted. Sunday hunting can be especially important if the weather causes unfavorable hunting conditions on the Saturday of the same weekend. Likewise, many hunters only have time to hunt on weekends, so allowing Sunday hunting essentially doubles their opportunity to pursue deer.

Several counties have reduced the required distance for archery hunters in the past decade. There is no evidence that reducing the distance has led to additional accidents or conflicts with landowners or other hunters. The reduced zone increases the number of hunting areas available to archery deer hunters. HB 615 also increases access for the harvest of deer primarily in areas where deer populations are higher due to a lack of hunting pressure. As a result, the negative consequences borne of overabundant deer populations are reduced.

Deer hunting recreation will increase in Prince George's County and an estimated 50 to 100 deer would be harvested on Sundays in Prince George's County as a result of this bill. Hunters have harvested over 75,000 deer on Sundays in Maryland since becoming a legal hunting day in 2003. Deer hunters harvested 5,566 deer on Sundays during the 2019-20 Maryland hunting season.

While this bill seeks to open public lands to Sunday deer hunting in Prince George's County, there are no such lands that could be opened under existing law. Lands managed by the Maryland Park Service -- where deer hunting is open for the other six days of the week -- are expressly prohibited in statute from being open to Sunday hunting. The remaining public lands not managed by the Maryland Park Service are only open for hunting of migratory game birds, such as ducks and other waterfowl. Current statute also expressly prohibits hunting migratory game birds on Sunday.

For these reasons, the department respectfully requests the committee to grant HB 615 a favorable report.

Respectfully submitted,

James W. McKittrick
Director, Legislative and Constituent Service

MD - HB 615 - Sunday Deer Hunting Prince George's

Uploaded by: Santos, Trevor

Position: FAV



TREVOR W. SANTOS

Director, Government Relations - State Affairs

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March 29, 2021

**HOUSE BILL 615
SUPPORT**

The Honorable Paul G. Pinsky
Chair, Senate Education, Health, and Environmental Affairs Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Re: House Bill 615 – Natural Resources – Sunday Deer Hunting – Prince George’s County

Dear Chair Pinsky, Vice Chair Kagan, and Members of the Committee:

On behalf of the National Shooting Sports Foundation (“NSSF”), I submit these comments in support of House Bill 615 (“HB 615”) by the Prince George’s County Delegation. HB 615 would authorize the Department of Natural Resources to allow a person to hunt deer on each Sunday of the deer hunting seasons in Prince George’s County from the first Sunday in October through the second Sunday in January, inclusive; authorizing the Department to allow a person to hunt on public land designated for hunting on Sunday in Prince George’s County; etc.

As the trade association for America’s firearm, ammunition, hunting, and recreational shooting sports industry, NSSF seeks to promote, protect, and preserve hunting and the shooting sports. We have a membership of thousands of manufacturers, distributors, firearms retailers, and shooting ranges. Our manufacturer members make the firearms used by law-abiding Maryland sportsmen and women, the U.S. military, and law enforcement agencies throughout the state.

This important piece of legislation will allow licensed sportsmen, women, and children to participate in deer hunting on certain Sundays in Prince George’s County. Sunday hunting is an excellent vehicle to recruit new hunter-conservationists. Hunting, fishing, and other forms of outdoor recreation have proven physical, psychological, and educational benefits for our nation’s young people. Due to the greater prevalence of academic, athletic, and other competing activities that take place on Saturday, it is likely that allowing Sunday hunting will more than double the number of days children can hunt.

The passage of House Bill 615 will help ensure Maryland’s strong hunting heritage can be enjoyed and passed on to future generations of hunters and conservationists, and it is for these reasons that the National Shooting Sports Foundation supports the passage of the Prince George’s County Delegation’s House Bill 615.

Sincerely,

Trevor W. Santos

hunting accident report 2009-2020.pages.pdf

Uploaded by: Seigler, Jane

Position: UNF

Excerpts from 10 years of DNR's Annual Hunting Accident Reports

(prepared by MD Hunter Education Program)___

<https://dnr.maryland.gov/nrp/Pages/Hunting-Incident-Reports.aspx>

2020

--- A Frederick County resident observed damage to the exterior of their residence, which was consistent with that of pellet strikes from a shotgun. While investigating officers located no hunting activity in the area, the incident did occur during the end of spring turkey season. No further suspect / hunter information was developed throughout the investigation.

2019

---- A 61-year-old Washington County Woodchuck Hunter was shooting from the front of their residence off a picnic table for support when one shot went errant and struck a person fishing at an adjacent pond, grazing their shoulder. The victim was approximately two tenths of a mile away obscured by heavy brush and tree cover. Rimfire .22 long rifle ammunition from a rifle was the implement used.

--- An unknown Washington County Deer Hunter (Archery season) shot a crossbow bolt through a Honda SUV while it was parked in the victims driveway. Apparently the shot took place after sunset the evening before the damage was observed. Deer frequent the lawn of this residence and other residences within the neighborhood most evenings. No suspect(s) were observed at the time of the damage.

---- A Montgomery County residence received a broken window caused by a stray bullet fired from a rifle. The projectile was recovered on scene lodged in between two plates of glass. No suspects at the time of the shooting but several shots were reported just before the window received damage.

2017

--- A 26 year old Talbot County deer hunter (firearms season) shot at two deer with 12 gauge shotgun slugs. The first deer was struck and ran 40 yards before collapsing, the second deer was shot at but the first slug went over its back, the second shot dropped the deer in the location where it was standing. Apparently the slug that missed struck an occupied residence just to one side of the front door. Upon a 911 call a sheriff's department deputy had searched and located the lone hunter. After an investigation by NRP the hunter was charged with negligent hunting and discharging a firearm within the safety zone. Property damage only

--- An unknown Carroll County deer hunter (firearms season) sent a 7mm projectile through the side of a residence, through the bedroom wall, through a wooden dresser, then through a closet wall before coming to rest in a pile of towels in the closet. Two people were in the bedroom at the time but neither was injured. A search of nearby farms was unsuccessful in locating any hunter(s). Property damage only

--- A 52 year old Cecil County deer hunter (late firearms season) took two shots at a deer with a 30/30 rifle toward the direction of a neighboring farm. One of the shots (both of which missed the deer) struck a dining room window of the adjacent residence and stopped, being found on the windowsill. During the investigation it was determined that the round that struck the window had ricocheted off of the ground. The distance from the shooter to the house was 398 yards.

(DNR's on-line annual report for 2017 is identical to DNR'S 2016's report – the 2016 appears to be missing)

2015

--- A 16 year old Allegany County turkey hunter fired two (2) shots from a 12 gauge shotgun at what they believed to be the white head of a spring gobbler. The shot traveled approximately 53 yards and struck a 70 year old camouflaged turkey hunter in the face. This hunter had walked into the woods, sat down and was listening for turkey's completely camouflaged except for the side of his face which is what the shooter was observing and mistook for a turkey. Non-Fatal

--- A 50 year old Carroll County Fox Hunter sent a 6mm rifle round through a patio glass door. The round went through a vinyl garden hose and a plastic lawn chair before going through the door and striking a kitchen chair. The homeowner was the only occupant in the residence at the time and they were in bed sleeping. Property Damage

--- A 52 year old Kent County Turkey Hunter (Spring Season) took two shots at a gobbler out in an open field. The second shot was at the bird while in flight. One pellet struck the storm door of an adjacent house causing the glass to shatter. The homeowner was present in the home at the time.

2014

--- A 50 year old Carroll County Fox Hunter sent a 6mm rifle round through a patio glass door. The round went through a vinyl garden hose and a plastic lawn chair before going through the door and striking a kitchen chair. The homeowner was the only occupant in the residence at the time and they were in bed sleeping.

2013

--- A 47 year old Calvert County rabbit hunter received a gunshot (shotgun) wound to his body/thigh/head when he was shot by a 15 year old hunting partner. A party of 4 was hunting with the aid of a dog when a rabbit ran between the men who were approximately 40 yards apart. The shooter stated that he could not see the other hunter when he shot at the rabbit

--- The victim A 52 year old Charles County deer hunter shot his 22 year old son with a rifle across an open field. The shooter and the victim had been hunting together and at dusk the shooter fired out at movement in the field which he mistook for a deer. was walking through the field prior to ending the hunt and returning to the vehicles.

--- A 28 year old Charles County deer hunter while hunting within the safety zone ---discharged his shotgun resulting in the rifled slug passing through a window of the residence striking a chandelier in the dining room and becoming embedded in a wall. Thankfully the residence was vacant at the time of the incident.

--- A rifle round was recovered from a Frederick County home during the second day of the extended fire arms deer season. The round went through the wall of the home and struck a sliding glass door causing it to shatter. The round was recovered at the scene by the sheriff's department. The nearest wooded area was over 400 yards away. Property Damage Only

--- A rifle round was recovered from a "second" Frederick County home during the extended firearms deer season. The round entered through the front wall of the residence blew out the drywall in the living room at which time the bullet came to rest on the floor and was recovered by the homeowner. The bullet was a full metal jacket round (illegal to use on big game)

2012

--- A 62 year old Harford County landowner was struck by a random shot on their property. Upon investigation it was determined the landowner had been hearing a volley of shots repeatedly behind her home. As she and her husband went outside to investigate, a piece of shot struck her in the left forearm. Law enforcement responded and never found hunters in the area. The landowners advised no one had permission to be there, therefore trespassers were suspected to be the shooters. No suspects were located nor arrests made. The victim suffered a very minor wound to her forearm. Non Fatal.

--- A 39 year old Frederick County deer hunter shot himself in the foot with a crossbow. Upon investigation it was determined the subject had completed hunting and was at his vehicle putting the equipment in the vehicle, he de-cocked his crossbow and accidentally shot himself in the foot between two toes. Non Fatal.

--- A home in Dorchester County was struck by a projectile: Upon investigation it was determined the homeowner heard shots and found a French door in the back of their home was shattered due a projectile striking the lower left hand pane. The area behind the home is a public hunting area. No suspects were ever located. It was also never determined hunters caused this situation.

2011

--- A 41 year old Carroll County woman was struck in the right leg by a stray projectile while she was in her back yard. Upon investigation it was determined two individuals were plinking and shooting at squirrels & birds with a .22 cal. rifle in a wooded area behind her residence. Due to an unsafe backstop, it was determined their projectile traveled approximately .26 miles to the victim's property causing the leg injury. Squirrel season was closed at the time of this incident. Charges pending. Non fatal.

--- A 57 year old Dorchester County deer hunter shot his 57 year old hunting companion who he had mistaken for a deer: Upon investigation it was determined the shooter and victim had split up to hunt deer. Both hunters were wearing fluorescent orange when they departed each others company. The shooter had gone approximately 95 yards to his stand, climbed into it and began to hunt deer. The shooter observed a dark movement coming towards his location. The shooter was using a .30-06 scoped rifle. The shooter advised he determined he was shooting at a deer by looking through his scope, and shot at center mass.

--- A 48 year old Caroline County deer hunter shot his 46 year old hunting companion that he had mistaken for a deer: Upon investigation it was determined the shooter heard a disturbance of brush and saw movement, thinking it was a deer. The shooter fired a crossbow bolt at the movement at a distance of 62 yards, striking the victim in his left tibia. The time of the incident was four minutes after legal shooting hours. The shooter was charged with Negligent Hunting. Non Fatal.

--- A 16 year old Dorchester County deer hunter shot his 19 year old hunting companion while shooting at a running deer: Upon investigation 8 hunters had organized a deer drive in a marshy dense wooded area. 5 hunters were pushing deer while 3 were standers. As a deer passed between two standers, the shooter shot at a running deer, striking his hunting companion in both femurs with a .12 ga. shotgun using #4 buckshot at a distance of 60 yards. The shooter advised he never saw the victim. Both hunters were wearing daylight fluorescent orange. Non Fatal.

--- A 56 year old Dorchester County turkey hunter shot his 36 year old hunting companion, mistaking him for game: Upon investigation it was determined the two hunters entered their hunting area and posted three turkey decoys in an open field. They then split up to hunt the area and the shooter advised he did not see which direction the victim went. After a period of time the shooter saw three turkeys to the right of the decoys 40 yards away. The shooter advised he could not see the birds at all times. After an hour he called his

companion on a cell phone to ask him if he saw the birds. Immediately after their conversation, the shooter saw a movement then shot. He had shot his hunting companion. The movement he saw was the victim putting his cell phone away. The victim was shot at a distance of 38 yards. The victim received 24 #4 shotgun pellets which were fired from the shooter's 12 ga shotgun. The victim was struck in the right side of his body receiving wounds in his head, neck, shoulder, torso, calf, knee, and ankle. The shooter was charged with Negligent Hunting. Non Fatal.

--- A 13 year old Dorchester County deer hunter, while shooting at a deer, struck a home in the background: Upon investigation the shooter discharged a .45 cal. muzzleloader at a deer 6 minutes after legal shooting hours. The projectile, missing the deer, traveled 242 yards striking a house 48 inches from the ground. As the projectile entered the house, it penetrated exterior and interior walls and lodge in a recliner. A resident in the home was sitting in the chair at the time and received a redmark on their shoulder where the projectile stopped on impact. Non Fatal

2010

--- During the 2010 Firearm Deer Season, residents of a home located in the area of Walkersville (Frederick County), reported their house had been struck by a projectile: Upon investigation it was determined the home had been struck by a projectile doing damage to the exterior & interior walls. Interviews were conducted with seven hunters who were in the vicinity of the area the day before hunting deer as regarding their actions that day. It was never determined who may have been the shooter, but one scenario did reveal a hunter had fired a .30.30 rifle at a deer pointed in the direction that the home approximately 3,940 feet away. No evidence was found to support charges. Non Fatal.

--- A 45 year old Frederick County deer hunter, while shooting at a deer, struck a home in the background: Upon investigation the shooter had discharged a .12 gauge shotgun using slugs at a herd of deer. The gun jammed, the shooter cleared the gun, turned and shot at another deer in the direction of the home. The shooter advised he had become disoriented as to the direction he was shooting. The slug entered the home at a distance of 114 yards, traveled through the exterior and two interior walls, through two rooms, and into appliances and home furnishings. No one was in the home at the time of the incident. The shooter was charged with Negligent Hunting and Hunting within 150 yards of a dwelling (Safety Zone). Non Fatal.

--- A 53 year old Howard County deer hunter was shot by his 36 year old hunting companion. The shooter shot at a standing deer with a .12 gauge slug in an open field at approximately 243 yards. The bullet missed the deer, striking the victim sitting in a wooden ground blind at the opposite end of the field. The victim received injuries to his right arm and hand. Non Fatal. Charges pending an investigation

--- A 46 year old Queen Anne's County deer hunting was shot by his 25 year old hunting companion. With both subjects participating in a deer drive, the shooter shot at a running deer twice with a .20 gauge shotgun slug. A slug traveled 70 yards, striking the victim positioned at the opposite end of the field in the left leg. Non Fatal. Negligent Hunting charges pending.

2009

--- A 57 year-old goose hunter in Kent County was shot by another hunter while attempting to retrieve a wounded goose. The victim received a minor wound to the face from a shotgun pellet which deflected off the water striking the victim.

--- A window was broken at an occupied daycare facility from a slug fired by a shotgun in Howard County. Several hunters were found in the area and interviewed by several police agencies. Negligent hunting charges were filed, but the States Attorney elected not to prosecute due to insufficient evidence.

--- A window in a house was struck and broken by a sabot round fired by a deer hunter in Talbot County. The investigation found that in this case , the hunter was not negligent and charges were not filed.

--- While checking vacant buildings, several Frederick County Sheriff Deputy vehicles were struck by shot gun pellets causing minor damage. Several individuals who were hunting quail in the area were located and charges were filed by the States Attorney's office for Reckless Endangerment.

5 ACCIDENTS -- NOT REPORTED IN DNR ACCIDENT REPORTS (2016 to present)– that were recorded in other news sources:

--- MD: Woman attempting to shoot groundhog accidentally hits man fishing at park

May 28, 2019

The Maryland Natural Resource Police are investigating an incident of a bullet that grazed a man in the shoulder on Sunday afternoon.

According to police, a 61-year-old woman was shooting a groundhog in her backyard, which borders the Smithsburg Lions Community Park.

The woman missed and the bullet ricocheted across the water and struck a 28-year-old man who was fishing.

Officials said there doesn't seem to be any issues with limitation, however the shooter is responsible for anything in background, like in this case, the park....

--- **Fatality** : Maryland Natural Resources police were investigating a fatal hunting accident in Frederick County on Saturday, the opening day of deer season for firearms.

Police said the rifle of a first-time hunter from Altadena, Calif., was accidentally discharged while he was deer hunting on private property on Eylers Valley Flint Road near Thurmont. Police identified the victim as Vincent Cavallo, 32.

Cavallo and his uncle were hunting in separate areas of the property when the uncle heard a gunshot. He went to check on his nephew and found him dead, DNR police spokeswoman Candy Thomson said. Police were called to the scene at 9:24 a.m.

Police said the victim is believed to have slipped or dropped the gun and it discharged, hitting him in the head. His body was taken to the medical examiner's office. Natural Resources police were assisted by the Frederick County Sheriff's Department in the investigation.

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The mystery is still not solved after an 87-year old man was apparently struck (ed. note: in the head) by a shotgun pellet or bullet fragment while walking on his property in rural Montgomery County Saturday. Authorities suspect a hunting accident, but they don't know who fired the shot or from where. Residents and hunters say they are deeply concerned by the incident. The victim's property is on the boundary of the Patuxent River State Park where hunting with firearms is permitted. Hunters may not fire guns within 150 yards of an occupied dwelling without a residents' permission, even if the hunter is on another property or public land nearby. Maryland averages 2-3 hunting accidents involving firearms annually. The victim is almost always a hunter.

NOTE: see more of this episode at:

https://www.washingtonpost.com/local/man-87-in-marylands-montgomery-county-struck-by-a-small-metallic-projectile/2016/10/22/bc0e5974-98c8-11e6-bc79-af1cd3d2984b_story.html

<https://www.google.com/amp/s/www.wusa9.com/amp/article/news/local/mystery-surrounds-shooting-of-elderly-md-man-walking-home/65-340868641>

--- Fatality: Oct 11, 2015 - WASHINGTON — A 75-year-old huntsman was fatally *shot during* a hunting trip Saturday *in* Queen Anne's County, ... *Marvin Bowen Coppage*, a resident of *Henderson*, was hired to lead a guided *pheasant and chukar* hunt.

--- 2014 a mountain biker was peppered by bird shot while riding his bike in the Tuckahoe State Park on Maryland's Eastern (related to me by Tuckahoe park staff) knowledge)

testimony - Sunday hunting - 2021 deer - PG Senate

Uploaded by: Seigler, Jane

Position: UNF



Testimony of the Maryland Horse Council on
HB 615 - Natural Resources -
Sunday Deer Hunting - Prince George's County: OPPOSE

- ❖ **A majority of Marylanders oppose Sunday hunting.** An independent statewide poll conducted by Gonzales Research and Media Services in 2018 found that 68.9% of respondents oppose Sunday hunting, and 78% would decide to alter their recreational plans to avoid hunters. In a Maryland Horse Council 2016 poll, 85% of respondents said they changed their schedules or riding locations to avoid encountering hunters. Even DNR's own commissioned survey found that a majority of the general population does not favor Sunday hunting and does not want to see it expanded.¹
- ❖ **This bill would allow Sunday hunting in Prince George's, where it has never before been allowed, on every Sunday for three and a half months in the Fall and Winter.**
- ❖ **Since the advent of the pandemic, widespread use of outdoor recreation and natural resources by the general public has only increased.** For example, attendance at Maryland State Parks in 2020 increased 45% over 2019, which was also a record year.² **Many of these new users are unfamiliar with the rules of hunting and hunting seasons. Now is not the time to increase general public exposure to possible hunting risks. As a practical matter, the public/private land distinction affords little relief since public and private tracts are often relatively small, non-contiguous, intertwined and rarely well-marked. Bullets do not respect boundaries. Accompanying this testimony is a document that details incidents and accidents from 2009 through 2020, compiled from DNR's own data and other public sources.**
- ❖ **The Department of Natural Resources (DNR), has recently begun to conclude that the deer population in Maryland has stabilized, and additional deer reduction measures are not needed and even contraindicated.** The deer population in Maryland has declined from a high of almost 300,000 in 2002 to just over 200,000 now. DNR recently reduced bag limits (i.e., the number of deer allowed to be taken), implicitly acknowledging that reducing the deer population is not a priority. According to DNR's recent survey, hunters want to see the deer population maintained or increased.
- ❖ **Deer over population is a serious health, public safety and economic problem in Maryland. However, Sunday hunting is demonstrably not an effective solution to that problem. For example, in all but one of the five Maryland counties that vastly expanded Sunday hunting, the total deer harvest has fallen. (See footnote 7)**
- ❖ **Therefore, Sunday hunting is not an effective deer management tool; it is rather a hunter convenience tool.** Convenience is surely a benefit, but it is a benefit that should be available to all constituents equitably, not just one small segment. According to the DNR

¹ https://dnr.maryland.gov/wildlife/Documents/2018_DeerPublicOpinionSurvey.pdf

² <https://news.maryland.gov/dnr/2021/02/04/lt-governor-boyd-k-rutherford-maryland-department-of-natural-resources-announce-45-percent-increase-in-maryland-state-parks-attendance-in-2020/>

survey, only 8% of the general population hunted in the last 2 years at the time of the survey, and 84% have never hunted at all. Only two percent of the population hold hunting licenses.

- ❖ **The Maryland horse industry represents \$2.1 billion in economic impact;** 28,000 jobs; \$1 billion in annual spending by participants; \$78 million in tax revenue. Over \$73 million in infrastructure improvements to public and private facilities around the state. There are over 100,000 horses in Maryland (more per square mile than any state in the Union), and 51.8% of Maryland households contain horse enthusiasts.³ There are horses in every county in the state.⁴ The majority of Maryland riders are trail riders.⁵

The Maryland Horse Council (MHC) is a membership-based, umbrella trade association of the entire horse industry in Maryland. Our membership includes over 40 breed, interest and discipline associations, plus horse farms and stables, horse-related businesses, and horse owners representing all facets of the Maryland equestrian community, from the owners of race horses and race tracks, to the owners of international level competition horses, local sport horses, trail horses or just beloved retired companion horses. The owner of Pimlico, Laurel and Rosecroft racetracks is a member, as are vets, tack stores, and other farms, businesses and enthusiasts throughout the state. As such, we stand for over 30,000 Marylanders. Every Maryland county, without exception, is home to hundreds to thousands of horses. (See footnote 3) There are more horse per square mile in Maryland than in any state in the Union. (See attached fact sheet.)

The horse industry in Maryland is a large, engaged and thriving constituency, and a strong economic engine: 28,000 direct equine related jobs; 16,000 properties occupying over 705,000 acres (almost 10% of Maryland's total land area, and over 25% of Maryland's agricultural land) The industry represents \$2.1 billion in annual economic impact, generating \$78 million in annual tax revenue. Horse industry participants spend \$1 billion dollars annually. There are currently \$73 million dollars in infrastructure investments planned or in the pipeline for public and private equestrian facilities throughout the state. Thus, legislative actions that affect the equine industry have a broad economic effect.

POSITION

The Horse Council opposes HB 615.

BACKGROUND

For over 20 years, the Maryland Horse Council has worked to ensure fair use of shared natural resources during hunting seasons, by seeking to preserve Sundays as the one day of the week when children and adults who are hikers, birdwatchers, dog walkers, trail riders and other outdoor enthusiasts could enjoy the outdoors without concern for adverse interactions with hunters. Almost 20 years ago, we helped defeat a number of statewide Sunday hunting bills.

³ See attached fact sheet.

⁴ According to the 2010 Maryland Equine Census (current numbers are likely about 25% higher, based on current total statewide population): Allegany 350; Baltimore 8950; Carroll 6050; Frederick 7850; Garrett 1500; Harford 6200; Howard 4350; Montgomery 7900; Washington 3750; Anne Arundel 4500; Calvert 1350; Charles 1750; Prince George's 7100; Saint Mary's 2300; Caroline 1300; Cecil 6200; Kent 1200; Queen Anne's 1700; Talbot 1500; Dorchester 350; Somerset 270; Wicomico 1800; Worcester 880

⁵ <http://equiery.com/trail-riding-tops-reader-survey/>

Proponents of Sunday hunting then changed tactics, seeking to introduce Sunday hunting on a county-by-county basis, which we also opposed vigorously. Sometimes they were successful; sometimes not. When they were successful, they succeeded in making an already complicated situation more complicated, making it more difficult for others to plan their outings, and for Natural Resources Police to effectively crack down on poachers and irresponsible hunters, which has caused even more negative encounters between irresponsible hunters and other users.⁶

The Maryland Horse Council has proposed reasonable compromises that would still allow fair use of shared natural resources, by cutting off Sunday hunting, where allowed, at 10:30 am. This compromise still gives both hunters and trail riders and others plenty of Sunday access to opportunities. This compromise has been embraced by some legislators, who have praised the Horse Council for this reasonable approach, and it has been adopted by Montgomery, Kent and Wicomico Counties. Now we are facing a bill that would allow all day Sunday hunting in Prince George's County, where it has never before been allowed. This bill does nothing to improve the situation for Natural Resources Police and continues to infringe on the fair rights of other users of our shared natural resources in Maryland.

The issue of recreational Sunday hunting is certainly a fraught one. In a November 2018 independent Gonzales statewide poll, the vast majority of respondents opposed Sunday hunting:

SUNDAY HUNTING Oppose 68.9%; Favor 21.9%

Breakdown:

Strongly Favor 13.5%

Somewhat Favor 8.4%

Somewhat Oppose 15.4%

Strongly Oppose 53.5%

These majorities opposed to Sunday hunting hold true in Baltimore Metro, Washington Metro AND Rural areas. Rural Maryland opposed Sunday hunting 60.5% vs 34.1% in favor. Even DNR's own commissioned survey found that a majority of the general population does not favor Sunday hunting and does not want to see it expanded. (See footnote 1.) This bill directly contravenes that clear public opinion.

It is important to make clear that the Horse Council is not opposed to hunting. Many of our members are hunters of deer, other game mammals and game birds. We just want to ensure that everyone has a safe option for enjoyment of the outdoors, especially in this time of COVID. The COVID pandemic has dramatically increased the level of outdoor activity and use of natural resources. DNR recently announced, for example, that 2020 State Park attendance increased by 45% to 21.5 million visitors. ***Lt. Governor Rutherford stated: "With the ongoing COVID-19 pandemic changing the way we live, work, and play, more and more Marylanders are finding affordable, socially-distant, and family-friendly recreation opportunities at our parks and public lands,"*** (See footnote 2.) Many of these parks and public lands abut private land where hunting will be allowed. And many of these new users are

⁶ In a 2016 Maryland Horse Council survey, 35% of respondents reported "adverse incidents" with hunters while trail riding, ranging from rudeness to deliberate attempts to spook horses, threatening with firearms, and firing of "warning" shots. Significant percentages of DNR's survey respondents also reported problems when encountering hunters.

unfamiliar with the rules of hunting and hunting seasons, and are unaware that there may be hunters in the nearby woods. Now is not the time to roll the dice and increase the chances of potential adverse interactions between hunters and members of the public who are relatively new to the outdoors.

Through our years of studying DNR data, we are unconvinced that recreational hunting is the best solution for deer overpopulation. These data reveal that despite expansion of Sunday hunting in some other jurisdictions, deer harvest numbers are dropping. (And given the widely acknowledged “ghost doe” problem (i.e., some hunters phone in false reports of the number of does harvested, in order to become eligible to shoot a trophy buck), those numbers may actually be artificially inflated.) We have looked at DNR harvest numbers in the five counties that have had a large number of Sunday hunting days added in recent years. In all but one of the counties, the harvest numbers declined substantially after Sundays were added.⁷

It is sometimes argued that the declining numbers of recreational hunters is in part responsible for the declining harvest, but that begs the question of whether relying on recreational hunters is therefore “backing the wrong horse” in the effort to reduce the deer population. Adding Sundays demonstrably does not increase the harvest; it just affords recreational hunters the luxury of choosing which weekend day to devote to hunting, thereby spreading the same number of deer kills over seven days instead of six. In the DNR survey, almost 60% of the hunters did not indicate that they would harvest more deer if Sundays were available. So adding Sundays is arguably more a matter of hunter convenience than sound deer management. Convenience is surely a benefit, but it is a benefit that should be available to all constituents equitably, not just one small segment. According to DNR’s survey, only 8% of the general population has hunted in

⁷Allegany - An increase of from 6 to 13 Sundays from 2013 to 2016. Harvest decline. **In 2013-2014, the total harvest was 3636** (with 5 Archery (“A”) and 1 Firearms (“FA”) Sundays); in 2014-2015, the total harvest was 3051 (5A, 3FA, 1 Junior (“J”), and 2 Muzzleloader (“M”)); in 2015-2016, the total harvest 3368 (8A, 2FA, 1J, 2M). Harvest numbers continue to be depressed: 2016-2017: 2907; 2017-2018: 3361; 2018-2019: 3641; **2019-2020: 2846**.

Carroll - An increase of from 8 to 14 Sundays. Harvest decline. **2013-2014 - total harvest 5915** (5A, 3F, 2M); 2014-2015 - total harvest 5464 (5A, 3F, 1J, 2M); 2015-2016 - total harvest 5238 (8A, 3FA, 1J, 2M). Recent numbers are still below pre-Sunday increase numbers: 2016-2017: 5663; 2017-2018: 5896; 2018-2019: 5421; **2019-2020: 5523**.

Frederick - Increase of from 6 to 14 Sundays. Harvest decline. **2013-2014 - total harvest 8040** (5A, 1F); 2014-2015 - total harvest 7272 (5A, 3F, 1J, 2M); 2015-2016 - total harvest 7149 (8A, 3FA, 1J, 2M). Recent numbers are still below pre-Sunday increase numbers: 2016-2017: 7556; 2017-2018: 7354; 2018-2019: 6545; **2019-2020: 6358**.

Garrett - Increase of from 6 to 13 Sundays. 2013-2014 - total harvest 3868 (5A, 1F); 2014-2015 - total harvest 4453 (5A, 3F, 1J, 2M); 2015-2016 - total harvest 4408 (8A, 2FA, 1J, 2M). 2016-2017: 4342; 2017-2018: 5349; 2018-2019: 4973; 2019-2020: 4607.

Washington - Increase of from 6 to 13 Sundays. Harvest decline. **2013-2014 - total harvest 6376** (5A, 1F); 2014-2015 - total harvest 5087 (5A, 3F, 1J, 2M); 2015-2016 - total harvest 5282 (8A, 2F, 1J, 2M). Harvest numbers continue to be depressed: 2016-2017: 4736; 2017-2018: 4593; 2018-2019: 4620; **2019-2020: 4041**.

the last two years, and 84% has never hunted. Compare that with the 24% who reported making frequent or occasional trips specifically to view and experience deer in their native habitat for photography or other non-hunting purposes. (See footnote 1.)

Contravening many arguments that Sunday hunting is needed to help control a burgeoning deer population is the fact that the size of the Maryland deer herd has been steadily declining from a peak of about 295,000 in 2002 to about 207,000 recently. Indeed, DNR recently reduced the bag limits (i.e., the number of deer allowed to be taken), implicitly acknowledging that reducing the deer population is not a priority. In its proposal to reduce the bag limits, DNR stated that this change was being proposed “in response to hunter request.”⁸ According to DNR’s recent survey, hunters want to see the deer population maintained or increased.

It is also sometimes argued that recreational hunters need Sundays because they have other things to do on Saturdays - a situation that plainly applies to most of Maryland’s families who use outdoor resources, be they hunters, birdwatchers, dog walkers, mountain bikers, off-road vehicle enthusiasts and trail riders. So why should one group get special consideration? Where is the balancing of the public good? The number of licensed hunters in Maryland, fewer than 100,000, pales in comparison to the state’s overall population of about 6 million. Compare the number of hunters, for example, to the number of people who use Maryland’s park land for hiking and other forms of recreation. In the Horse Council’s statewide survey on Sunday hunting, 68% of respondents ride on trails on public or private land one or more days a week. And, perhaps most significantly, 85% said they changed their schedules or riding locations to avoid encountering hunters. Another important factor to consider in the balancing of the public good is the fact that, unlike many other states, Maryland’s hunting seasons are very long, with liberal bag limits. Part of the basis for these long seasons is that Maryland lacked Sunday hunting for most of its history. When Sunday hunting was introduced, there was not a corresponding shortening of the hunting seasons, so now there are both long seasons and increasing Sunday hunting opportunities.

This bill has been amended to authorize Sunday hunting only on private land. We of course recognize that private land owners have some right to decide what uses they want to allow on their land. But such rights have never been absolute, as any review of zoning and land use rules can plainly establish. And, as a practical matter the public/private land distinction affords little relief since public and private tracts are often relatively small, non-contiguous, intertwined and rarely well-marked. In our survey, referenced above, 56% of respondents said they ride on trails that cross both public and private land.

CONCLUSION

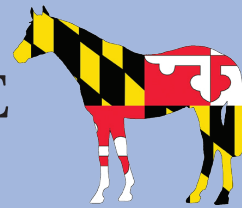
We urge the Committee to give HB 615 an unfavorable report.

Respectfully submitted,
Maryland Horse Council
(844) MDHORSE (844-634-6773)

⁸ http://dnr.maryland.gov/wildlife/Documents/2018-2020_ProposedSeasons.pdf See also https://www.heraldmillmedia.com/news/local/hunters-oppose-md-and-w-v-parks-deer-control-plan/article_febb0cd6-2fa9-11e7-9663-93a45fa7c007.html



THE MARYLAND HORSE INDUSTRY



Thoroughbred & Standardbred horse racing & breeding ♦ trail riding ♦ steeplechase ♦ sport horse competitions ♦ rodeo ♦ carriage driving ♦ therapy programs ♦ recreation ♦ rescue and more

A Dynamic Agricultural Entity

705,000 ACRES



25% of the State's agricultural land

Pastures are among the best filtering devices to protect the Chesapeake Bay from harmful runoff

10% of Maryland land



\$80,000,000 on feed, hay and straw

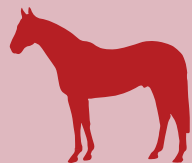
88,000 equine acres preserved forever as farmland



Number of Horses in Maryland

101,457

Horses in Maryland - making MD the number one state in terms of the number of horses per square mile!



10.5 horses per square mile!

200

Equine Orgs. Statewide

16,000

Horse Farms & Stables

35

different equine disciplines

40

 breeds

Integral to the State's Economy



\$2.1 Billion

Economic Impact



\$78m

 in tax revenue

28,000

 industry jobs

\$1B

 spent by participants

A Global Equine Identity



51.8% of households in MD contain horse enthusiasts



10,000 Youths served by MD's Educational Programs

1,500 4H Horse Projects

765 Licensed Riding & Boarding Stables

55 High School Interscholastic Teams

22 Pony Clubs

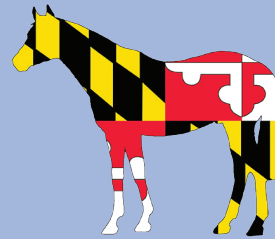
12 College Equine Teams & Clubs



MD is home to International gems:

Triple Crown Race - the Preakness since 1875
International 5-Star at Fair Hill in 2020

THE MARYLAND HORSE INDUSTRY ECONOMIC IMPACT



The Racing Sector



Adds **\$365 million** in value to the state economy



Racing Sector Total
Economic Impact of:
\$572 million



Supports
5,214 jobs

The Competition Sector

Competition Sector Total
Economic Impact of:

**\$270
million**



Supports **3,346 jobs**



Adds **\$162 million**
in value to the state economy



The Recreation Sector



Supports
4,971 jobs



Adds **\$234 million** in
value to the state economy

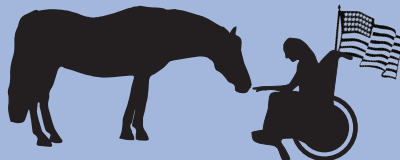
Recreation
Sector
Total Economic
Impact of:
\$382 million



The Equine Therapy Sector



Adds
\$8.4 million
in value to the state
economy



40 Therapeutic Riding Centers
Including over a dozen
Veterans groups

Information provided by

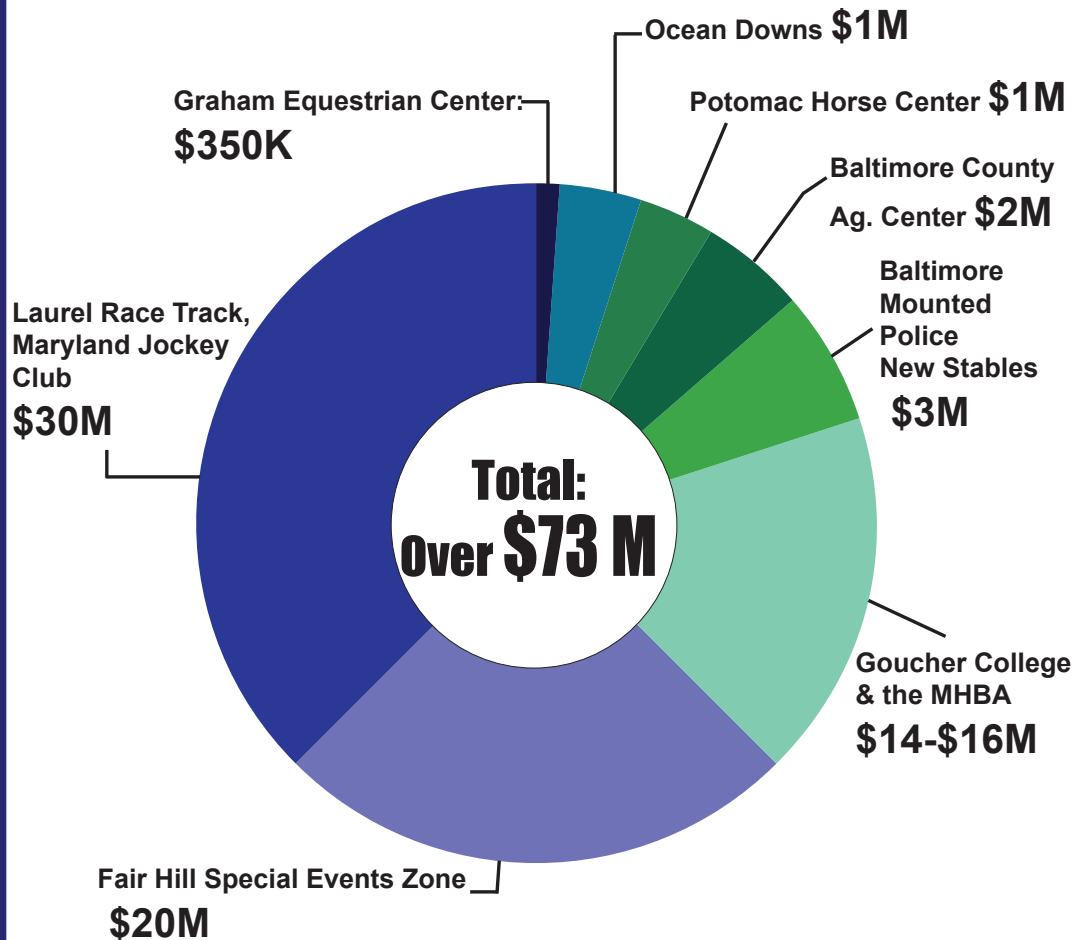
The American Horse Council
Foundation 2017

Institute for Governmental
Service and Research
University of Maryland 2017

Maryland Equine Census,
USDA 2010

Investing in Maryland Horse Industry Infrastructure:

Improvements currently planned or in the pipeline



- \$30M Laurel Race Track, Maryland Jockey Club has spent over \$30M
- \$20M Fair Hill Special Events Zone Phase I, construction starts Fall 2019
- \$14M Goucher College & Maryland Horse Breeders Assoc. Equestrian Center
- \$3M Baltimore Mounted Police New Stables, B&O Railroad Museum
- \$2M Baltimore County Ag. Center Show Ring, under construction
- \$1M Potomac Horse Center
- \$1M Ocean Downs Racing Admin. Building & Testing Barn
- \$350K Graham Equestrian Center



