

Maryland House Bill 778_Support_SCI_.pdf

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Position: FAV



February 12, 2024

Environment and Transportation Committee
ATTN: Chair Marc Korman
Room 251
House Office Building
Annapolis, Maryland 21401

RE: Support for House Bill 778

Dear Chair Korman and Honorable Members of the Environment and Transportation Committee:

On behalf of Safari Club International (SCI), I write in support of House Bill 778 and expanding Sunday hunting opportunities for migratory game birds in Maryland. SCI is dedicated to protecting the freedom to hunt and promoting wildlife conservation worldwide. Our organization, along with active members who live and hunt in Maryland, strongly support removing hunting prohibitions on Sunday hunting for migratory birds that would result in increased access for sportsmen and women and increased conservation funding for Maryland's natural resources.

Adding the ability to pursue migratory game birds on Sunday will significantly increase access and opportunities for recruiting and retaining new hunters. Hunters often cite "lack of time" as one of the number one reasons they stop hunting. Expanding Sunday hunting is key to providing more people, especially youth and beginners, with more opportunities to engage in hunting, which ultimately leads to generating more hunters, and associated revenue, in the years to come. Further, studies have shown that the additional access does not negatively impact user experience, non-consumptive users, or game populations.

Unfortunately, as you fully understand, many hunters today are still prevented from going afield on their own and/or from introducing new or novice hunters to the great outdoors because they are competing against work, organized sports, and other activities on Saturdays, which is currently their only opportunity to hunt outside of the typical work and school week. This stance ignores the facts that the majority of Maryland hunters support removing Sunday waterfowl hunting restrictions, that hunting is a deep part of Maryland's heritage, and the state's sportsmen and women direct contribution the state's economy. Recent reports show that Maryland hunters contribute \$328 million to the economy while directly supporting over 4100 jobs and providing over \$29 million to state and local taxes.

Maintaining America's large number of hunters is crucial to maintaining the revenues necessary to sustain abundant wildlife and wildlife habitat – for both game and non-game – conservation programs as well as access related programs. Funds generated through the sale of hunting licenses, tags, and permits all go to the benefit of Maryland's natural resources.



We respectfully ask for your support of House Bill 778. Thank you for your time and consideration of this important measure.

Sincerely,

W. Laird Hamberlin, CEO – Safari Club International/Foundation

CC: Secretary Josh Kurtz
Delegate Kevin B. Hornberger
Director Paul Peditto
Eric Luedtke

Approved WAC House of Delegates Sunday Migratory G

Uploaded by: Carl Wagner

Position: FAV



February 8, 2024

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Maryland House of Delegates
Environment and Transportation Committee
251 House Office Building
6 Bladen Street
Annapolis, MD 21401

RE: Support Migratory Game Bird Hunting
House Bill 778

Dear Environment and Transportation Committee:

The Maryland Wildlife Advisory Commission (WAC) is a ten-member body appointed by Governor Moore and former Governor Hogan that is charged with advising the Department of Natural Resources on matters of State wildlife policy. Please accept this letter as confirmation of the WAC's support for authorizing hunting on Sundays for ducks and geese. Maryland's prohibition on Sunday waterfowl hunting lingers as a vestige of outdated and mostly repealed "Blue Laws". Nearly every state and province in North America now permits hunting recreation on Sundays. The time has come to afford everyone an equitable and fair opportunity to experience the fields and marshes of Maryland in the same manner as occurs in Virginia, and as soon to be authorized in Delaware - two states who share Maryland's duck and goose population management structure under the Federal flyway framework. No science supports the continuation of this archaic prohibition. Indeed, some of the most productive waterfowl populations in the country exist in states where hunting on Sundays has been allowed for decades. This is a matter of recreational access, equity, and fairness.

"Today many families face busy schedules with long work weeks and weekend extracurricular activities for children on Saturdays. For hunters that see the importance of keeping the tradition of hunting alive for future generations, limiting the time available to hunt alone or with their families is a burden on their goal of promoting tradition. Even for those that would choose not to hunt on Sundays, lifting the government restriction grants all the option to enjoy this activity without artificial schedules imposed. Sportsmen and women understand the value of being free to choose if and when to hunt during the hunting season, just as Americans are free to decide to participate in other recreational activities such as fishing or boating on Sundays."¹

Notably, due to employment or education responsibilities and schedules, many Maryland waterfowl hunters are only able to enjoy this activity on Saturdays. Permitting the hunting of waterfowl on Sundays will not extend hunting seasons or increase the total number of

¹ National Shooting Sports Foundation, Fast Facts – Restrictions on Sunday Hunting (2018).

hunting days, but it will, practically, double the number of days available to many sportsmen and women throughout the State.

Some opposition to Sunday waterfowl hunting assert unfounded concerns about safety. However, this activity currently occurs on Monday to Saturday — with no apparent issues of safety between legal waterfowl hunters and non-hunters. In fact, House Bill 778 only authorizes Sunday waterfowl hunting on private lands or waters where there is a private right to do so. Denying a person the right to hunt on their land because someone who doesn't own that land sees it as potentially disturbing them is contrary to our modern system of private property rights. Would we stand up a law that makes it illegal to run a grain dryer on a Sunday? Pick corn or other small grains with heavy equipment and the attendant noise and disturbances there? Diesel engines from our friends who work the water for crabs and oysters and blue catfish are loud - should they be barred on Sundays too? Even the animal rights community presents no objection on this issue; rather, it is the small vocal minority of individuals who hunt on their own farms for profit and want to preserve their ability to keep others from doing the same.

But that's simply unfair and without equity in a State that is so grounded in those two principles. Most of the opponents to this Bill are owners or participants on commercial or private regulated shooting areas. These are properties where anyone can pay to hunt pen-reared mallard ducks any day from September to April - INCLUDING SUNDAYS. Correct—to date, the most vocal opposition to permitting the hunting of wild waterfowl on private property on Sundays is presented by individuals who are already doing the same thing but shooting released or pen-reared ducks on their private and 'for fee' farms. So why would these individuals oppose correcting this outdated Blue Law if they are already afforded the privilege of doing the thing? Perhaps because most hunters prefer the pursuit of wild waterfowl over released mallards, which is more work for the guides and outfitters without the same return in revenues for the effort. This widens the recreational access gap between commercial and private club operators and their clients and the 'entry level hunter' who is simply looking for a chance to expand his or her interest and opportunities in this great outdoors pursuit that pre-dates nearly every other outdoor activity in Maryland ... all of which are permitted on Sundays.

It is also worth considering the potential religious disparity borne of this prohibition. Simply, if a person who has their day-of-rest on a Saturday is therefore barred by their faith from hunting on Saturday, how do they ever hunt on a weekend day if Sundays are barred by State law?

In the end, the WAC has spent many years supporting this administration and others in their efforts to ensure the future of hunting and the outdoor stewardship ethic borne of that community of enthusiasts. Unfortunately, there remains a gap in access, opportunity, and the ability to simply get 'out there' when today's busy lifestyle affords the new or newer hunter the chance. Single parents, students, younger employees and citizens of all demographics are rising up to experience the wild outdoors experiences that are available in our country. Being afforded the option to work around full calendars and schedules by opening up a few hours on a Sunday is a critical piece of that recruiting puzzle. Unfortunately, Maryland remains more restrictive than most other states. If there's any question as to the interest in the hunting community to see this change finally come about - consider that a valid study conducted just a few years ago established that more than 75% of all survey participants in Maryland said that they want (arguably they need) the option to hunt waterfowl on Sundays. Doing so will keep them in the community of hunters and therefore, buying licenses. It is worth remembering that hunting license sales and the 3:1 Federal match borne of those special funds are the SINGLE primary source of funding for all wildlife conservation and management in Maryland - including thousands of plants, animals, and habitats that are never hunted or otherwise consumed by humans. We need hunters to keep hunting - Sunday waterfowl hunting is the next and arguably last big change we can embrace to ensure that tradition and funding source continues into the future.

Sincerely,

Signature Page

<hr/> <i>D. Matthew Cole</i> (Signature) <hr/> D. Matthew Cole – Worcester County	<hr/> February 8, 2024 <hr/> Date
<hr/> <i>Thurmond “TJ” Jenkins</i> (Signature) <hr/> Thurmond “TJ” Jenkins – Caroline County	<hr/> February 8, 2024 <hr/> Date
<hr/> <i>Steven W. Keithley</i> (Signature) <hr/> Steven W. Keithley – Calvert County	<hr/> February 8, 2024 <hr/> Date
<hr/> <i>J. Jeremy Parks</i> (Signature) <hr/> J. Jeremy Parks – Anne Arundel County	<hr/> February 8, 2024 <hr/> Date
<hr/> <i>Kaitlin L. Rossignuolo</i> (Signature) <hr/> Kaitlin L. Rossignuolo – Allegany County	<hr/> February 8, 2024 <hr/> Date
<hr/> <i>Joe L. Schroyer</i> (Signature) <hr/> Joe L. Schroyer – Garrett County	<hr/> February 8, 2024 <hr/> Date
<hr/> <i>Ryan D. Showalter</i> (Signature) <hr/> Ryan D. Showalter – Talbot County	<hr/> February 8, 2024 <hr/> Date
<hr/> <i>Michael Smith</i> (Signature) <hr/> Michael Smith – Montgomery County	<hr/> February 8, 2024 <hr/> Date
<hr/> <i>Carl F. Wagner</i> (Signature) <hr/> Carl F. Wagner – Anne Arundel County	<hr/> February 8, 2024 <hr/> Date

cc: Chair, Delegate Marc Korman
Vice Chair, Delegate Regina T. Boyce
Natural Resources, Agriculture & Open Space Subcommittee Members

Maryland House Bill 778_Delta Waterfowl_Support.pd

Uploaded by: Cyrus Baird

Position: FAV



February 12, 2024

Chairman Marc Korman
Environment and Transportation Committee
Room 251 | House Office Building
Annapolis, Maryland 21401

Vice-Chair Regina Boyce
Environment and Transportation Committee
Room 251 | House Office Building
Annapolis, Maryland 21401

RE: House Bill 778 (Hornberger) - *Natural Resources - Sunday Hunting - Migratory Game Birds*

Position: SUPPORT

Chairman Korman,

On behalf Delta Waterfowl members both in Maryland and across the United States, I am writing to enthusiastically **SUPPORT** House Bill 778 - legislation that will provide access and opportunity equity to tens of thousands of sportsmen and women in Maryland by repealing the antiquated blue law preventing waterfowl hunting on Sundays.

As background, Delta Waterfowl is a leading conservation organization founded at the famed Delta Marsh in Manitoba, Canada, with its United States Headquarters in Bismarck, North Dakota. We have members and supporters all across North America, including thousands in Maryland, who represent waterfowl hunters in all arenas. Delta Waterfowl works to produce ducks through intensive management programs and conservation of breeding duck habitat while also providing vital waterfowl research, and promoting and protecting the continuing tradition of waterfowl hunting in North America.

Access and Opportunity Equity for All

Sportsmen and women across the country often cite "lack of time" as one of the number one reasons they stop hunting. Many hunters are prevented from introducing new or novice hunters to the great outdoors because they are competing against work, organized sports and other activities on Saturdays, which is currently their only opportunity to hunt outside of the typical work and school week. Allowing an extra day to access the outdoors will provide equity and also help recruit and retain and reactivate (R3) a robust hunter population that is needed to provide critical funding for the overall conservation efforts in Maryland.

Currently, Maryland waterfowl hunters are one of the only user groups actively discriminated against from participating in their activity of choice seven days a week, including on land they own or lease. It's important to stress this legislation does not open up any new lands to hunting. Hunting will be limited to private lands, public waters, and Wildlife Management Areas (WMA's) owned and managed by DNR. It



will not occur in state parks, Natural Resource Management Areas or other areas already closed to migratory game bird hunting.

With the massive investments being made in R3 all over the country, including in the state of Maryland and specifically with the Maryland Department of Natural Resource in recent years, allowing the DNR to utilize Sunday hunting as a tool and resource will help expand hunting opportunities to a whole new constituent base.

Sunday Hunting has Overwhelming Support

The concept of Sunday hunting has broad support across the country, including right here in Maryland. Currently more than 40 states offer Sunday hunting for their sportsmen and women across the country. The remaining states where it is still prohibited are primarily concentrated on the east coast – or the Atlantic Flyway – and are deeply rooted in centuries old blue laws and apathy on the part of legislators to change them despite its popularity.

More than 75% of waterfowl hunters across the state surveyed by the DNR indicated they support Sunday hunting, and expanding hunting opportunities to Sundays is the single most requested policy change by hunters during the DNR's regulation setting process and scoping period.

In recent years, several neighboring states have begun the process of deliberating and repealing these prohibitions, and to date, there has been zero negative consequences on the resource and no user-conflict for the states that have enacted this change.

Just last month, Delaware's General Assembly moved a bill to allow Sunday hunting for game birds (*Delaware House Bill 271 – Rep. Carson, et. al.*) through their House without a single recorded no vote, and without any public opposition. This legislation is primed to move through the Delaware Senate and put signed into law when lawmakers return to Dover in March.

Additionally, lawmakers in Pennsylvania have renewed their efforts to further expand Sunday hunting opportunities for their citizens when Representative Mandy Steele sent an All House Colleague memo on January 31st announcing she will introduce legislation to repeal their prohibitions stating “[*moreover, some states that have recently lifted their Sunday hunting bans have reported no adverse impact on their game populations.*”

Sunday hunting is also supported by some of the countries most respected conservation and hunting organizations. In addition to Delta Waterfowl, support for Sunday hunting can be found from the Maryland Wildlife Advisory Commission, Congressional Sportsmen's Foundation, Ducks Unlimited, Safari Club International, National Shooting Sports Foundation, and many more. These groups represent thousands of sportsmen and women across the United States and in Maryland.



Sunday Hunting Has No Impact on Waterfowl Populations

The small cohort of Sunday hunting opponents will routinely cite fears of negatively impacting waterfowl populations with the legalization of Sunday hunting. It's important to stress that there is zero scientific or biological data to support that allowing for Sunday hunting will negatively impact waterfowl populations.

Waterfowl are constantly introduced to stressors during their life-cycle. From the time they are hatched, to the time they make their migration south, they run the risk predation, disease, and a number of other factors that play a role in their overall population levels. However, hunting is widely considered to play a very small role in the overall impact on waterfowl populations.

According to several peer-reviewed studies, nesting success and survival of adult female mallards during the breeding season account for the largest variation in population levels. Survival OUTSIDE of the breeding season – which would include hunting seasons - only accounted for 9% variation in population levels.

In Virginia following the legalization of Sunday hunting for waterfowl, the Virginia Department of Wildlife Resources estimated that there was “no measurable impact” on waterfowl populations with the additional day of hunting – adding that “[duck] harvest on Sundays was comparable to duck harvest occurring on Mondays-Thursdays and about 1/3 that of Saturdays.”

House Bill 778 Supports Local Decision Making

Recognizing that some counties in Maryland may still not support the idea of Sunday hunting within their jurisdiction, this legislation would allow for those existing counties in code to remain opted out. While Delta Waterfowl is supportive of local decision making, it's important to stress that counties opting out does NOT preclude them from opting back into the option of Sunday hunting in the future if they choose to. This type of flexibility would allow those counties wishing to provide further opportunities to their residents the ability to do so.

In Closing

In closing, this commonsense legislation which has universal broad support will allow the sportsmen and women of Maryland to participate in the rich tradition of waterfowl hunting seven days a week during the established seasons. We look forward to working with the bill sponsors, members of the General Assembly and the conservation community and request your support.

Respectfully,

Cyrus Hunter Baird
Senior Director of Government Affairs
Delta Waterfowl Foundation

2024 MD HB 778 - Sunday Waterfowl Hunting - JOINT

Uploaded by: Fred Bird

Position: FAV



To: **The Honorable Marc Korman**
Chair, House Environment and Transportation Committee
House Office Building
Room 251
11 Bladen Street
Annapolis, MD 21401

Re: **House Bill 778 – Sunday Hunting – Migratory Game Birds**

Position: **Support**

Date: **February 21, 2024**

Dear Chairman Korman, Vice Chair Boyce, and Honorable Members of the House Environment and Transportation Committee,

On behalf of the undersigned organizations, collectively representing the interests of Maryland’s 438,592 sportsmen and women, we respectfully urge you to support House Bill 778 (HB 778). This bill would authorize the Maryland Department of Natural Resources to allow for migratory game bird hunting during the open season on Sundays.

This legislation will provide equity for access and opportunity for the residents of Maryland seeking to hunt migratory game birds in the state. Allowing an additional day on the weekend will help recruit, retain, and reactivate (R3) waterfowl hunters who are constrained during the week. Sunday migratory game bird hunting is the single highest requested opportunity received through the Department of Natural Resources (DNR) and has overwhelming, broad support across the state. Hunting will be limited to private lands, public waters, and Wildlife Management Areas (WMA’s) owned and managed by DNR. Hunting will not occur in state parks, Natural Resource Management Areas or other areas already closed to migratory game bird hunting.

Maryland already has had a successful track record of Sunday hunting for other game species since 2003 when it was first authorized, to the present. However, *the current framework for Sunday hunting has resulted in a confusing patchwork of various allowances* that does not include any provisions for hunting waterfowl or other migratory gamebirds. HB 778 will provide the DNR with the ability to allow for waterfowl and migratory game bird hunting where biologically and sociologically supported, to provide increased opportunity for Maryland’s sportsmen and women.

Access is a major limiting factor hindering participation in hunting, and restrictions on Sunday hunting provide a temporal-access barrier to youth and others that work or attend school throughout the week and are often involved in extra-curricular activities on Saturdays. The hunting conservation community strongly supports measures that increase access and opportunity for sportsmen and women, and we encourage you to support HB 778 to afford all families seven-day hunting opportunities for migratory gamebirds and waterfowl. Under the discretion

of the DNR, this legislation would significantly improve access for Maryland hunters and would help arrest the decline in hunting participation. The number of paid license holders in the state decreased by 33% from 1983 to 2023, and expanding access and opportunity would help stem the decline and provide increased certainty in conservation funding for the Maryland DNR.

Sportsmen and women are the primary funders of state-level conservation efforts in the state and are thus an important constituency that provides benefits for all Marylanders. In 2023 alone, Maryland’s sportsmen and women generated more than \$31.2 million dollars for conservation funding in Maryland through revenue derived from license sales and excise taxes on sporting-related goods in the unique “user pays – public benefits” structure known as the American System of Conservation Funding. This funding provides the lion’s share of funding for the Maryland DNR and supports the agency’s land acquisitions, wildlife and habitat management programs, and many other programs that benefit all citizens of the “Old Line State”.

Allowing public land Sunday hunting would also significantly benefit Maryland’s economy, particularly in rural areas, by increasing economic output and job creation. An additional day to hunt would mean more dollars spent by hunters in restaurants, hotels, gas stations and stores throughout the state. Maryland’s sportsmen and women are a significant economic force. In 2020, a study was conducted that revealed Marylanders contributed \$328,000,000 in retail sales, supported 4,100 jobs (\$157,000,000 in salaries and wages), paid \$29,000,000 in state and local taxes, and paid \$41,000,000 in federal taxes. This data is available online at: <https://sportsmensalliance.org/wp-content/uploads/2022/02/2020-Economic-Impact-of-Hunting-and-Shooting-Technical-Report-V2.pdf>.

Additionally, increasing opportunities on Sundays will allow private landowners, farmers, and others to diversify their income sources by allowing an additional day of hunting on their land, thereby helping to provide a capital influx into rural economies that were hardest hit by the recent recession. Creating additional opportunities will also encourage out-of-state hunting-related tourism and further bolster rural economies throughout the state.

The neighboring states of Delaware, Virginia, and West Virginia have recently authorized state-wide Sunday hunting and have reported great success, with no increase in conflicts among user groups, safety incidents, or detrimental impacts to their wildlife populations. Please find a supportive letter attached from the Virginia Department of Game and Fisheries, which detail their experiences following the authorization of statewide Sunday hunting in recent years. Additionally, please find the attached resolution from the North Carolina Wildlife Resources Commission, stating: “there is no evidence that suggests vital rates of waterfowl populations would be negatively impacted due to hunting of migratory birds on Sunday;”

In closing, we ask that you consider the successful track record of seven-day hunting in Maryland, the economic and conservation funding benefits to the state, and the importance of increasing opportunities for youth and families to spend time together hunting and thereby protect family traditions and Maryland’s hunting heritage.

Thank you for considering our comments.

Sincerely,

Congressional Sportsmen’s Foundation
Delta Waterfowl
Hunters of Maryland
Maryland Sportsmen’s Foundation
Safari Club International
Sportsmen’s Alliance

CC: The Honorable Regina T. Boyce (Vice Chair)
The Honorable Jackie Addison
The Honorable Nick Allen

The Honorable Terry Baker
The Honorable Barrie S. Ciliberti
The Honorable Debra Davis
The Honorable Linda Foley
The Honorable Michele Guyton
The Honorable Anne Healey
The Honorable Marvin E. Holmes, Jr.
The Honorable Jay Jacobs
The Honorable Mary A. Lehman
The Honorable Jeffrie E. Long, Jr.
The Honorable Sara Love
The Honorable Todd B. Morgan
The Honorable Ryan Nawrocki
The Honorable Charles J. Otto
The Honorable Sheila Ruth
The Honorable Dana Stein
The Honorable Vaughn Stewart
The Honorable Jen Terrasa
The Honorable Natalie Ziegler

Attachments:

2016 Virginia Sunday Hunting Letter
2018 North Carolina Resolution Regarding the Hunting of Migratory Game Birds on Sunday



COMMONWEALTH of VIRGINIA
Department of Game and Inland Fisheries

Molly J. Ward
Secretary of Natural Resources

Bob Duncan
Executive Director

April 15, 2016

Bee Frederick
Southeastern States Manager
Congressional Sportsmen's Foundation
624 S. Perry Street
Montgomery, AL 36104

Dear Mr. Frederick:

As you are aware, in 2014 the Virginia General Assembly passed Senate Bill 154 and House Bill 1237, which permitted Sunday hunting under certain circumstances. With a few exceptions, Sunday hunting is now permitted for waterfowl and is also allowed for other species by private landowners, their families, or anyone with written permission from the landowner. Hunting of deer or bear with dogs while using a weapon is not permitted on Sundays, and certain limitations pertaining to areas near places of worship and other restrictions were also included in the legislation.

You have inquired as to the results of the implementation of the new Sunday hunting allowances in Virginia, as we have now had it in place for nearly two years. I can report to you that hunting on Sundays has gone well statewide. The Department elected to largely leave hunting seasons in place as they existed previously, and simply allow Sunday hunting as directed by the legislation. Bag limits were likewise left in place as they existed before.

Sunday hunting has not had a detrimental impact upon our deer herd. So far, average deer harvests for Sundays more closely approximate the averages for weekdays, and are far less than Saturdays (approximately 50% of the average Saturday during both archery and muzzleloader seasons, and roughly 20% of the average Saturday during general firearms season). While some had feared that the addition of another day of hunting to the week could lead to an unacceptably high deer harvest, that has not been our experience. Turkey harvests on Sundays have also closely approximated weekday averages.

Another concern of some related to Sunday hunting had been whether it might pose an undue burden upon our law enforcement officers. Again, to date, those fears have not been realized. Similar to harvest statistics, the number of hunting-related calls to our law enforcement dispatch on Sunday's number similarly to the average weekday, increasing only a modest

Bee Frederick
Southeastern States Manager
Congressional Sportsmen's Foundation
April 15, 2016
Page2

amount over the number of calls that were received on Sundays before hunting was allowed. Hunting-related arrests trend similarly.

In sum, I can say that Virginia's experience so far with Sunday hunting is that of additional opportunities for sportsmen and women in the field without unacceptable impacts upon our wildlife resources, notable increases in citizen complaints, or other serious law enforcement concerns. We look forward to the coming seasons and to our hunters continuing to have this additional day available to them.

Sincerely,



Robert W. Duncan
Executive Director

RWD/RJB



Resolution Regarding the Hunting of Migratory Birds on Sunday in North Carolina

Whereas, North Carolina has a rich and storied history of hunting migratory birds, including numerous species of ducks and geese, swans, mourning doves, woodcock, rails, and other webless species; and

Whereas, these hunting traditions and those who pursue them are as varied from the coast to the mountains as the species and habitats in which they occur; and

Whereas, hunting on Sunday with a firearm was prohibited in North Carolina beginning in 1869; and

Whereas, hunting on Sunday with a firearm on private lands was legalized, with some restrictions, on October 1, 2015, except for hunting of migratory birds; and

Whereas, North Carolina Session Law 2017-182, enacted in 2017, granted the Wildlife Resources Commission authority to promulgate rules legalizing hunting on Sunday for wild animals (including migratory birds) and upland game birds; and

Whereas, the hunting of migratory birds on Sunday remains prohibited unless authorized by proclamation or rules of the Wildlife Resources Commission, subject to the following limitations:

- (1) Hunting on Sunday between 9:30 AM. and 12:30 P.M. is prohibited, except on controlled hunting preserves licensed pursuant to G.S. 113-273(g),
- (2) Hunting on Sunday within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, is prohibited, and

Whereas, Session Law 2017-182 also directed the Commission to "complete a study that includes, but is not limited to, examining biological and resource management impacts, economic impacts, and social impacts associated with hunting migratory birds on Sunday;" and

Whereas, changes in hunting pressure and other human-induced disturbance can affect behavior patterns of ducks during the migration and wintering periods; and

Whereas, associated changes in duck distribution may locally impact hunter success; however, there is no evidence that suggests vital rates of waterfowl populations would be negatively impacted due to hunting migratory birds on Sunday; and

Whereas, based on results from Responsive Management, Inc. there is both substantial support and opposition to hunting migratory birds on Sunday within the hunting community and opinions differ among hunting and non-hunting publics; and

Whereas, issues associated with hunting migratory birds on Sunday are inter-relatedly biological, social, economic, and political; and require evaluation and melding with U.S. Fish and Wildlife Service rules and policies; and

Whereas, differences among constituents vary between locales and among groups; and

Whereas, further examination would be required to determine specific economic impacts at local scales or to specific hunter groups; and

Whereas, beginning in 1997, the U.S. Fish and Wildlife Service (Service) has allowed states to use compensatory days if Sunday hunting for migratory birds was not allowed by state law thereby "compensating" states by not requiring they count Sundays as waterfowl hunting days during the annual season selection process; and

Whereas, the Service has proposed compensatory days for webless species starting with the 2018-19 hunting seasons; and


Whereas, in accordance with federal rules, once a state lifts a ban on Sunday hunting of migratory birds, the state loses its eligibility for compensatory days in the future should it reinstitute a ban.

Now, therefore, be it resolved, that the Wildlife Resources Commission is committed to managing our public trust migratory bird resources judiciously, sustainably, and optimally for our citizens, including balancing protection of longstanding cultural values and expansion of hunting opportunities, and therefore directs staff to:

- collaborate with natural resource economists to more fully examine relevant economic aspects associated with hunting migratory birds on Sunday;
- review all available human dimensions survey data from stakeholders in North Carolina to determine if regulatory changes other than legalizing hunting on Sunday are desired;
- evaluate impacts of compensatory days on the attitudes and opinions of migratory bird hunters who pursue webless species;
- evaluate potential season zoning options as possible tradeoffs to conflicting desires of hunters across the state; and
- report all findings back to the Wildlife Resources Commission.

Approved, this the 28th day of February 2018, in an official meeting by the North Carolina Wildlife Resources Commission.


John T. Coley IV, Chairman


Gordon Myers, Executive Director

2024 MD HB 778 - Sunday Waterfowl Hunting - CSF LO

Uploaded by: Kaleigh Leager

Position: FAV



To: The Honorable Marc Korman
Chair, House Environment and Transportation Committee
House Office Building
Room 251
11 Bladen Street
Annapolis, MD 21401

Re: House Bill 778 – Sunday Hunting – Migratory Game Birds

Position: Support

Date: February 21, 2024

Dear Chairman Korman, Vice Chair Boyce, and Honorable Members of the House Environment and Transportation Committee,

As the Senior Coordinator, Mid-Atlantic States for the Congressional Sportsmen’s Foundation (CSF), and as a lifelong Maryland resident and avid hunter, I respectfully urge a favorable report on House Bill 778 (HB 778) – Sunday Hunting – Migratory Game Birds. The passage of HB 778 will allow migratory game bird (waterfowl and dove) hunters the opportunity to hunt on Sundays. However, the approved hunting areas will continue to remain limited to private lands, public waters, and Wildlife Management Areas (WMS’s) that are owned and managed by the Department of Natural Resources (DNR).

Founded in 1989, CSF is the informed authority across outdoor issues and serves as the primary conduit for influencing public policy. Working with the Congressional Sportsmen's Caucus (CSC), the Governors Sportsmen's Caucus (GSC), and the National Assembly of Sportsmen's Caucuses (NASC), CSF gives a voice to hunters, anglers, recreational shooters, and trappers on Capitol Hill and throughout state capitols advocating on vital outdoor issues that are the backbone of our nation's conservation legacy.

Maryland has experienced success with the addition of Sunday hunting for other game species since 2003 when it was first authorized, to the present. However, the current framework for Sunday hunting has resulted in a confusing patchwork of various allowances that does not include any provisions for hunting waterfowl or other migratory gamebirds. HB 778 will provide the DNR with the ability to allow for waterfowl and migratory game bird hunting where biologically and sociologically supported, to provide increased opportunity for Maryland’s sportsmen and women.

Access is a major limiting factor hindering participation in hunting, and restrictions on Sunday hunting provide a temporal-access barrier to youth and others that work or attend school throughout the week and are

often involved in extra-curricular activities on Saturdays. Individuals and families continue to seek the ability to participate in safe and healthy recreation. Hunting not only provides residents with that chance, but it also offers a chance to harvest fresh and healthy meat for consumption and nourishment. CSF strongly supports measures that increase access and opportunity for sportsmen and women.¹

Sportsmen and women are the primary funders of state-level conservation efforts in the state and are thus an important constituency that provides benefits for all Marylanders. In 2023 alone, Maryland's sportsmen and women generated more than \$31.2 million dollars for conservation funding in Maryland through revenue derived from license sales and excise taxes on sporting-related goods in the unique "user pays – public benefits" structure known as the American System of Conservation Funding. This funding provides the lion's share of funding for the Maryland DNR and supports the agency's land acquisitions, wildlife and habitat management programs, and many other programs that benefit all citizens of the "Old-Line State".

Allowing Sunday migratory game bird hunting would also significantly benefit Maryland's economy, particularly in rural areas, by increasing economic output and job creation. An additional day to hunt would mean more dollars spent by hunters in restaurants, hotels, gas stations and stores throughout the state. Maryland's sportsmen and women are a significant economic force. In 2020, a study was conducted that revealed Maryland hunters contributed \$328,000,000 in retail sales, supported 4,100 jobs (\$157,000,000 in salaries and wages), paid \$29,000,000 in state and local taxes, and paid \$41,000,000 in federal taxes.² Additionally, increasing opportunities on Sundays will allow private landowners, farmers, and others to diversify their income sources by allowing an additional day of hunting on their land, thereby helping to provide a capital influx into rural economies that were hardest hit by the recent recession. Creating additional opportunities will also encourage out-of-state hunting-related tourism and further bolster rural economies throughout the state.

In closing, repealing laws that currently prohibit hunting on Sundays will increase participation, and likely license sales by extension, have a positive impact on the state's economy, and will strengthen the Old-Line State's deep outdoor heritage. In addition, this bill will provide more opportunities for friends and families to spend time afield, resulting in the strengthening of relationships, creating bonds and memories, as well as passing down traditions to the next generations. For these reasons, I respectfully urge a favorable report on HB 778.

Sincerely,



Kaleigh E. Leager
Senior Coordinator, Mid-Atlantic States | Congressional Sportsmen's Foundation
110 North Carolina Ave, SE | Washington, DC 20003
kleager@congressionsportsmen.org | 202-543-6850 X 20

¹ [Congressional Sportsmen's Foundation 2023 Issue Brief – Sunday Hunting Restrictions](#)

² Sportsmen's Alliance Foundation (12/2021) *Economic Impact of Hunting and Target Shooting – Technical Report – Within U.S. States and Congressional Districts*. Southwick Associates. [Microsoft Word - 2020 Economic Impact of Hunting and Shooting Technical Report.docx \(sportsmensalliance.org\)](#)

hb778Hornberger.pdf

Uploaded by: Kevin Hornberger

Position: FAV

KEVIN B. HORNBERGER
Legislative District 35B
Cecil County

Ways and Means Committee

Education Subcommittee

Local Revenues Subcommittee

Joint Committee on Gaming Oversight

Chair, Cecil County House Delegation



The Maryland House of Delegates
ANNAPOLIS, MARYLAND 21401

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The Honorable Chair Marc Korman
Environment & Transportation Committee
251 Taylor House Office Building
6 Bladen Street
Annapolis, MD 21401

February 21st, 2024

Good afternoon Chair Korman, Vice Chair Boyce, and fellow Committee Members.

I come before you today presenting House Bill 778 Natural Resources - Sunday Hunting - Migratory Game Birds. This may be the simplest bill you hear this session as it seeks to remove the word NOT from language pertaining to hunting of migratory birds on Sundays. This enabling legislation allows the DNR to structure the hunting season how they see fit and puts us in the same posture as 44 other states.

Passage of this bill will not impact Sunday waterfowl hunting prohibition in the following counties:

Baltimore City

Baltimore County

Howard County

Prince George's County

as they have already explicitly opted out. They could be added in the future if they choose but this would require passage of a local delegation bill to opt in.

In concert with the AG's office we found the first reference to this blue law language from Chapter 1 of 1678, "no person shall profane or abuse the said Lords day by drunkenness, swearing, gaming or hunting or any other unlawful sports or recreations".

Much has changed since 1678 however Sportsmen and Women are still discriminated against by this anachronistic law. The DNR has surveyed a broad spectrum of their customers and the option to hunt waterfowl on Sunday is overwhelmingly supported as you will hear in their testimony. We have assembled a compelling panel of subject matter experts and prominent activist organizations to field any questions of the committee. We hope that you will move favorable on this bill. Thank you.

A handwritten signature in black ink, appearing to read "Kevin Hornberger".

Delegate Kevin Hornberger
District 35B, Cecil County

Sunday Hunting AG Letter - Hornberger.pdf

Uploaded by: Kevin Hornberger

Position: FAV

BRIAN E. FROSH
ATTORNEY GENERAL

ELIZABETH F. HARRIS
CHIEF DEPUTY ATTORNEY GENERAL

CAROLYN A. QUATTROCKI
DEPUTY ATTORNEY GENERAL



SANDRA BENSON BRANTLEY
COUNSEL TO THE GENERAL ASSEMBLY

KATHRYN M. ROWE
DEPUTY COUNSEL

JEREMY M. MCCOY
ASSISTANT ATTORNEY GENERAL

DAVID W. STAMPER
ASSISTANT ATTORNEY GENERAL

THE ATTORNEY GENERAL OF MARYLAND
OFFICE OF COUNSEL TO THE GENERAL ASSEMBLY
CONFIDENTIAL
January 3, 2019

The Honorable Kevin B. Hornberger
410 House Office Building
Annapolis, Maryland 21401-1991

Dear Delegate Hornberger:

You have asked for advice concerning State laws limiting hunting on Sunday. Specifically, you have asked whether these laws violate the Free Exercise Clause of the First Amendment to the United States Constitution or the Due Process or Equal Protection provisions of Clause 1 of the Fourteenth Amendment. It is my view that they do not.

The first Maryland law against Sunday hunting that I can find was adopted as Chapter 1 of 1678, which provided, in part:

That no person or persons from & after the time aforesaid shall profane or abuse the said Lords day as aforesaid by drunkenness, swearing, gaming at cards, dice, billiards, shuffle boards, bowls, ninepins, horserace, fowling, or hunting or any other unlawful sports or recreations

Proceedings and Acts of the General Assembly, October 1678 - November 1683. (Archives Volume 7, page 51) (spelling and grammar modernized). The modern version of this law at the time of *McGowan v. Maryland*, 366 U.S. 420 (1961) was initially enacted by Chapter 16, § 10 of 1723 and was not amended at any time between its adoption and the decision in that case. It read:

No person whatsoever shall work or do any bodily labor on the Lord's day, commonly called Sunday; and no person having children or servants shall command, or wittingly or willingly suffer any of them to do any manner of work or labor on the Lord's day (works of necessity and charity always excepted), nor shall suffer or permit any children or servants to profane the Lord's day by gaming, fishing, fowling, hunting or unlawful pastime or recreation; and every person transgressing this section and being hereof convicted before a justice of the peace shall forfeit five dollars, to be applied to the use of the county.

Article 27, § 492, Maryland Code Annotated (1971 Replacement Volume).

The specific provision upheld in the *McGowan* case was Article 27, § 521, which at that time prohibited the sale of articles of merchandise on Sunday with exceptions for certain items sold at retail. While only § 521 was challenged, the Court found that “in order properly to consider several of the broad constitutional contentions” it was necessary to “examine the whole body of Maryland Sunday laws.” *McGowan*, 366 U.S. at 423. The equal protection challenge to the statute was based on the exceptions to the statute and the alleged irrationality between what was permitted and what was not. The Court applied the rational basis test, which provides that “statutory discrimination will not be set aside if any state of facts reasonably may be conceived to justify it.” *Id.* at 426. Furthermore, the test places the burden of showing the lack of any rational basis on the party challenging the statute. *Id.* at 426-427. The Court also rejected the argument that the variations in the laws applicable to different counties violated the requirement of equal protection, saying that “the Equal Protection Clause relates to equality between persons as such, rather than between areas and that territorial uniformity is not a constitutional prerequisite.” *Id.* at 427.

While the hunting laws apply to a leisure activity rather than a commercial activity, hunting is not a fundamental right, and thus the rational basis test would apply to a challenge of the Sunday hunting laws as well. *Hartley Hill Hunt Club v. County Commission of Ritchie County*, 647 S.E.2d 818, 828 (W. Va. 2007); *Lee v. South Carolina Department of Natural Resources*, 530 S.E.2d 112, 113 (S.C. 2000). Both *Hartley Hill* and *Lee* involved challenges to Sunday hunting laws, and both cases held that the laws did not violate the Equal Protection Clause. In *Lee* the court found that the law helped with the enforcement of wildlife management laws and gave “other recreational users-hikers, bird watchers, photographers, and other non-hunters-a chance to enjoy the outdoors without hearing the large-caliber gunshots of a big game hunter or being accidentally shot by a big game hunter” and thus had a rational basis. *Id.* at 114-115. In *Hartley Hill* the court held that the law was rationally related to the legitimate state purpose of the management of the wildlife resources of the State, including preserving the “economic contributions” of wildlife for the “best interests of the people of this State.” *Id.* at 828. Each court also found no violation based on the differences in the law applicable to different counties. *Hartley Hill*, 647 S.E.2d at 828; *Lee*, 530 S.E.2d at 114.

It is also my view that Maryland’s Sunday hunting laws would withstand challenge under the Equal Protection Clause for the reasons discussed in *Hartley Hill* and *Lee*. In addition, because hunting is not a fundamental right, a Due Process Clause analysis would have the same result.

Neither *Hartley Hill* nor *Lee* dealt with a Free Exercise Clause claim. Such a claim was raised in *Frank v Alaska*, 604 P.2d 1068 (Alaska 1979), a case involving a fine imposed on a member of the Athabascan tribe for hunting moose out of season. In that case, the court found that the moose hunt in question was undertaken to provide moose meat for a religious ceremony and that the consumption of moose meat at that ceremony was a practice deeply rooted in the Athabascan religion, *id.* at 1073. The court interpreted the case of *Sherbert v. Verner*, 374 U.S. 398 (1963), to mean that the Free Exercise Clause required the government to accommodate such religious practices by creating exemptions from general laws. *Id.* at 1070. The court did not hold, however, that this rendered the statute invalid, but only that the statute could not be applied to this practice by members of the Athabascan tribe.

The Honorable Kevin B. Hornberger

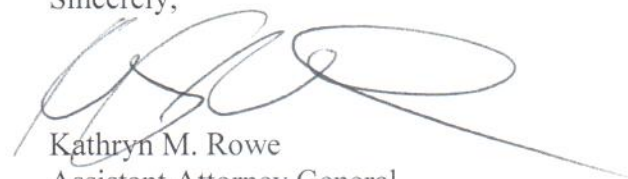
January 3, 2019

Page 3

Thus, even if the *Frank* case were good law, it would not require a holding that the statutes barring hunting on Sunday are invalid, but only that they could not apply to those with a sincere religious belief requiring them to engage in hunting at certain times, some of which fell on Sundays. *Frank*, however, is not good law. In *Employment Division v. Smith*, 494 U.S. 872 (1990) the Supreme Court held that the case of *Sherbert v. Verner*, 374 U.S. 398 (1963), which was relied on in the *Frank* case, did not apply outside the context of the denial of unemployment compensation. *Smith*, 494 U.S. at 883. Instead, the Court held that the Free Exercise Clause “does not relieve an individual of the obligation to comply with a valid and neutral law of general applicability on the ground that the law proscribes (or prescribes) conduct that his religion prescribes (or proscribes).” *Id.* at 879. Thus, in the absence of a showing that the statute in question “represents an attempt to regulate religious beliefs, the communication of religious beliefs, or the raising of one’s children in those beliefs” a generally applicable law will apply. *Id.* at 882.

While you have noted that some Hindu and Sikh teachings speak highly of hunting, none seem to require it. In any event, it is clear that the Maryland Sunday hunting laws that have been in place for over 300 years apply generally to everyone in the areas where they are applicable, and are in no way aimed at practices of Hindus and Sikhs in the State. Therefore it is my view that the Sunday hunting laws do not violate the Free Exercise Clause of the First Amendment.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Rowe', with a long horizontal flourish extending to the right.

Kathryn M. Rowe
Assistant Attorney General

KMR/kmr
hornberger06

MSF Testimony HB778.pdf

Uploaded by: Stephen Holt

Position: FAV



**Delegate Marc Korman, Chair
House Environment & Transportation Committee
Room 251 House Office Building
Annapolis, MD 21401**

RE: House Bill 778 - Natural Resources - Sunday Hunting - Migratory Game Birds

Dear Chairman Korman, Vice Chair Boyce and Members of the Committee,

The Maryland Sportsmen's Foundation (MSF) was founded to Conserve, Promote, & Protect Maryland Lands, Wildlife, & Wildlife Habitat for the future enjoyment of all citizens. With this in mind, we wholeheartedly **SUPPORT** HB778.

This bill stems from the removal of the Sunday Hunting Provision that was part of the "Hunting, Wildlife Conservation and Outdoor Recreation – Funding, Promotion, Management, Licenses, Permits, and Stamps Act." that passed last year. The premise of the bill was hunters would accept an increase in fees for their license and stamps with the hope of Maryland finally allowing Sunday Waterfowl Hunting (which most of the county already does and our neighbors, DE & PA are more than likely going to adopt this year). Unfortunately, due to a vocal minority from a few privileged landowners and guides, that provision was removed from the bill during these committee hearings. This sport belongs to ALL hunters, and should not be controlled and dictated by the wealthy few. PLEASE don't allow that mistake to continue any longer, and let's fix what should have never happened last year.

The hunting community **NEEDS** Sunday Waterfowl Hunting. Year-over-year, we are seeing a downward trend in license sales. That means less money from License & Stamp Sales. Less matching funds from the Pittman-Robertson Act. Which ultimately means less money for DNR and conservation efforts throughout the state. This isn't an issue in which simply raising fees will solve. We need to stop the downward trend and start getting more people involved, hence the nationwide "R3" program (Recruit, Retain, Re-Activate). Sunday hunting is a **MAJOR** piece to that puzzle. It is the #1 requested item by hunters via the Maryland DNR Survey (75%-80% of hunters want it) and it is the #1 tool for getting more people into the sport (The R3 programs main effort).

PLEASE get it right this session, and pass HB778. Give all hunters the **OPTION** and the **ABILITY** to get out on Sundays with their families and loved ones.

I want to be clear, this is an access and equity issue.

For years, a select few farmers/landowners/outfitters have controlled the narrative regarding Sunday Waterfowl. Selfishly, Sunday Waterfowl hunting has been held hostage because of dollars and time.

Let me explain...

Some of the opponents for Sunday Waterfowl Hunting own and operate Regulated Shooting Area's (RSA's). This is a program where you can buy/raise pen-raised ducks and release them to harvest any day of the week (including Sundays). Let's be clear. These opponents are against Sunday Waterfowl hunting for the general public, but they are ok with being able to charge you to hunt on Sundays on their land. That is a Monopoly and completely inequitable!!!

Other opponents, specifically Guides/Outfitters, of Sunday Waterfowl hunting will say "the birds need a day of rest". This is completely false. It's the Guides/Outfitters that want the day of rest! As our current regulations go, Guides/Outfitters get Sundays off and there is no monetary loss or negative impact for them. In fact, those with RSA's, as mentioned above, can make more money on a Sunday by shooting released birds than they do hunting wild birds the rest of the week. For those without RSA's, it's a free-day for them to do what they want, which I can truly appreciate. However, I don't believe that their desire for a day-off should control the opportunity for everyone else! When we are allowed to hunt on Sundays, they will have to make the decision to work and get paid, or take the day off and not. That seems fair & equitable to me...

Sunday Waterfowl hunting is available if you have enough money to buy hunts or own RSA's. The purpose of HB778 is to simply level the playing field and make Sunday Waterfowl Hunting available for all and increase participation in the sport.

Thank you for your time and consideration.

Carl F. Wagner
Executive Director
Maryland Sportsmen's Foundation

Stephen R. Holt
Asst. Director
Maryland Sportsmen's Foundation

HOM Testimony on House Bill 778 (Sunday Waterfowl

Uploaded by: william miles

Position: FAV



P.O. Box 501
Huntingtown, Maryland 20639

February 21, 2024

SUPPORT

House Bill 778 (Natural Resources – Sunday Hunting – Migratory Game Birds)

The HUNTERS OF MARYLAND, LLC represent the interests of Maryland's hunting community at both the State and local level. Few realize that hunters underwrite almost 100% of all wildlife management and research costs through their purchase of hunting licenses, stamps, and equipment. For the record: (1) hunters do so willingly b/c of **American System of Conservation Funding**, a user-pay model celebrating its 85th Anniversary which also underscores the noble story of hunters as America's original conservationists; and (2) hunting in Maryland is a powerful economic engine as noted in the link below.

<https://sportsmensalliance.org/wp-content/uploads/2022/02/2020-Economic-Impact-of-Hunting-and-Shooting-Technical-Report-V2.pdf>

Steve Keithley, Founder (301/785-4774 [sssbkeith@comcast.net])

William R. Miles, Advocate (443/404-7449 [billmilesmd@comcast.net])

HONORABLE MEMBERS OF THE HOUSE ENVIRONMENT & TRANSPORTATION COMMITTEE:

The HUNTERS OF MARYLAND, LLC support House Bill 778 which would repeal the current statutory prohibition re Sunday hunting of migratory game birds. Our reasoning is reflected below.

Overwhelming majority of hunters in Maryland support Sunday waterfowl hunting (DNR can provide survey results [Virginia-based *Responsive Management* research/consulting firm] indicating same.

Hunters -- not taxpayers -- continue to pay the lion's share of wildlife management costs, aka Chapters 543/544 of 2023 (hunting license fee increase from last year) = and they want Sunday waterfowl hunting.

Today's youth need inspiration to be afield...Sunday waterfowl hunting might serve as the requisite inspiration and would be consistent with and responsive to the nationwide 3 R's Initiative, aka, Recruitment, Retention and Reactivation.

Virginia has reported no detrimental impact on Sunday waterfowl hunting recently enacted there.

Resident + nonresident hunting license/stamp sales will measurably increase to the benefit of wildlife management in Maryland because all the dollars realized are credited to the DNR administered *State Wildlife Management and Protection Fund* (§10-209 NR). The purpose of the Fund "is to finance the scientific investigation, protection, propagation, and management of wildlife."

HB0778_DNR_SWA_ENT_2-21-24.pdf

Uploaded by: Paul Peditto

Position: FWA



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 21, 2024

BILL NUMBER: HOUSE BILL 778

SHORT TITLE: NATURAL RESOURCES – SUNDAY HUNTING – MIGRATORY GAME BIRDS

DEPARTMENT’S POSITION: SUPPORT WITH AMENDMENT

EXPLANATION OF DEPARTMENT’S POSITION

The Department of Natural Resources supports HB 778 with a technical amendment. The proposed amendment clarifies that the department may authorize Sunday hunting for migratory game birds in all jurisdictions in the state.

In general, the department is in support of making Sundays open for the full spectrum of outdoor sport and recreation under its purview. By providing opportunities to hunt waterfowl and other migratory game birds on Sundays, HB 778 will increase the number of weekend days that most hunters have available to hunt. Maintaining hunter interest, through increased opportunity, is critical to ensuring the future of wildlife management in Maryland. Hunting licenses and stamps are the primary funding source for all wildlife conservation in Maryland. Hunters are also the only reliable and consistent means to manage overabundant bird species like resident Canada and snow geese and other wildlife, including white-tailed and sika deer.

Sunday hunting for migratory game birds is also biologically sustainable with 42 other states currently offering this option. North American migratory game bird populations are among the most heavily monitored and managed in the world. Longstanding population surveys, banding programs, and the other monitoring activities conducted by state and federal governments are more than adequate to detect, and respond to, changes in population status and adjust hunting regulations (i.e. harvest) in response. These regulations, under Federal authority through the U.S. Fish and Wildlife Service, allow states to hunt migratory game birds for a prescribed number of days regardless of Sunday hunting status. There is no scientific evidence to support the idea that Sunday hunting for migratory game birds greatly increases harvest. It is more likely that this option gives hunters, families, and friends more time to get into the field and redistributes harvest throughout the Federally prescribed hunting season.

BACKGROUND INFORMATION

Sunday hunting for migratory game birds is currently prohibited in Maryland. Sunday hunting was first allowed in Maryland in 2003 for deer in certain counties and on certain Sundays. Since then, it has gradually expanded to include additional species (wild turkey and small game) and more Sundays during the annual hunting season. Migratory game birds are currently the only game species that are not permitted to be hunted on Sundays in the state. The option was included as an amendment in SB327/HB983 during the 2023 legislative session but was removed during the deliberative process.

BILL EXPLANATION

HB 778 would authorize the department to open Sundays for migratory game bird hunting, including waterfowl and other migratory game birds.

BY:

(To be offered in the Environment and Transportation Committee)

AMENDMENT TO HOUSE BILL 778
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12 strike “Section 10-410(a)(13)” and substitute “Section 10-410(a)(12) and (13)”.

AMENDMENT NO. 2

On page 2, in line 2, after “(a)” insert:

“(12) Except as provided in paragraphs (8) through [(10)] **11 AND 13** of this subsection and subject to paragraph (7) of this subsection, a person may not hunt on Sunday in:

- (i) Baltimore City;
- (ii) Baltimore County;
- (iii) Howard County; or
- (iv) Prince George's County.”.

Good Afternoon Chairman Korman,.pdf

Uploaded by: James Kimble

Position: UNF

Good Afternoon Chairman Korman,
Vice Chairman Boyce and members of the Committee,

Hello, My name is Albie Kimble, I have been a resident of the Eastern Shore of Maryland for some 64 years. I am here today, because I understand there is a renewed effort to adopt Sunday Waterfowl hunting in Maryland. I would like to speak against this for a variety of reasons. The proponents of this effort will tell you that it will benefit the working people, as they can only hunt on weekends. They will also have you believe it is for the kids, because they have school, and can only hunt on weekends. Hunting waterfowl in Maryland is a privilege, not a right. And as such, those who wish to participate can manage their schedule to include that. As for the kids, well, I am of the opinion they are just being used as an excuse for the adults to spend additional days in the field. There are numerous opportunities throughout the season for the kids, along with their parents, to spend time in a blind. This rejuvenated effort is also being made at a time when we are experiencing a reduction in shooting days for AP Canada geese. The current harvest package only allows for 30 days, and was adopted because of a critical reduction in breeding pairs. Adding additional Sunday hunting days seems counter productive in my eyes. As structured, those Sundays would have to run concurrent through the season splits, resulting in a shorter overall season. Folks would like you to believe, they can only get out on weekends. The reality is, they will continue hunt as they have been, only now, they wish to add an additional day. Without a doubt, this will result in more pressure and higher kill totals. The Chesapeake Region is a very unique area. The hunting pressure is unprecedented. The waterfowl here, need at least one day of rest and relief weekly, a break from the constant shooting and disruption. They could actually use more. People will also remark, "well they allow it for Deer hunting". It is not nearly the same. First of all, deer populations and crop damage are out of hand and need to be reduced. Unlike waterfowl hunting, deer hunting is mostly done by individuals. Frequently done in the confines of woodlands and does not generally affect the neighbors who choose not to participate. Waterfowl hunting affects the adjacent landowners management practices as well. Those wanting to offer a day of rest on their own property are not really able to do so, because of the open proximity to one another. At least with the same effectiveness. Puddle ducks, primarily Mallards, have so much existing pressure on them that they have become mostly nocturnal. The last thing they need is an added hunting day. The shooting and disturbance would be relentless.

In summary, I believe the persistent pressure, as the result of adding Sunday hunting will be detrimental to an already fragile ecosystem. The juice is not nearly worth the squeeze.

My opinions and observations are based upon 50 plus years spent in the field. Not only shooting, but observing, studying, photographing and managing one of the the most spectacular and important resources in the state. I urge you to say no, once again, and to Reject any and all Sunday waterfowl hunting practices.

Thank you all, for your time and consideration,

Albie Kimble.....

MD Econ Impact Graphics.pdf

Uploaded by: Jane Seigler

Position: UNF

The Economic Impact of THE MARYLAND HORSE INDUSTRY

Horse Industry Wages
\$1.1 billion



Total Economic Impact
\$2.9 billion

Jobs Supported
28,134



Total Impact on GDP
\$1.77 billion

Direct Impact on GDP
\$1.05 billion



~**95,000** horses
~**800** licensed stables
~**38,000** volunteers
717,611 horse enthusiasts
(30.4% of all MD households)



Thoroughbred Racing

\$591 million total impact
5,937 jobs
3 tracks
1 Triple Crown race

Recreational Riding

\$421 million total impact
4,560 jobs
10% of MD households trail ride
6% of MD households take lessons



Sport Horse Competition

\$370 million total impact
4,154 jobs
4 international competitions
>11 sanctioned venues

Harness Racing

\$278 million total impact
3,616 jobs
2 tracks and 1 casino
24 stallions standing





Equine-Assisted Services

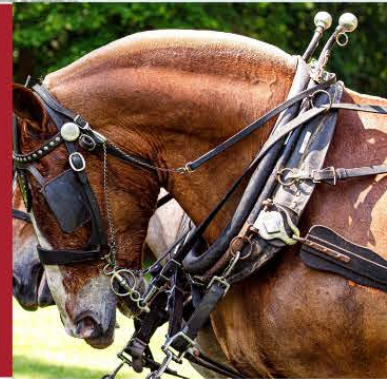
\$36 million total impact
263 jobs

*67 licensed EAS operations
~335 horses in EAS use*

Traditional Working Horses

\$19 million total impact
229 jobs

*Amish & Mennonite communities
Draft horse pull and harness shows*



Rescues & Sanctuaries

\$3.16 million total impact
52 jobs

*58 licensed rescues
~\$1.8 total wages*



19.4% of all MD households participate in horse activities

9.8% of all MD households spectate at horse events

45% of US horse owners earn <\$100k/year*

Median age of MD horse owners: 38

Median age of MD spectators: 26

**MD 2022 median income = \$108,200*



testimony - Sunday Hunting - migratory Game Birds.

Uploaded by: Jane Seigler

Position: UNF



MARYLAND
HORSE
COUNCIL

P.O. Box 606 | Lisbon, Maryland 21797
www.mdhorsecouncil.org

One Common Bond: The Horse
One Common Voice: The Horse Council

In the House Environment & Transportation Committee, February 21, 2024

Testimony of the Maryland Horse Council on HB 778

Natural Resources - Sunday Hunting - Migratory Game Birds

UNFAVORABLE

The Maryland Horse Council (MHC) is a membership-based trade association that represents the state-wide horse industry in Maryland. Our members include horse farms; horse related businesses; equestrian competitors; trainers; individual enthusiasts; equine-assisted therapy programs; and breed, interest, and discipline associations. We represent over 30,000 Marylanders who make their living with horses, or who just own and love them.

POSITION

We oppose the change to Section 10-410 of the Natural Resources Article that will allow Sunday Hunting of migratory game birds. In recent years, there have been several bills that attempted to allow Sunday hunting of migratory game birds. All have failed.

The horse industry in Maryland is a large, engaged and thriving constituency, and a strong economic engine. It supports 28,000 direct equine related jobs with \$1.1 billion in industry wages. The industry represents \$2.9 billion in annual economic impact, generating \$78 million in annual tax revenue. A graphic illustrating these points, and largely based on the 2024 American Horse Council Economic Impact Study, has been filed with this written testimony.

Trail riders are the largest interest group among Maryland riders, according to a survey by the Equiery magazine. There are more horses per square mile in Maryland than in any state in the Union. There are hundreds to thousands of horses in every county in the state. Thus, legislative actions that affect the equine industry have a broad economic effect.

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.

For more than 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. This is a statewide bill that would allow all day Sunday hunting for migratory game birds - currently not allowed at all anywhere in the state, on virtually every Sunday from September through mid-April.

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.

It is also sometimes argued that recreational hunters need Sundays because they and their children have other things to do on Saturdays - a situation that plainly applies to most of Maryland's users of 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 - especially since, as Fiscal Notes for previous bills have shown, there is no significant economic benefit? Where is the balancing of the public good?

The number of licensed resident hunters in Maryland, fewer 100,000, is just about 2% of the state's overall population of about 6 million. By contrast, there are over 700,000 horse enthusiasts in Maryland.

In 2014, the Horse Council conducted a 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. In the Gonzales poll, 78% of respondents said they would change their plans to avoid encountering hunters. This bill would further infringe on the rights of trail riders, especially since many riders ride around the edges of harvested crop land, which attracts migratory birds.

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 would allow hunters to hunt at favorable hours, yet still give trail riders and others plenty of Sunday access to the outdoors. This compromise has been embraced by some legislators, who have praised the Horse Council for this reasonable approach, and it has been adopted into recent Maryland hunting legislation.

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.

Since the advent of the pandemic, widespread use of outdoor recreation and natural resources by the general public has increased. For example, attendance at Maryland State Parks in 2020 increased 45% over 2019, which was also a record year. Demand has remained strong. Many of these new users are unfamiliar with the rules of hunting and hunting seasons, including the distinctions between private and public lands. In 2021, 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." Now is not the time to increase general public exposure to possible hunting risks, or to further deter the public from outdoor recreation.

CONCLUSION

We urge the Committee to give HB 778 an unfavorable report.

Respectfully submitted,

THE MARYLAND HORSE COUNCIL

(844) MDHORSE (844-634-6773)

info@mdhorsecouncil.org

Jared Thompson_HB778_UNF.pdf

Uploaded by: Jared Thompson

Position: UNF

House Bill 778 - Natural Resources - Sunday Hunting - Migratory Game Birds

Position: OPPOSED

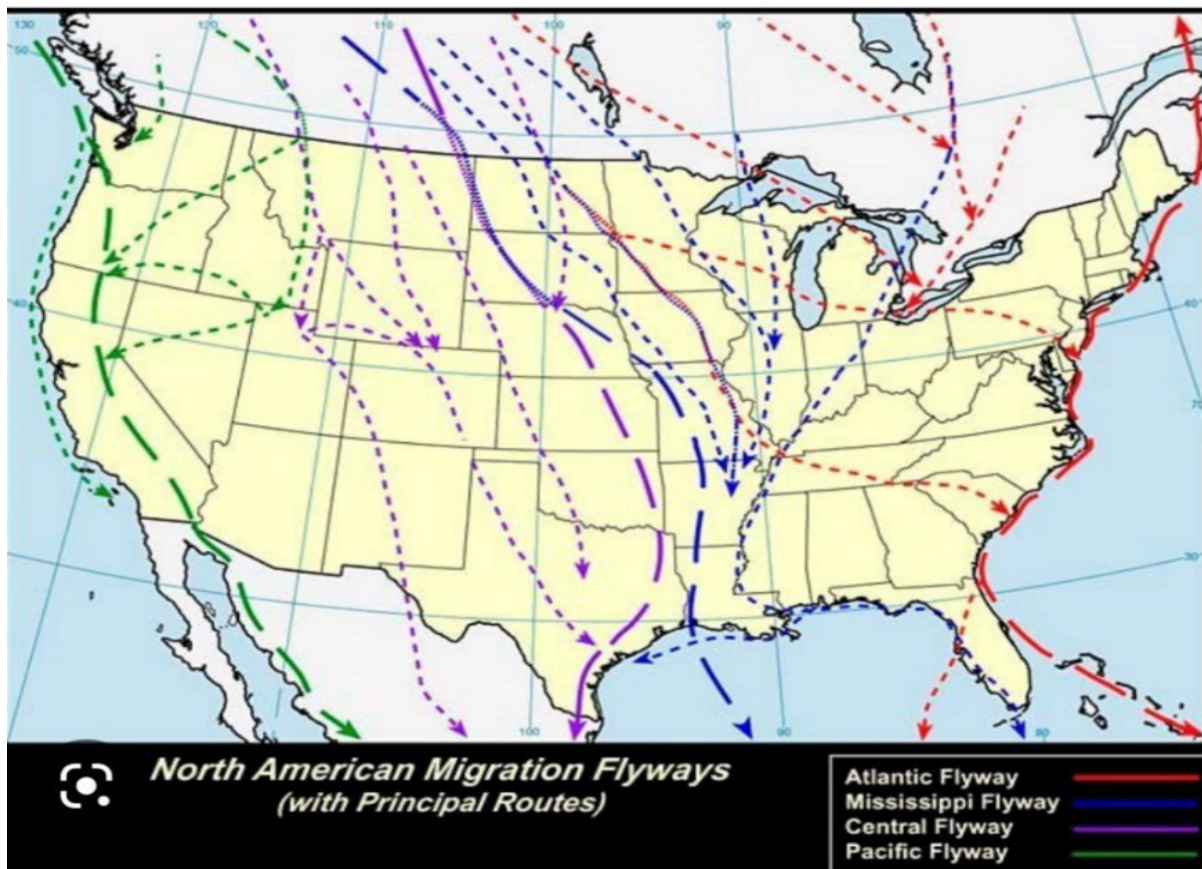
Committee: Environment & Transportation

February 21, 2024

My name is Jared Thompson and I am here in opposition to House Bill 778. I am the president of the Maryland Wildlife and Heritage Association, started in 2023 because the resource deserves a voice too. I am a lifelong resident of Maryland's eastern shore, avid hunter and waterfowl conservationist. I have a degree in Wildlife and Fisheries Biology and worked for the Department of Natural Resources for 8 years managing habitat and conducting waterfowl surveys.

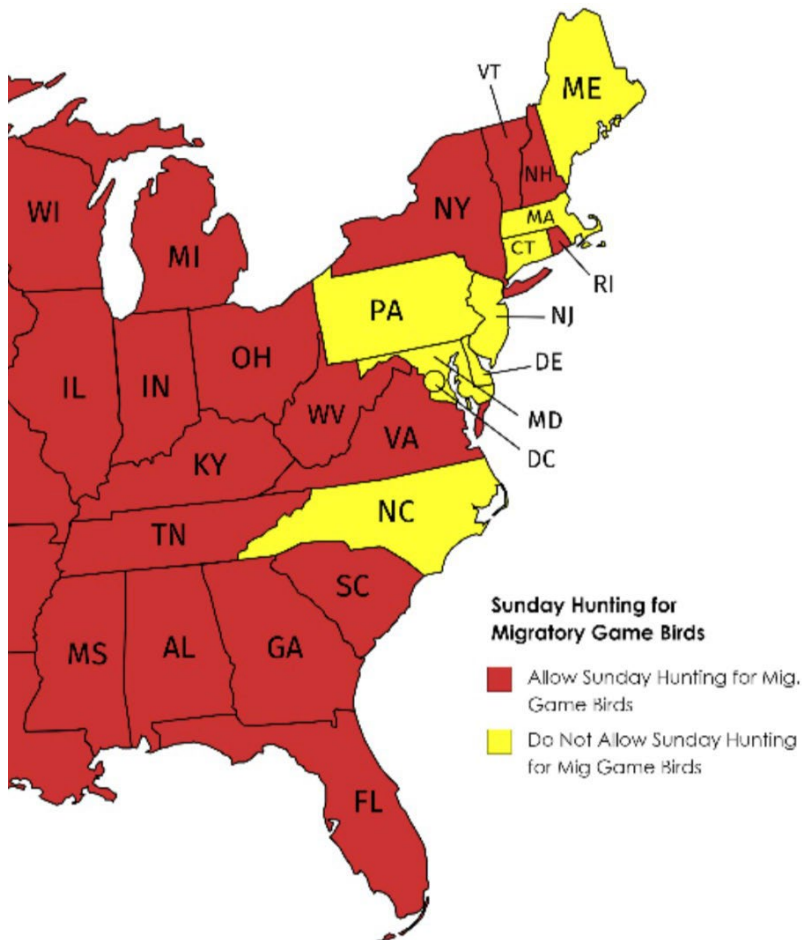
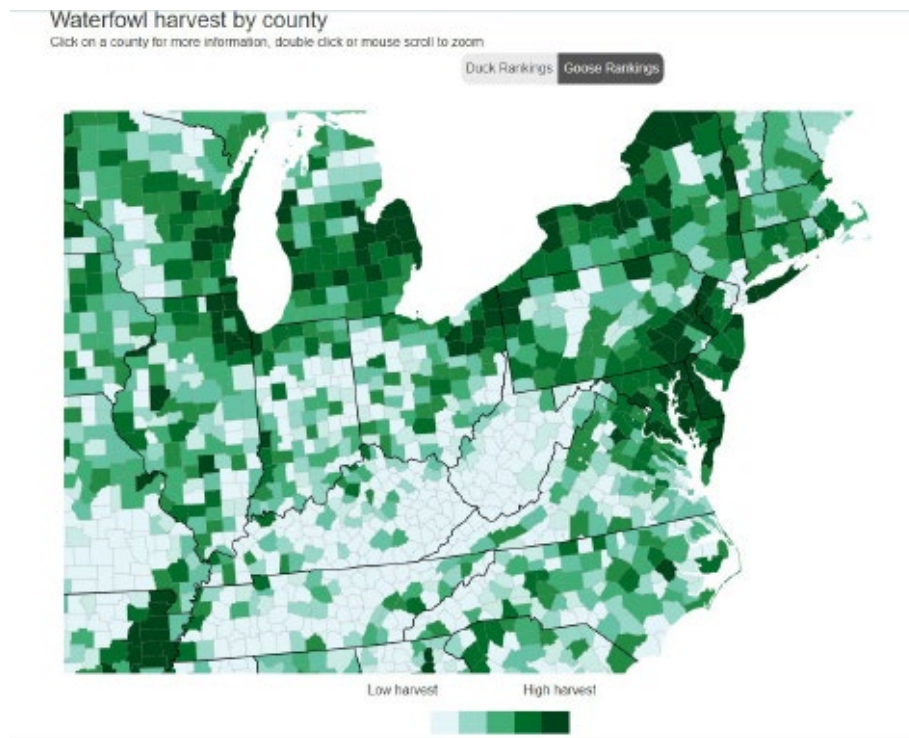
I firmly believe that seasons and bag limits need to be made based on science and what is best for the species. Decisions based on hunter preference alone are irresponsible. The day man's wants come before wildlife's needs is the day conservation dies.

The Chesapeake Bay and its tributaries along with the food and farmland make Maryland a unique haven for waterfowl.



Maryland is unique when it comes to waterfowl. As you can see from the solid red line at the right of the map; the principal migration route for Canada Geese in the Atlantic Flyway converges on Maryland's Eastern Shore.

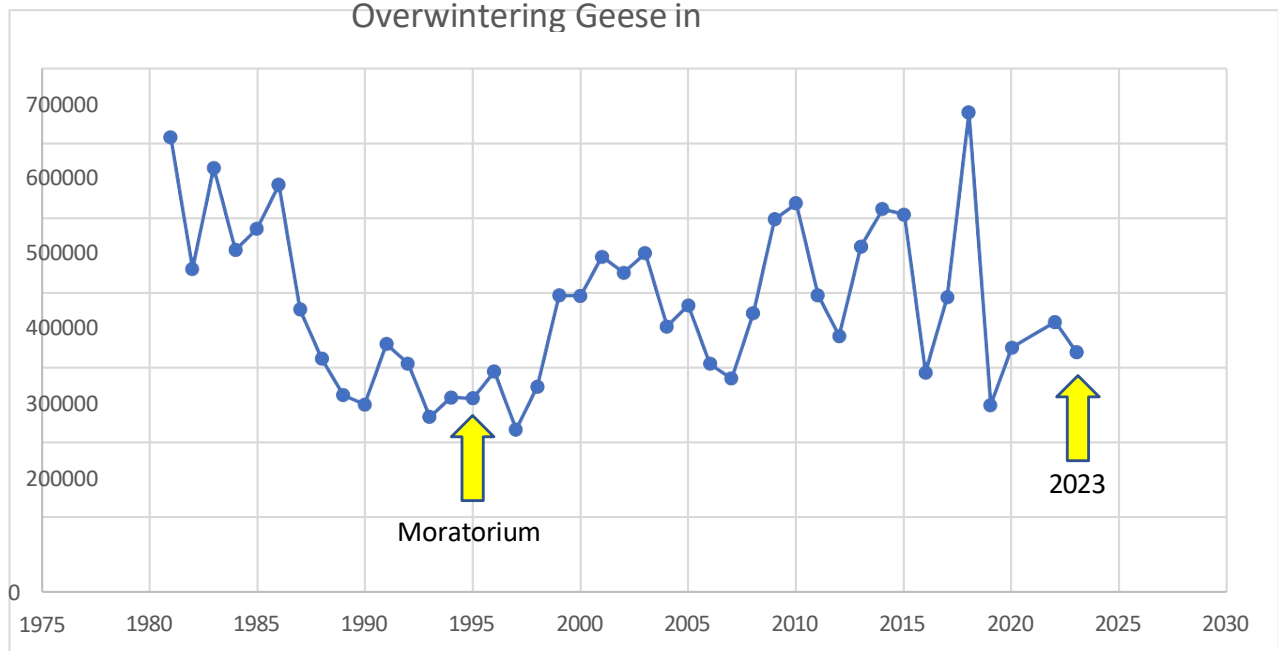
The [US Fish and Wildlife Service harvest report](#) shows Maryland's eastern shore has five counties in the top 25 for goose harvest. Kent is 3rd, Queen Anne's is 6th, Talbot 11th, Cecil 21st and Dorchester 22nd out of 3,115 counties nationwide. The claim that other states did not appreciably increase waterfowl harvest when adding Sunday's is irrelevant because no other state is the same as Maryland.



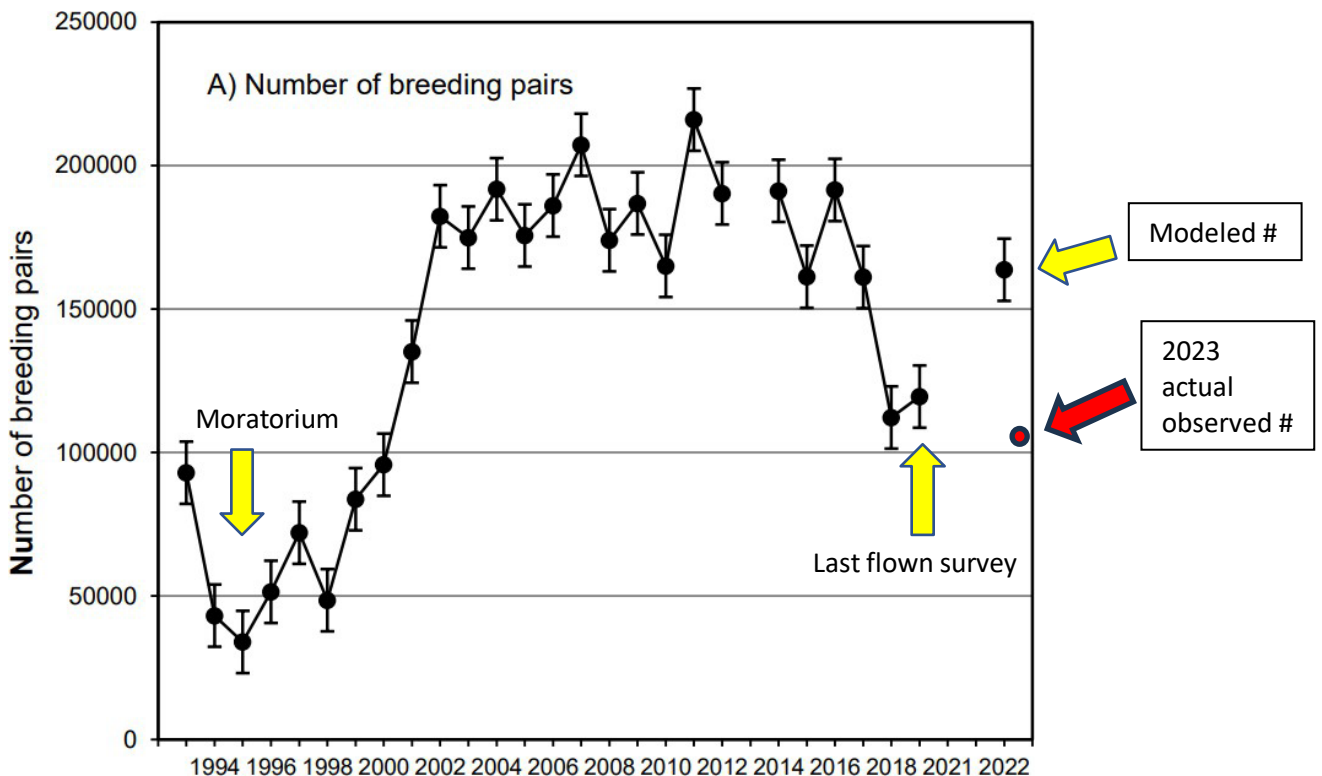
Many other Atlantic Flyway states do not allow Sunday waterfowl hunting either because the flyway is unique with the least amount of waterfowl and most densely concentrated habitat and number of hunters.

While DNR claims that the over winter Canada Goose population in Maryland was higher than the five-year average, just last year that number was 320,000 which is the second lowest count since the goose hunting moratorium and duck numbers were down across the board.

<https://news.maryland.gov/dnr/2024/02/02/midwinter-2024-waterfowl-survey-results-released/>



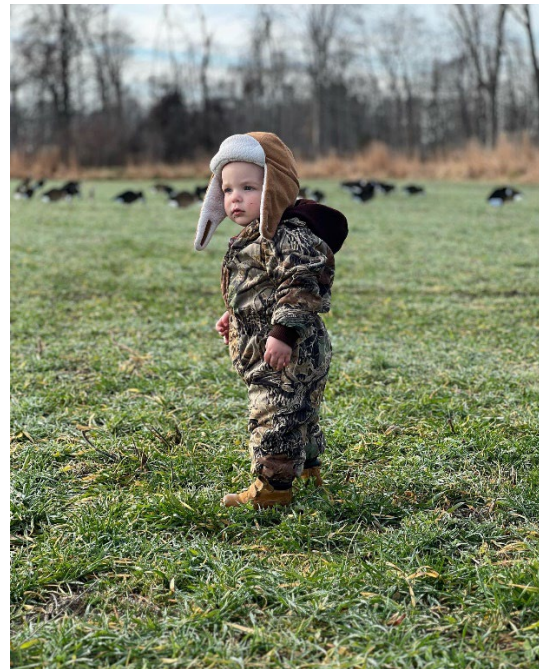
Seasons and bag limits are based on the federal framework set by breeding pair numbers. When the moratorium was instituted in 1995, US Fish and Wildlife stated they were trying to rebuild the breeding pair population to 300,000. In 2023, the [actual observed breeding pair population](#) according to US Fish and Wildlife was 115,328. The integrated population model used to set the bag limits in 2023 was found to be a 57% overestimate from the 2023 observed aerial breeding pair survey.



The season and bag limit was increased to 2 geese and 45 days in 2023 after being 1 goose and 30 days since 2019. The 2024 proposed season is already being reduced to 30 days. Why would we add a weekend day when the population cannot even sustain the 45 day hunting season?

Managing the migratory waterfowl population in Maryland is a complex and moving target. Adding Sunday waterfowl hunting is not something we can or should just try and see. The consequences could be irreversible and that is not a chance I am willing to take.

The argument of youth opportunity while understandable, is short sighted. I would rather be able to take my children and grandchildren hunting into the future, than hunt one extra day now. Please put the resource first and vote no on Sunday waterfowl hunting. Thank you.



24 MGPA_HB778 Sunday Waterfowl OPPOSED.pdf

Uploaded by: Lindsay Thompson

Position: UNF



Maryland Grain Producers Association
118 Dundee Ave, Chester, MD 21619
Lindsay.mdag@gmail.com (p) 443-262-8491
www.marylandgrain.com

Date: February 21, 2024

House Bill 778 - Natural Resources - Sunday Hunting - Migratory Game Birds

Committee: Environment & Transportation

MGPA Position: OPPOSE

The Maryland Grain Producers Association (MGPA) serves as the voice of grain farmers growing corn, wheat, barley and sorghum across the state. MGPA opposes House Bill 778 which would authorize Sunday waterfowl hunting in the state.

Many grain farmers in Maryland receive supplemental income from hunters leasing their farms for waterfowl hunting. The primary concern is that given their observations of the migratory waterfowl populations and hunter preference for weekend hunting, this could lead to over harvest and ultimately another moratorium on Canada Goose hunting in Maryland. In 1995, Maryland Department of Natural Resources shut down Maryland's \$40M a year goose hunting season after the population of nesting pairs in Canada fell to an all-time low of 29,000. The decline was largely blamed on overhunting. During this time, farmers did not receive the supplemental income of waterfowl leases and it took many, many years to build back up to the lease prices they were receiving. Additionally, Maryland has never rebuilt the waterfowl population to pre-moratorium levels.

Based on not only the farmer observations of the waterfowl population but also hunter preference for Saturday hunting, MGPA is concerned adding Sunday waterfowl hunting will lead to overhunting and ultimately a moratorium and significant loss of income.

The 2023 migratory Canada Goose season was increased to 2 birds and 45 days after being 1 bird since 2019. DNR's proposed 2024 season and limit is already going back down to 30 days because the population could not sustain the additional 15 days. It does not make sense to add another high hunting pressure weekend day to the season at the same time as the overall season is being reduced.

MGPA understands that this may sound contradictory coming from an organization that often asks for additional Sunday hunting opportunities for whitetail and sika deer. The difference is population control versus population preservation. There is an overabundance of deer in Maryland and therefore adding an additional weekend day for hunting since more people hunt on weekends makes sense for population control. Adding an additional weekend hunting day for migratory waterfowl that are not in abundance by that same logic, makes no sense.

MGPA respectfully asks that you protect the resource from overhunting and our farmers from potential loss of income in already tight financial times and vote no on Sunday waterfowl hunting.

2024 Written House Testimony Bill 778.pdf

Uploaded by: Peter Heller

Position: UNF

Peter D. Heller Jr
7383 Maple Grove Road
Chestertown Md 21620
pheller@cbchesapeake.com

February 19, 2024

The Honorable Marc A. Korman
Environment and Taxation Committee
Lowe House Office Room 251
6 Bladen Street
Annapolis, Md 21401

RE: **Opposed** to House Bill 778 Natural Resources Sunday Hunting Migratory Game Birds

Dear, Chair Korman, Vice Chair Boyce and the members of the Environment and Taxation Committee.

My name is Peter Heller and I am in **opposition of House Bill 778 that would allow Sunday hunting of Migratory Game Birds.**

I am a lifelong resident of Chestertown Md, avid waterfowl hunter, conservationist, and landowner. I have been a waterfowl hunter in Maryland for over 30 years. In those 30 years there have been good times and the not so good times with the goose moratorium in the mid 1990's and weather changes over the last 5 to 10 years. Our waterfowl population is on the verge of a level that would potentially call for another moratorium if we do not start to change our ways. By adding Sunday waterfowl hunting we will inch one step closer to making that looming moratorium a reality. At some point we need to put the resource ahead of man's wants and desires so we can continue to enjoy our rich waterfowl heritage for generations to come.

Therefore I urge you to oppose House Bill 778 That would allow Sunday hunting of Migratory Game Birds

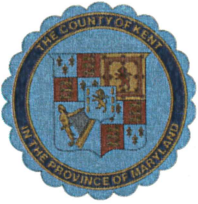
Sincerely,

Peter D. Heller Jr.

Delegate Marc A. Korman Opposition HB0778 Natural

Uploaded by: Ronald Fithian

Position: UNF



The County Commissioners of Kent County
Ronald H. Fithian, President | Albert H. Nickerson, Member | John F. Price, Member
Shelley L. Heller, County Administrator | Thomas N. Yeager, County Attorney

February 14, 2024

The Honorable Marc A. Korman
Room 251, Lowe House Office Building
6 Bladen Street
Annapolis, MD 21401

RE: OPPOSITION House Bill 778 / Natural Resources – Sunday Hunting – Migratory Game Birds

Dear Chair Korman and Members of the Environment and Transportation Committee:

On behalf of the County Commissioners of Kent County, Maryland, this letter opposes House Bill 778 / Natural Resources - Sunday Hunting – Migratory Game Birds. The proposed bill as drafted does not encourage waterfowl habitat conservation but rather causes more stress and significant damage to the local waterfowl stocks due to excess hunting pressure. Therefore, it is in the best interest of Kent County to oppose House Bill 778.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Shelley L. Heller", is written over a horizontal line.

Shelley L. Heller
County Administrator

SLH: tlt

cc: The County Commissioners of Kent County
The Honorable Stephen S. Hershey
The Honorable Jay A. Jacobs
The Honorable Steven J. Arentz
The Honorable Jefferson L. Ghrist

Sunday.pdf

Uploaded by: Thomas Marvel

Position: UNF

Thank you for the opportunity to submit my written testimony regarding HB778. I am a 4th generation waterfowl outfitter on the upper eastern shore. I am fortunate enough to be operating a hunting business founded by my great grandfather around 1930. That's right, my family has been taking sportsmen hunting in Kent county for nearly 100 years!

Plain & simple, Sunday waterfowl hunting is a bad idea! The benefit it will bring to the few hunters that will take part is greatly outweighed by the unnecessary pressure it will put on the wintering waterfowl population during the season.

Maryland's Eastern shore is unlike any other area in the United States because of its unique geography and ecosystems. Its close proximity to major east coast metropolitan areas also makes it a chosen destination for waterfowl hunters. Because of this, the waterfowl that winter here in Maryland are already under intense pressure. Hunting 7 days a week, for weeks at a time will only make matters worse. Sunday hunting if passed will only kill any resemblance of quality hunting that Maryland has been famous for in the last 100 years. Please vote Unfavorable for HB778.

Tom Marvel

Maryland Lic Hunting Outfitter

Chesapeake Guide Service

13011 Irelands Corner Rd.

Galena, Md. 21635

ATTACHMENT_C_SundayHuntingpres11_09 - Kerry L Wixt

Uploaded by: Webb Johnson

Position: UNF

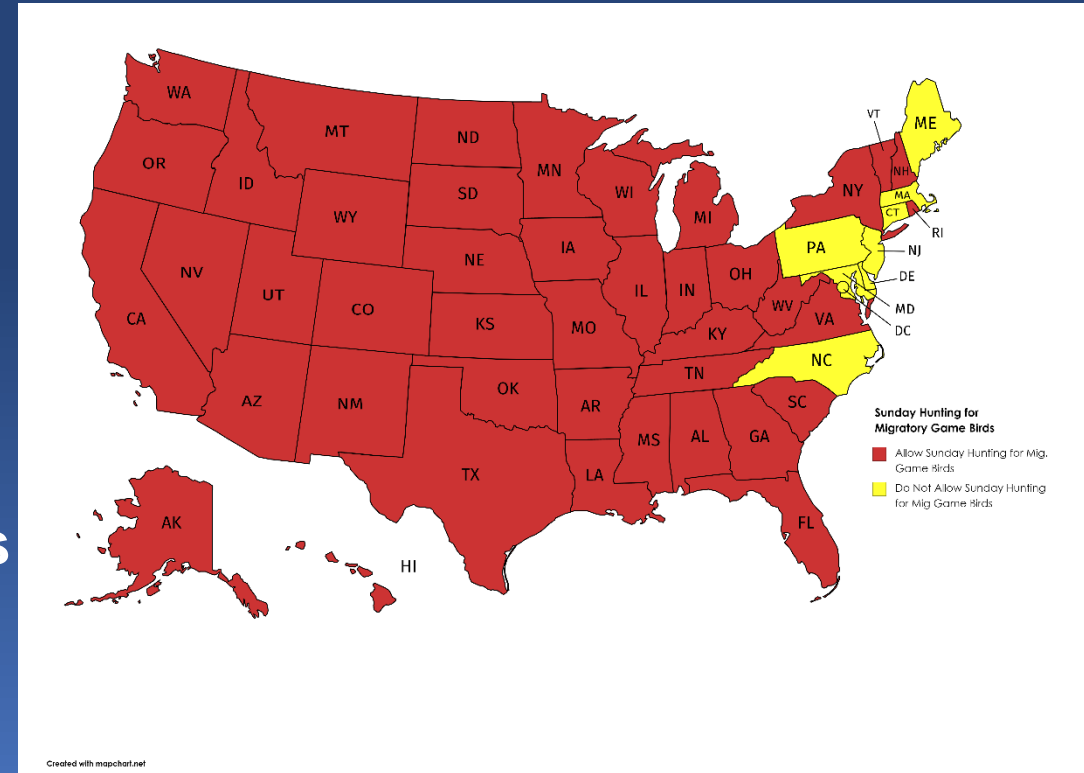
History of Sunday Hunting for Migratory Game Birds in Maryland

Presented by Bill Harvey and Josh Homyack



“Blue Laws” Generally Restricted Sunday Hunting

- Puritanical legislation enacted to encourage church service that, in some cases, dates to colonial times.
- In addition to hunting, “blue laws” often prohibited conducting business, tilling fields, consumption of alcoholic beverages, etc.
- Most blue laws have been repealed in modern times but a number of states have retained laws preventing Sunday hunting all or in part.
- Currently 42 states allow Sunday hunting for migratory game birds



Current Sunday Hunting Situation in the U. S.

- The number of states with laws prohibiting Sunday hunting continues to decrease. Most recently Virginia removed most prohibitions on Sunday Hunting for migratory game birds.
- However this number is constantly changing and includes, among other things, restrictions on certain species, geographic areas, weapon type and varies greatly by state.
- Currently only a few states prohibit all Sunday hunting with most having no restrictions and a few, like Maryland, have a mixture of restrictions.



Sunday Hunting in Maryland

- Regulated by law which means DNR does not have the authority to change without direction (legislation) from the General Assembly.
- In 2004 the Maryland General Assembly amended the NR 10-410 to allow some Sunday hunting for deer (2 days).
- Almost every year since 2004, county delegations have successfully introduced legislation amending NR 10-410 to expand Sunday hunting opportunities across the state.
- There is currently no Sunday hunting opportunity for migratory game birds in Maryland.
- “Why can’t I hunt waterfowl on Sundays?” is one of the most common “asks” from hunters in our annual public comment sessions.



USFWS Stance on Sunday Hunting for Migratory Game Birds

- The Federal Government (USFWS) has consistently regarded Sunday hunting as a state issue. They support Sunday hunting for the additional recreational opportunity it provides.
- USFWS granted compensatory days for waterfowl effective during the 1997-98 hunting season and for webless migratory game birds during the 2016-17 season.
- Prior to the 1997-98 hunting season there were no compensatory days for states that prohibited Sunday hunting. This meant Sundays imbedded in a season or season segment counted as a “hunting day” regardless of any state laws prohibiting Sunday hunting.
- Granting compensatory days allowed states to utilize the full measure of allowable hunting days as annually prescribed in the Federal Frameworks.

Implications for Maryland Hunting Seasons

- The USFWS has said that implementing Sunday hunting for migratory game birds cannot be done piecemeal without the revocation of compensatory days for all migratory game bird seasons.

Frequently Asked Questions

1. What happens if MD allows one Sunday for a single migratory game bird species (ex. doves)? The USFWS will not allow states to implement Sunday hunting for some species (doves in this example) and retain compensatory days for the other species not being hunted on Sundays.
2. What if individual counties restrict Sunday for migratory birds? Those counties would lose Sundays as hunting days. Compensatory days will not be granted to geographic regions within states.
3. What if MD revokes Sunday hunting at some point in the future. The USFWS has said that if a state begins Sunday hunting for migratory game birds but some years down the road restricts migratory game bird hunting on Sunday, they will NOT grandfather compensatory days for that state.
4. Will Sunday hunting change the amount of hunting days we are allowed? Under either scenario, with, or without Sunday hunting, MD is granted the same amount of hunting days under the Federal Frameworks.
5. Will Sunday hunting change the number of days in each season segment? Every year, MD DNR hosts a public comment session to discuss the layout of migratory game bird seasons and that process will continue. Sunday hunting will effectively compress the seasons and may warrant moving days for some species to meet hunter preference for more days later in the season.