



To: **Joint Committee on Environment and Natural Resources**
House Contact **Senate Contact**
24 Beacon St. 24 Beacon St.
Room 473F Room 215
Boston, MA 02133 Boston, MA 02133

Re: **HB 799 – An Act Relative to Beavers**
HB 800 – An Act Authorizing the Use of Bow and Arrows for Sunday Hunting
HB 865 – An Act Relative to the Use of Shotguns
HB 877 – An Act Relative to Sunday Hunting
HB 912 – An Act Authorizing Deer Hunting on Sunday
HB 920 – An Act Relative to Outdoor Heritage
HB 926 – An Act Relative to the Use of Ammunition for Hunting
SB 494 - An Act Relative to the Use of Cross Bows in Hunting
SB 498 - An Act Relative to Hunting Near a Dwelling
SB 500 - An Act Relative to Outdoor Heritage

Position: **Support**

Date: **November 28, 2023**

Honorable Members of the Joint Committee on Environment and Natural Resources,

My name is Fred Bird, and I am the Northeastern States Assistant Manager for the Congressional Sportsmen's Foundation (CSF). CSF is pleased to support the initiatives within the above legislation that would create access and double the weekend opportunities for Massachusetts's sportsmen and women. They are the backbone of the funding structure for conservation efforts that benefit wildlife and their habitat throughout the state, as well as the citizenry at large. The proposed legislation will likely result in additional participation in the sporting community from youth and disabled hunters, and sportsmen and women who work many hours during the week and only have one weekend day to go afield. This increased access will directly support the state's conservation funding for its fish and wildlife and their habitats, opportunities for sportsmen and women, and will aid the Baystate's Recruitment, Reactivation, and Retention (R3) efforts.

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

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(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.

HB 800, HB 877, HB 912, HB 920, SB 500 all address the issue of Sunday Hunting in the Bay State and as one of two remaining states in the country with outright prohibitions on Sunday Hunting, the passage of these Bills will allow Massachusetts's sportsmen and women the long overdue opportunities and enjoyment of full weekend hunting. The hunting community is the only constituency specifically discriminated against with a Sunday Hunting ban. Anglers, birders, water sports enthusiasts, hikers, and so many more outdoor recreators are permitted to enjoy Sundays for their outdoor pursuits, the hunters of Massachusetts should enjoy the same opportunities. Sunday hunting is seen as a key component of providing the citizenry, particularly the youth, with more opportunities to engage in the sport, which will ultimately lead to more hunters in the years to come.

HB 865 and HB 926 address the problematic language contained within Section 66 of chapter 131 of the General Laws as appearing in the 2016 Official Edition, that restricts hunters to utilize shotgun ammunition to the deer season only, not considering the many small game and upland hunters within the Bay State's sporting community. With the passage of these bills more access and opportunities will be created for Massachusetts's sportsmen and women.

SB 494 along with HB 920 support the usage of crossbows by adding language into Section 69 of chapter 131 acknowledging their use. As previously noted, HB 920 addresses the lack of Sunday Hunting in the Bay State and further supports access efforts by addressing extreme discharge distances for archery equipment, reducing the 500-foot discharge distance to 250 feet from a dwelling. This acknowledges that archery equipment's range is not such that 500 feet is necessary and by cutting this distance in half, creates additional access and opportunities for archery hunters.

SB 498 builds off the language in HB 920 by permitting archery hunters to hunt within 250 feet of a dwelling from an elevated tree stand, amending Section 58 of chapter 131 of the General Laws as appearing in the 2016 Official Edition. The downward trajectory language in SB 498 acknowledges the downward path of an arrow ultimately ending the path in the ground.

Finally, H 799 addresses and supports Best Management Practices (BMPs) by repealing Section 80A of chapter 131 of the General Law. Extensive research on restraining traps has been conducted through annual appropriations from Congress to the Association of Fish and Wildlife Agencies. Such research resulted in the development of BMPs in 1996, incorporating trapping methods for many fur-bearing species. All common trap designs have been field-tested against BMPs for each species. During field trials, the captured animals were examined by veterinarians and some devices passed while others were eliminated. Modern restraining animal traps, like foot-hold traps, have been critical to conservation efforts by allowing endangered species to be safely trapped and re-located.

In 2022 alone, Massachusetts's sportsmen and women generated \$23 million dollars for conservation 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 (ASCF). The funds collected through this program are the lifeblood of state fish and wildlife agencies (including MassWildlife) – the primary managers of our nation's fish

and wildlife resources. These critical conservation dollars fund a variety of efforts including enhanced fish and wildlife habitat and populations, recreational access to public and private lands, shooting ranges and boat access facilities, wetlands protection and its associated water filtration and flood retention functions, and improved soil and water conservation – all which benefit the public at large, not just sportsmen and women. With increased access and opportunities, Bay State sportsmen and women only stand to contribute even more funding to the ASCF thereby improving the capacity and capabilities of MassWildlife not just for sportsmen and women, but for all Bay Staters.

In recognition of the positive outcomes that would result from the above House and Senate Bills passing, CSF stands in firm support of the legislation before you. Thank you for the opportunity to provide comments on these issues. Should you require additional information on this, or other sportsmen-related topics, please feel free to contact me at any time.

Sincerely,



Fred Bird
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Enclosed: Relevant issue briefs on the following related topics that the bills before you address.

[American System of Conservation Funding – Congressional Sportsmen's Foundation](#)

[Hunter Recruitment, Retention and Reactivation – Congressional Sportsmen's Foundation](#)

[Sunday Hunting Restrictions – Congressional Sportsmen's Foundation](#)

[Crossbows – Congressional Sportsmen's Foundation](#)

[Discharge Distance Restrictions – Congressional Sportsmen's Foundation](#)

[Modern Restraining Animal Traps – Congressional Sportsmen's Foundation](#)

American System of Conservation Funding

Introduction

For over 80 years, sportsmen and women have played a crucial role in funding conservation efforts in the United States through the American System of Conservation Funding (ASCF). The American System is a “user pays – public benefits” structure, unique from the rest of the world, in which those that consumptively use public resources pay for the privilege, and in some cases the right, to do so.¹ This funding System has allowed the [North American Model of Wildlife Conservation](#) to become recognized as the most successful conservation framework in history.

There are three pillars to the ASCF: revenue from sporting licenses, and excise tax revenue from both the Wildlife and Sport Fish Restoration (WSFR) Programs. Hunting licenses were the first example of this “user pays – public benefits” structure. In some cases, license sales made the entire funding source for the creation of state wildlife agencies such as the Department of Natural Resources or Fish & Game.² Today, most state fish and wildlife agencies receive approximately 80%³ of their funding through this distinct conservation system, though some states still rely nearly 100% on the funding from sportsmen and women. Later, the passage of the Federal Aid in Wildlife Restoration Act (Pittman-Robertson Act)⁴ and the Federal Aid in Sport Fish Restoration Act (Dingell-Johnson Act)⁵ set up a system in which excise taxes collected from sporting goods purchases are funneled back into conservation. These excise taxes are used to fund a wide variety of activities including: fish and wildlife research, private and public habitat management, hunter education, shooting range development, land acquisition and easements, and angler access area construction.⁶ Since 1939, state fish and wildlife agencies have received over \$56.9 billion from sportsmen and women through this funding structure.⁷

Points of Interest

- Most state fish and wildlife agencies are funded primarily (in some cases nearly 100%) by the ASCF.⁸

¹ “Celebrating the Wildlife and Sport Fish Restoration Program,” *U.S. Fish and Wildlife Service* (2012): 1-88, Accessed June 13, 2022, <https://issuu.com/nssfpublications/docs/wsfr75>

² “Pittman-Robertson Wildlife Restoration: Budget Justification,” *fws.gov*, no. 1 (2021): 1-12, Accessed June 13, 2022, <https://www.fws.gov/sites/default/files/documents/news-attached-files/FY2021-FWS-Budget-Justification.pdf>

³ “Wildlife for the 21st Century,” *America Wildlife Conservation Partners*, no. 5 (2016): 3, Accessed June 13, 2022, https://www.boone-crockett.org/pdf/W21_Volume_5_final.pdf.

⁴ “Pittman-Robertson Wildlife Restoration Act: Understanding Apportionments for States and Territories,” *Congressional Research Service*, last modified April 2019, Accessed June 13, 2022, <https://sgp.fas.org/crs/misc/R45667.pdf>

⁵ “Sport Fish Restoration,” *U.S. Fish and Wildlife Service*, Accessed August 8, 2022, <https://www.fws.gov/program/sport-fish-restoration>

⁶ “The American System of Conservation Funding,” *Association of Fish & Wildlife Agencies*, Accessed June 13, 2022, <https://www.fishwildlife.org/afwa-informs/resources/american-system-conservation-funding>

⁷ “Wildlife for the 21st Century,” *supra*.

⁸ “The American System of Conservation Funding,” *Wildlife Management Institute*, Accessed June 13, 2022, <https://wildlifemanagement.institute/outdoor-news-bulletin/september-2018/american-system-conservation-funding-whats-it-going-look>

- In 2022, state agencies received over \$1.1 billion from Pittman-Robertson Funds and Federal Aid in Wildlife Restoration Act⁹, and the Dingell-Johnson/Wallop-Breaux generated nearly \$400 million.¹⁰
- Through 2017, resolutions celebrating WSFR and the ASCF have been passed in 17 states (AL, AK, CA, CO, IL, IN, KS, KY, LA, MO, NE, NM, NV, NY, NC, PA, SC, VT, VA).
- In 2021, proclamations were signed by President Biden and governors in 43 states celebrating WSFR and the ASCF¹¹.
- During the past few years, CSF and several other sportsmen’s groups were invited by the Department of the Interior to participate in check presentation ceremonies across the country to highlight funds directed to state fish and wildlife agencies through the American System of Conservation Funding.

Language

In recognition of this vital funding mechanism, 25 states have either passed resolutions or signed proclamations commemorating the 75th Anniversary (2012) and 80th Anniversary (2017) of the Wildlife and Sport Fish Restoration programs and the important role that America’s sportsmen and women play in providing critical funding for state fish and wildlife agencies. A few of the many examples are found below:

- **Kansas S 1745:** “Be it resolved by the Senate of the State of Kansas: That we recognize America's hunters, anglers, trappers, boaters, recreational shooters, equipment manufacturers, state fish and wildlife agencies and the United States Fish and Wildlife Service for their role in restoring healthy populations of fish, wildlife, and other natural resources, both game and non-game, to the abundance we see today through the American System of Conservation Funding, on this, the 80th anniversary year of America's greatest conservation story...”¹²
- **Louisiana S 67:** “...that the Senate of the Legislature of Louisiana does hereby commend America's hunters, anglers, trappers, boaters, recreational shooters, industry, state fish and wildlife agencies, and the U.S. Fish and Wildlife Service for their leading role in restoring healthy populations of fish and wildlife and other natural resources, both game and nongame, to the abundance we see today, and does hereby commemorate the eightieth anniversary of the American System of Conservation Funding.”¹³

Moving Forward

⁹ “WR FY22 Certificate of Final Apportionment,” *U.S. Fish and Wildlife Service*, Accessed August 8, 2022, <https://www.fws.gov/media/wr-fy22-certificate-final-apportionment-2022feb3508pdf>

¹⁰ “SFR FY22 Certificate of Final Apportionment,” *U.S. Fish and Wildlife Service*, Accessed August 8, 2022, <https://www.fws.gov/media/sfr-fy22-certificate-final-apportionment-2022feb3508pdf>

¹¹ “National Hunting and Fishing Day,” *Congressional Sportsmen’s Foundation*, Accessed August 8, 2022, <https://congressionalsportsmen.org/policies/national-hunting-and-fishing-day>,

¹² “Senate Resolution No. 1745,” *Congressional Sportsmen’s Foundation*, Accessed June 13, 2022, http://www.kslegislature.org/li/b2017_18/measure/documents/sr1745_enrolled.pdf.

¹³ “Senate Resolution No. 67,” *Congressional Sportsmen’s Foundation*, Accessed June 13, 2022, http://sportsmenslink.org/uploads/home/LA_S_67.pdf.

Sportsmen and women are the backbone of the ASCF. Their funds and cooperative partnerships should continue to be unaffected and permanently exempted from federal budget sequestration as they are the funds spent by and are fully integrated into the budget and operations of the state fish and wildlife agency. Together with license dollars, these funds are critical to meeting the agency missions and conserving our nation's vast array of fish and wildlife resources.

Hunter Recruitment, Retention and Reactivation

Introduction

In the United States, participation in hunting has been generally declining since the 1980s. Hunters' expenditures generate billions of dollars annually for the national and local economies and support hundreds of thousands of jobs while hunting license sales provide essential funding for wildlife conservation and habitat restoration through the [American System of Conservation Funding](#). The decline in participation poses an ever-increasing threat to this System. License sales data from the U.S. Fish and Wildlife Service shows that there were 15,158,443 hunting license holders in the United States in 2020, which is roughly 4.6 percent of the U.S. population.¹⁴ This represents a significant decline in participation from 1980, when there were 16.2 million license holders (6.87% of the U.S. population at that time).¹⁵ In response, efforts to recruit new hunters, retain participants, and reactivate hunters whose participation lapsed has become a primary objective across the country. These efforts are collectively referred to as Hunter Recruitment, Retention, and Reactivation, or R3.

Background

Hunters have a tremendous impact on the U.S. economy, spending over \$90 billion each year to engage in their pursuits.¹⁶ This spending helps create and support more than 680,000 jobs and generates \$5.4 billion in state and local taxes.¹⁷ If you add in federal taxes paid by hunters, the number doubles to \$11.8 billion.¹⁸ More importantly, hunters generate a critical amount of conservation dollars through the American System of Conservation Funding by purchasing hunting licenses, tags, and permits, and by paying excise taxes on a wide array of sporting equipment, including firearms, ammunition, archery equipment, and other hunting-related expenditures.¹⁹ In total, monies paid by sportsmen and women provide 80% of the funding for most state fish and wildlife agencies, which are the primary managers of our nation's fish and wildlife resources.²⁰

In response to the declining number of sportsmen and women, state fish and wildlife agencies, conservation organizations, shooting sports organizations, and the hunting/shooting sports industry have invested heavily in recruitment, retention, and reactivation initiatives. The success

¹⁴ "US Fish and Wildlife Service National Hunting License Data Calculation Year 2020," *USFWS*, accessed June 1, 2022. <https://www.huntingpa.com/attachments/natl-hunting-license-report-2020-pdf.161247/>

¹⁵ *Ibid.*

¹⁶ "Hunting in America: An Economic Force for Conservation," *NSSF*, accessed June 1, 2022. <https://www.nssf.org/hunting-in-america-an-economic-force/>.

¹⁷ "America's Sporting Heritage: Fueling the American Economy," Congressional Sportsmen's Foundation, accessed June 1, 2022. http://congressionalsportsmen.org/uploads/page/EIR_full_12_feb_low_res.pdf.

¹⁸ *Ibid.*

¹⁹ "American System of Conservation Funding," *Congressional Sportsmen's Foundation*, accessed June 1, 2022. <http://sportsmenslink.org/policies/federal/ascf>.

²⁰ "National Hunting and Shooting Sports Action Plan," *National Hunting and Shooting Sports*, accessed June 1, 2022. <http://www.cahss.org/national-hunting-shooting-sports-action-plan/>.

of these efforts, thus far, has been limited. A number of people in the outdoor community believe that more strategic approaches are needed to sustain and add to the number of sportsmen in the United States. As such, the Council to Advance Hunting and the Shooting Sports (CAHSS) was formed by leaders in the conservation community in 2017 to take a fresh look at the business of recruiting and retaining hunters and shooters and to develop new and sustainable strategies and tactics to solicit, engage, and support these groups that are so vital to conservation and America's heritage.²¹ Led by CAHSS' efforts, there is a growing realization that recruitment, retention, and reactivation efforts must expand beyond hands-on learning experiences. Just as the American System of The Conservation Funding model has evolved over time, the model for recruitment, retention, and reactivation must not remain static.²² In order to increase the number of participants from new and existing audiences, multi-pronged marketing and outreach efforts will be needed. Increasing participation from non-traditional user groups will require business practices that provide customer resources, straightforward rules and regulations, convenient licensing structures and sales processing, and better access to places to hunt and shoot.

CSF works closely with caucus members, state fish and wildlife agencies, and partner organizations to identify legislative and regulatory opportunities to advance R3 efforts and to explore potential solutions to any barriers to hunting participation that statutes may create. Working through the three caucus structures on both the state and federal level, CSF strives to educate decision-makers about the importance of R3 efforts and how they can use their role in office to help advance policies that promote hunting participation.

Points of Interest

- The percentage of U.S. citizens who hunt has been steadily declining since 1980. In 2020, there were 15.2 million certified, paid hunting license holders,²³ resulting in an effective participation rate of 4.6% (down from 16.26 million hunters in 1980).
- From 2006 to 2011, hunting participation either stayed the same or decreased in twenty-two states, with the highest negative percent change being seen in Maryland at 48%.²⁴
- If the downward participation trend continues, it will result in diminished capacity of our state fish and wildlife agencies to conserve species cherished by hunters and all outdoor enthusiasts. The best way to combat this downward participation trend is by establishing clear and achievable goals backed by the newest and most accurate scientific data.⁹
- Over 450 individual R3 (Recruitment, Retention, and Reactivation) programs nation-wide have had limited regional success but haven't sufficiently addressed the overall decline in hunter numbers. Examples of programs include National Archery in the Schools (NASP), Scholastic Clay Target Program, and Becoming an Outdoors-Woman (BOW).

²¹ "Council Mission and Values," *Council to Advance Hunting and the Shooting Sports*, accessed June 1, 2022, <https://cahss.org/mission-and-values/>

²² "Hunting, Fishing, Sport Shooting, and Archery Recruitment, Retention, and Reactivation A Practitioner's Guide," *Responsive Management and NSSF*, accessed June 1, 2022. <https://responsivemanagement.com/wp-content/uploads/2018/11/R3-Handbook-2017.pdf>.

²³ "US Fish and Wildlife Service National Hunting License Data Calculation Year 2020," *USFWS*, accessed June 1, 2022. <https://www.huntingpa.com/attachments/natl-hunting-license-report-2020-pdf.161247/>

²⁴ "Hunting and Fishing Participation Report 2013," *American Sportfishing Association*, accessed June 1, 2022. http://asafishing.org/uploads/Hunting_and_Fishing_Participation_Report_2013.pdf.

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- Between 2000 and 2010, the number of hunters in Wisconsin had dropped by approximately 6.5%.²⁵ Further models projected a 25% decrease in the next two decades.²⁶ Evaluations of the state’s “Learn to Hunt” program found that 80% of the participants had fathers who hunted, and 70% had hunted before attending.²⁷ Essentially, the program was only reaching hunters and their children and left little room for growth.²⁸
- Partnerships among stakeholders with a framework to identify strategies and effectiveness are key to stabilizing the hunting constituency.
- The Council to Advance Hunting and the Shooting Sports has developed a National Hunting and Shooting Sports Action Plan to provide guidance and structure for partnerships that can effectively meet the needs of new audiences and can help clarify what initiatives and resources are the most needed to bolster participation in hunting and shooting sports.

Moving Forward

Development and use of partnerships and strategic models must continue to be utilized to halt and reverse the declining trend in hunting participation. State legislators are encouraged to work with their state fish and wildlife agencies – and by extension the Council to Advance Hunting and the Shooting Sports (CAHSS) – to ensure that state-level programs are designed and implemented to reach new audiences and mentor potential recruits to join the hunting community. To that end, such programs should seek to utilize data and resources provided by the CAHSS on hunter recruitment, retention, and reactivation efforts and trends in order to ensure that such programs will effectively reach and move various target audiences, rather than reinforcing an existing and/or stagnant status quo that may exist in a given state. CSF will continue to work to complement all partner organizations in their R3 efforts while simultaneously informing lawmakers about the importance of promoting hunting participation by reducing legal and regulatory barriers where appropriate.

²⁵ Warnke, Keith, “Hunting, Fishing, Sport Shooting, and Archery Recruitment, Retention, and Reactivation: A Practitioner’s Guide,” *NSSF*, accessed June 1, 2022. <https://www.nssf.org/wp-content/uploads/2018/05/R3-Handbook.pdf>.

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*

Sunday Hunting Restrictions

Introduction

Sunday hunting bans are one of the last remaining examples of the puritanical blue laws that were initially designed to encourage church attendance.²⁹ At the time when these restrictions were first put in place, other activities that were illegal on a Sunday included opening a store for business, drinking alcoholic beverages, and tilling your fields.³⁰ Today, most of the blue laws have been repealed; however, Sunday hunting restrictions of varying degrees remain in 10 states.³¹ Two states (ME and MA) either severely restrict or completely ban Sunday hunting.³² Maryland, for example, allows Sunday hunting in select counties, but restrictions remain for much of the state.³³

Immense progress was made in West Virginia and North Carolina in 2017, lifting many of the prior bans and restrictions on Sunday hunting. West Virginia passed SB 345 which allows for Sunday hunting on private land statewide.³⁴ Before this legislation, hunting was only permitted on Sundays in select counties. In North Carolina, [HB 640](#) (The Outdoor Heritage Act) was passed in 2015 and allowed hunters to use firearms throughout most of the day in most counties.³⁵ In 2017, North Carolina further expanded Sunday hunting allowances including transferring regulatory authority for public lands Sunday hunting to the North Carolina Wildlife Resources Commission.³⁶ In 2018, West Virginia repealed the prohibition against Sunday hunting on public lands.³⁷ These are steps in the right direction for lifting the unnecessary and antiquated bans on Sunday hunting throughout the country.

Points of Interest

- In March 2014, Governor Terry McAuliffe signed Virginia [House Bill 1237](#) which amended the Code of Virginia relating to hunting wild animals and wild birds on private property and state waters on Sundays.³⁸ The amendment broadly allows for hunting on Sundays with some exceptions, most relating to the proximity of a place of worship.³⁹ Before the passage of this legislation, an economic analysis conducted by the National Shooting Sports Foundation found that providing a Sunday hunting option in Virginia

²⁹ “Restrictions on Sunday Hunting,” *NSSF*, accessed June 21, 2022.

<https://www3.nssf.org/share/factsheets/PDF/SundayHunting.pdf>

³⁰ *Ibid.*

³¹ *Ibid.*

³² “Sunday Hunting Regulations,” *Multi-Organization Coalition to Remove Bans and Restrictions on Sunday Hunting*, accessed June 21, 2022. <http://sundayhunting.org/>.

³³ “Restrictions on Sunday Hunting,” *NSSF*, accessed June 21, 2022.

<https://www3.nssf.org/share/factsheets/PDF/SundayHunting.pdf>

³⁴ “West Virginia Senate Bill 345,” *West Virginia Legislature*, accessed June 21, 2022.

http://www.legis.state.wv.us/Bill_Status/bills_history.cfm?INPUT=345&year=2017&sessiontype=RS.

³⁵ “North Carolina General Assembly - House Bill 640 (2015-2016),” *NCGA*, accessed June 21, 2022.

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2015&BillID=h640>.

³⁶ “NC H559 | 2017-2018 | Regular Session,” June 30, 2017, *LegiScan*, accessed June 21, 2022.

<https://legiscan.com/NC/bill/H559/2017>.

³⁷ <https://legiscan.com/WV/bill/SB451/2019>

³⁸ “Virginia House Bill 1237 (2014),” *Virginia’s Legislative Information System*, accessed June 21, 2022.

<https://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1237>.

³⁹ *Ibid.*

would directly contribute an additional \$296 million to the state's economy and 3,927 new jobs would be created.⁴⁰

- In New York, Sunday hunting was opened in 1996 for three Sundays during the gun season. Five years later, however, the entire state allowed Sunday hunting throughout the year, with few exceptions.
- In Ohio, a three-year trial period for Sunday hunting was initiated in 1998, and then became permanent in 2002.⁴¹
- Before 2003, Sunday hunting in Michigan was banned on private land in certain counties, but in 2003, all Sunday hunting closures were repealed.⁴²
- Those opposed to Sunday hunting have claimed that allowing Sunday hunting would harm game populations and pose safety issues; however, none of the states that recently allowed Sunday hunting have seen these claims substantiated.
- Sunday hunting is seen as a key component of providing the citizenry, particularly the youth, with more opportunities to engage in the sport, which will ultimately lead to more hunters in the years to come.
- A 2011 empirical study conducted by CSF staff found that if Sunday hunting restrictions were lessened in the six states that had the most severe restrictions at that time (CT, DE, ME, MA, PA, VA), an additional 117,500 hunters would likely be recruited or retained by 2016.⁴³ This would have resulted in substantial increases in funding for the fish and wildlife agencies within these states.
- In 2015, Connecticut passed [HB 6034](#) which allows for archery hunting for deer on Sundays, with some restrictions.⁴⁴
- In 2016, the [Delaware Legislative Sportsmen's Caucus](#) spearheaded the passage of [HB 289](#) which permits deer hunting on both private and public lands (subject to approval of the appropriate regulatory body) on five Sundays during firearms seasons.⁴⁵
- Over the last few years, several bills, including many in 2017, were signed into law in Maryland which expanded opportunities to hunt both deer and turkey in specific counties.⁴⁶
- In 2018, the state of Delaware took things further bypassing S 198 which opened up hunting every Sunday throughout the state's archery and deer season.
- In South Carolina, Sunday hunting on Wildlife Management Areas is prohibited by regulation, but Sunday hunting is legal on private lands statewide.⁴⁷

⁴⁰ "Restrictions on Sunday Hunting," *NSSF*, accessed June 21, 2022.

http://sundayhunting.org/PDF/SundayHunting_EconomicImpact.pdf

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ Miller, Brent, "An evaluation of the potential for Sunday hunting repeals to generate increased funding for state wildlife management agencies," May 2011.

⁴⁴ "CT HB 6034 | 2015 | General Assembly," July 02, 2015, *LegiScan*, accessed June 21, 2021.

<https://legiscan.com/CT/bill/HB06034/2015>.

⁴⁵ "DE HB 289 | 2015-2016 | 148th General Assembly," June 07, 2016, *LegiScan*, accessed June 21, 2022.

<https://legiscan.com/DE/bill/HB289/2015>.

⁴⁶ "Sunday Deer Hunting | Maryland Hunting & Trapping Seasons & Regulations – 2016," *eRegulations*, accessed June 21, 2022. <http://www.eregulations.com/maryland/hunting/sunday-deer-hunting/>.

⁴⁷ "SCDNR - Rules and Regulations," *South Carolina Department of Natural Resources*, accessed June 21, 2022.

<http://www.eregulations.com/southcarolina/huntingandfishing/general-rules-regulations/>.

- In 2020, the [Pennsylvania Legislative Sportsmen’s Caucus](#) spearheaded the passage of [S 147](#) which was signed into law by [Governors Sportsmen’s Caucus](#) Co-Chair (at the time) Governor Tom Wolf.⁴⁸ The law authorizes one day of deer hunting on Sundays during the archery season, one day of deer hunting during the firearm season, and one day left to the discretion of the Pennsylvania Game Commission for species and season determined by them, which through rulemaking was selected to be bear hunting during the bear firearms season.⁴⁹
- In 2021, the North Carolina Wildlife Resources Commission approved rules opening Sunday hunting on 55 Game Lands.⁵⁰
- In 2022, Virginia Governor Youngkin signed Senate Bill 8 into law to allow Sunday hunting on public lands in the Commonwealth.⁵¹

Moving Forward

Educational campaigns that highlight the economic, social, and ecological benefits of Sunday hunting are a useful outreach tool and are likely to be successful in garnering further support for Sunday hunting. States should decide for themselves which approach will be most successful for their particular constituencies and localized political climates. State policymakers are encouraged to work with their state wildlife agency and hunting conservation organizations to ensure laws are drafted with all pertinent factors considered (e.g. federal regulations for migratory birds). Repealing blue laws prohibiting hunting on Sundays will increase license sales, have a positive impact on the state’s economy, and will increase the private property rights of landowners.

⁴⁸ “PA S 147 | 2019-2020 | General Assembly,” accessed June 21, 2022.

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2019&sInd=0&body=S&type=B&bn=147>

⁴⁹ “Pennsylvania: Final Sunday Hunting Dates for 2020 Set,” published April 13, 2020, by Brent Miller. <http://congressionalsportsmen.org/the-media-room/news/pennsylvania-final-sunday-hunting-dates-for-2020-set>.

⁵⁰ “Sunday Hunting on Game Lands Background,” *North Carolina Wildlife*, accessed June 21, 2022. <https://www.ncwildlife.org/Hunting/Where-to-Hunt/Public-Opinion-Survey>.

⁵¹ “SB 8: Hunting on Sundays,” *Virginia Legislative Information System*, accessed October 6, 2022. <https://lis.virginia.gov/cgi-bin/legp604.exe?ses=221&typ=bil&val=sb8>

Crossbows

Introduction

Over the past decade, more states have eliminated restrictions on using crossbows for hunting. While one state (Oregon) still bans crossbows entirely, most others (28 states) now allow unrestricted crossbow use throughout all big game seasons.⁵² Still, other states choose to allow crossbows only in certain seasons. For example, some states ban the use of crossbows in archery-only seasons, instead allowing them to be used only during firearms seasons. Incorporating crossbows may increase hunter recruitment and retention by potentially offering another facet of bow hunting; a report released by the Michigan Department of Natural Resources titled “Crossbow Deer Hunter Survey (January 2013)” supports this claim. The study found that “about 19% (18,731) of the hunters using a crossbow in 2011 in Michigan had never hunted with anything other than a firearm prior to the expanded use of crossbows.”⁵³ Further, crossbows, like other archery equipment, are also a useful tool for the management of deer populations in suburban and urban areas where the concerns of human-wildlife conflict, damage to property, and the environment are particularly high.

The increasing trend towards the elimination of crossbow restrictions has been a source of controversy among some traditional bowhunters. These traditional hunters contend that crossbows provide some hunters with an unfair advantage. However, when observing the harvest rates of crossbows and vertical bows in various states, it appears that the rates are similar. In North Carolina, for example, from 2012 to 2019, crossbows accounted for an average of 4.17% and vertical bows accounted for an average of 6.94% of the total deer harvest annually.⁵⁴ In Wisconsin, the crossbow harvest was less than the vertical bow harvest and success rates were relatively similar. Crossbows accounted for 11% of the deer taken in 2015, whereas regular bows accounted for 17% of deer taken. Also, the observed success rates for crossbows in the state in 2014 and 2015 were 25% and 26%, respectively. Standard bows had a success rate of 25% each of those years.⁵⁵ Additional debate on this topic has surfaced regarding wounding rates of various bow types. Some members of the conservation community feel that crossbows may wound more deer than traditional archery implements such as the compound, long, and recurve bows. To date, there has been no statistically rigorous study conducted that support these claims.

Points of Interest

- Crossbows may be a useful tool for certain sectors of the population, who for physical reasons (such as age, disabilities, etc.), may be incapable of using a traditional bow.
- Crossbows are a useful implement to consider when evaluating suburban/urban deer management scenarios.

⁵² <http://www.northamericancrossbowfederation.com/crossbow-regulations.html>. Accessed August 8, 2022.

⁵³ Brian J. Frawley and Brent A. Rudolph. "Crossbow Deer Hunter Survey," *Michigan Department of Natural Resources*, last modified January 2013, https://www.researchgate.net/publication/269872282_Crossbow_deer_hunter_survey, accessed August 8, 2022

⁵⁴ <https://www.ncwildlife.org/Learning/Species/Mammals/Whitetail-Deer#6328485-harvest-reports>

⁵⁵ Patrick Durkin, “Crossbows Expand Bowhunting Opportunities.” *American Hunter*, last modified July 18, 2016, <https://www.americanhunter.org/articles/2016/7/18/crossbows-expand-bowhunting-opportunities/>. Accessed August 8, 2022

- A peer-reviewed study found that both hunters and homeowners support the use of crossbows for suburban/urban deer management.⁵⁶
- A dramatic decrease in the archery hunting population has been shown to occur as people grow older. According to license data in Wisconsin, between the ages of 40 and 50, the total number of archery hunters will have been reduced by half. Once that same age group of hunters turns 60, their numbers will only be 40% of what they were at age 50.⁵⁷ In areas where the crossbow debate is particularly contentious, allowing hunters under the age of 15, or over the age of 55, may prove to be an acceptable compromise.
- 28 states, most recently Connecticut, Kansas, and Mississippi, now allow for the full inclusion of crossbows.⁵⁸
- Many arguments used by crossbow opponents today are the same arguments used to oppose the inclusion of compound bows during archery seasons in the 1970s, despite changing demographics of hunters and advances in technology since that time.
- In 2016, through [NH HB 1388](#) New Hampshire expanded crossbow hunting into the muzzleloading season.⁵⁹
- In 2016, Vermont enacted [VT H 570](#) making it illegal to transport a cocked crossbow in any motorized vehicle.⁶⁰
- As noted above, a 2013 study from the Michigan Dept. of Natural Resources suggested that allowing the use of crossbows for hunting may increase overall participation in archery hunting.
- In 2019, LD 27 allowed in Maine the use of crossbows for spring turkey season, fall turkey season through 2022, and deer during open archery season through 2022.⁶¹
- In 2019, Kentucky increased crossbow deer season by roughly 50 days, reserving two weeks in September for vertical archery hunters. Youth crossbow deer season was also expanded to be fully concurrent with vertical archery season.⁶²

Moving Forward

⁵⁶ [Kilpatrick, Labonte, and Barclay](#). “Acceptance of Deer Management Strategies by Suburban Homeowners and Bowhunters,” *The Journal of Wildlife Management*, August 2007, accessed August 8, 2022, https://www.jstor.org/stable/4496310?seq=1#page_scan_tab_contents.

⁵⁷ Patrick Durkin, “Why do Bowhunters Drop Out by Age 50?”. *Hunting Network, LLC.*, last modified February 8, 2016, <https://www.bowhunting.com/blog/2016/02/08/why-do-bowhunters-drop-out-by-age-50/>.

⁵⁸ “US Regulations”. *TenPoint Crossbows*, accessed June 13, 2022, <https://www.tenpointcrossbows.com/us-crossbow-regulations/>

⁵⁹ NH HB1388 | 2016 | Regular Session. April 27, 2016. *LegiScan*, accessed June 13, 2022, <https://legiscan.com/NH/bill/HB1388/2016>.

⁶⁰ VT HB 570 | 2015-2016 | Regular Session. May 28, 2016. *LegiScan*, accessed June 13, 2022, <https://legiscan.com/VT/bill/H0570/2015>.

⁶¹ ME HB 28 | 2019. Accessed, June 13, 2022. <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280070656>

⁶² “Kentucky’s Crossbow Deer Season Extended.” June 4, 2019, accessed June 13, 2022. <https://kentucky.gov/Pages/Activity-stream.aspx?n=FishandWildlife&prId=399>

There is a high level of variability in the way states have chosen to regulate crossbows. Some states choose to allow for liberal usage in most of their seasons, while others restrict them to firearm-only seasons (with exceptions for seniors or disabled persons, and in some cases youth). Only one state has banned the use of crossbows altogether. Ultimately, whether to allow crossbows for hunting continues to be a state issue, and it is recommended that policymakers lift restrictions for disabled persons and explore easing restrictions for crossbow use in consultation with the state fish and wildlife authorities in each state.

Discharge Distance Restrictions

Introduction:

The distance from an occupied dwelling, public road, or city limit that is required to legally discharge a bow or firearm varies tremendously from state to state. Originally enacted as a result of unfounded safety concerns, many states have implemented wide-sweeping rules, while others leave such decisions to local or municipal governments. For the states and municipalities that do have such restrictions, the firearm discharge distances range from 100 feet to 1,320 feet (1/4 mile), with the most common distance being 500 feet. The discharge restrictions applicable to archery tend to be shorter, ranging from 100 feet to 660 feet. Throughout recent years there have been numerous legislative and regulatory attempts made to both shorten and lengthen these restrictions for both firearms and archery equipment.

Issue:

Arbitrary and unnecessarily broad discharge distance restrictions, particularly for archery hunting, pose a substantial barrier to hunter access in suburban and exurban areas where localized issues with overabundant wildlife populations are most apt to occur. These restrictions negatively impact the ability of state fish and wildlife agencies to rely on hunting (widely considered the most efficient and effective [wildlife management tool](#))⁶³ to deal with these localized issues and curb the resulting high costs of damage to automobiles, crops, and private property. Damage estimates from overpopulated deer in New York State alone have been reported to exceed \$324 million annually, with most of these costs being driven by deer-vehicle collisions.⁶⁴

Not only do these restrictions impact the ability of hunters to help resolve localized issues stemming from overabundant wildlife, but they have the potential to negatively impact [hunter recruitment, retention, and reactivation](#) efforts. Other than lack of interest and time, which are not typically influenced by policy decisions, lack of access is the most prevalent reason for which sportsmen and women stop participating in hunting.⁶⁵ Therefore, reducing or eliminating these discharge distance restrictions, where feasible, will help encourage participation in hunting, in addition to increasing state-level conservation funding through the [American System of Conservation Funding](#).⁶⁶

Points of Interest:

- The discharge distance for both firearms and archery equipment in New York was set at 500 feet in 1957. Provisions to the state's budget in 2014 lowered the discharge distance for bows to 150 feet, and crossbows to 250 feet, significantly expanding access for archery hunters.⁶⁷

⁶³ "A Guide to Community Deer Management in Pennsylvania," *Pennsylvania Game Commission's Deer & Elk Section*, May 2014, accessed June 22, 2022, <http://www.pgc.pa.gov/Wildlife/WildlifeSpecies/White-tailedDeer/Documents/Guide%20to%20Community%20Deer%20Management.pdf>.

⁶⁴ "The Hunt for Balance" The Benjamin Center for Public Policy Initiatives, accessed June 22, 2022, https://www.newpaltz.edu/media/the-benjamin-center/db_15_the_hunt_for_balance.pdf

⁶⁵ "Why Hunters Quit Hunting" *Backcountry Chronicles*, accessed June 22, 2022, <http://www.backcountrychronicles.com/why-hunters-quit-hunting/>.

⁶⁶ "The Hunt for Balance" The Benjamin Center for Public Policy Initiatives, accessed June 22, 2022, https://www.newpaltz.edu/media/the-benjamin-center/db_15_the_hunt_for_balance.pdf

⁶⁷ *Ibid.*

- “Safe zones” extending 500 feet from an occupied dwelling encompass 18.02 acres of land in which hunting then becomes prohibited without landowner permission. However, a circle with a 150-foot radius only closes off access to 1.62 acres of land.⁶⁸
- Arizona has opened 1.86 million acres to hunting with firearms after passing [Senate Bill 1334](#), which transferred the authority to regulate the take of wildlife from municipalities and counties to the Commission, thereby eliminating previous discharge restrictions that were in place.⁶⁹
- According to a recent report by the National Shooting Sports Foundation, hunting with firearms is one of the safest activities in America, with billiards being the only sport holding a lower rate of injury.⁷⁰
- Since 2019, Massachusetts has seen numerous legislative attempts to ban the discharge of firearms by waterfowl hunters within 1,000 feet of the coastline when hunting from a watercraft. These bills represent some of the most egregious attempts to restrict hunting access by use of discharge distance restrictions in recent years.
- Introduced in 2020 and has since died in the House, New Hampshire’s HB 1115 would have increased the current firearms discharge distance of 300-ft. to 900-ft. around nonresidential, commercial buildings, eliminating hunting access for 58 acres around each building.
- In 2021, LD 569 was enacted in Maine, prohibiting the discharge of a bow and arrow within 100 yards of a building or residential dwelling on another’s property without the permission of the landowner.

Moving Forward:

Increased access as a result of reduced discharge distance restrictions will not only provide state fish and wildlife agencies with more management flexibility for localized wildlife concerns but also potentially increase hunting participation, thereby providing more money to state-level conservation efforts through the American System of Conservation Funding. State policymakers are encouraged to carefully evaluate present restrictions on discharge distances and to work to reduce or eliminate unnecessarily broad or arbitrary restrictions where they exist.

⁶⁸ “Management Plan for White-tailed Deer in New York State 2012-2016” *New York State Department of Environmental Conservation*, accessed June 22, 2022, https://www.dec.ny.gov/docs/wildlife_pdf/deerplan2012.pdf.

⁶⁹ Fernandez, David. “Re: SB 1334.” Received by Andy Treharne, 20 July 2016.

⁷⁰ “Firearms-Related Accident Statistics Highlighting Trends in the United States 2020 Edition” *National Shooting Sports Foundation*, accessed August 23, 2022, <https://www.nssf.org/wp-content/uploads/2020/05/NSSF-IIR-Firearm-Related-Accident-Statistics.pdf>

Modern Restraining Animal Traps

Introduction

The regulations set forth by state wildlife agencies on trapping methods are among the most complex and comprehensive of any laws concerning wildlife harvest today. In 1985, the Canadian government attempted to establish a world standard for humane mammal traps through the International Organization for Standardization (ISO). Among those responsible for setting the standards was the United States Technical Advisory Group (TAG), comprised of veterinarians, biologists, animal welfare representatives, trappers, and the general public. Since its inception, at least nineteen countries, including the United States, agreed to the standards. During the 1990s, two more IOS standards were developed, providing thresholds for time of death related to killing traps and minor traumas from restraining traps. By standardizing modern animal traps and improving their effectiveness, the negative public perception associated with the trapping industry has been reduced.⁷¹

Extensive research on restraining traps has been conducted through annual appropriations from Congress to the Association of Fish and Wildlife Agencies. Such research resulted in the development of Best Management Practices (BMPs) in 1996, incorporating trapping methods for many fur-bearing species.⁷² All common trap designs have been field-tested against BMPs for each species. During field trials, the captured animals were examined by veterinarians and some devices passed while others were eliminated. The traps that were eliminated failed to adhere to the approved humane trap standards for that specific species. All structural components of each restraining trap were evaluated based on the trapping system used and the target species.

Points of Interest

- The restraining trap BMPs developed for each furbearer species evaluated are voluntary recommendations to state fish and wildlife agencies, trappers, and trap manufacturing companies.
- The trap manufacturing industries have voluntarily embraced the recommendations of the BMP's and have designed and redesigned new traps that meet the new humane trap standards.
- Components of the restraining traps for the larger predator furbearers are also being modified and redesigned to meet the BMP injury standards.
- Modern restraining animal traps, like foot-hold traps, have been critical to conservation efforts by allowing endangered species to be safely trapped and re-located.
- Modern trapping methods have also been instrumental in the management of species like coyotes that have significantly expanded beyond their historical range.⁷³

Language

⁷¹ "The AIHTS In Brief," *Agreement on International Humane Trapping Standards (AIHTS)*, accessed June 7, 2022, <https://www.face.eu/international-agreements/aihts/>

⁷² "Best Management Practices for Trapping in the United States," *Association of Fish & Wildlife Agencies*, accessed June 7, 2022, https://www.fishwildlife.org/application/files/3515/1862/6191/Introduction_BMPs.pdf

⁷³ H. Bryant White, Thomas Decker, Michael J. O'Brien, John F. Organ & Nathan M. Roberts (2015) Trapping and furbearer management in North American wildlife conservation, *International Journal of Environmental Studies*, 72:5, 756-769, accessed June 7, 2022, <https://www.tandfonline.com/doi/full/10.1080/00207233.2015.1019297>

- In 2017, Nevada enacted [S364](#), which revises provisions of animal trapping laws and techniques.⁷⁴
- In 2017, Tennessee enacted [H733](#), which regulates size, placement, and inspection of steel traps.⁷⁵
- In 2020, [HB 1504](#) was proposed in New Hampshire to “established a committee to study prohibiting recreational trapping.” The bill was reported “Inexpedient to Legislate” out of Committee and subsequently died.
- In 2021, New Mexico passed [SB 32](#), which banned trapping on all public lands in the state.

Moving Forward

The standardized BMP’s, developed for each furbearer species, are crucial to the ethical practice of our trapping tradition. Thus, legislators must be mindful of these international standards when considering legislation on modern restraining traps and prioritize educating individuals within the outdoor sporting community, as well as the general public, on the ethical use of traps. Changing the public’s negative perception of trapping through education and promoting the use of restraining traps in conservation and invasive species management is of utmost importance.

⁷⁴ “Senate Bill No. 364,” *Nevada Natural Resources Committee* (2017): 1-8, accessed June 7, 2022, <http://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB364.pdf>

⁷⁵ “House Bill 733,” *Tennessee House of Representatives* (2017), accessed June 7, 2022, <https://openstates.org/tn/bills/110/HB733/>

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