

**TESTIMONY
PRESENTED TO THE
PA HOUSE GAME & FISHERIES
COMMITTEE**

BY

Joel Rotz

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Harrisburg, PA

October 27, 2011

Good morning. Thank you for the opportunity to again address the House Game and Fisheries Committee regarding the issue of expanding Sunday hunting in Pennsylvania as proposed in HB 1760, introduced by Chairman Evans. Pennsylvania Farm Bureau is the state's largest general farm organization with over 53,000 members who comprise 54 county Farm Bureau organizations across the state. My name is Joel Rotz and I serve as the organization's Director of State Governmental Relations. As the committee is well aware, Pennsylvania Farm Bureau had opportunity to present testimony at the first of the series of three hearings back in June of this year. Today I will spend most of my time focusing on issues raised since the June hearing rather than reiterating all the reasons why we strongly oppose any expansion of Sunday hunting.

Since we last met, Pennsylvania Farm Bureau believes it has become very apparent that the issue goes far beyond the vast majority of landowners we represent who oppose its expansion and the approximately fifty-percent of sportsmen who want the law changed. While Farm Bureau is recognized as a leading group in opposition, it is becoming clear that a substantial and growing portion of the other 12.6 million citizens of our state also have a strong opinion about the matter. We are hearing a growing voice among them who wish to be outdoors on Sunday enjoying a broad range of activity say that one day a week should be preserved for their pleasure without the concern of interfering in the hunter's sport. These citizens are not unlike the farmer who is saying to the hunter, "you have six days and can't I have one?"

Some advocates of expanding Sunday hunting say it hasn't happened because of Pennsylvania Farm Bureau's opposition. The reality is that proponents have not made the case for how the interests of all Pennsylvanians are better served by removing the current restrictions. The main selling point to the general public has been the promise of an economic boost to business and the tax treasury based upon economic studies completed by Southwick Associates, which you will hear more about today.

Although Pennsylvania Farm Bureau has not consulted with a third-party economic expert to thoroughly examine the study, we believe that many of its claims defy commonsense and otherwise ignore the real world. Regardless of your position on expanding Sunday Hunting, we urge you to please ask some logical questions about the study and its results. For instance, does the study take into account the impact of activities that are already occurring on Sundays that will be reduced or displaced by Sunday hunting? Examples include hiking, biking, horseback riding, some family time together in the countryside, and even fall foliage viewing this time of the year?

Secondly, how much of the expected economic impact is actually new dollars coming into the state? In other words, are we concluding that everyone who will be out hunting on Sundays

currently do nothing to contribute to the state's economy on Sunday? To the contrary, the study's numbers would seem to reflect a shift in spending rather than an expenditure of new dollars. Hunters may be in the woods on Sunday instead of taking their family out to lunch or to a movie, for example.

And, how much of the expected impact are the same dollars that are already being spent on hunting six days a week that will be shifted to Sundays? If the Pennsylvania Game Commission is going to continue to manage wildlife based upon the resource and its habitat rather than the demands of hunters, they will likely need to shorten seasons if additional hunting pressure is added on Sunday.

Has any effort been made to substantiate these projected numbers by comparing them with any economic impact that may have occurred in other states where unrestricted Sunday hunting exists?

And finally on the economic issue, it is very difficult to follow what proponents of HB 1760 claim will be generated from an expansion of Sunday hunting because of contradictory positions that have been stated. The large numbers you will hear today represent expected revenue if Sundays are available for every hunting season. Yet we are constantly assured that if expansion occurs it will not include every available Sunday. In fact, we hear from some proponents that it would likely not include deer seasons, and yet from others who believe it should only be permitted for the rifled deer season. All these scenarios create confusion instead of clarity about projected economic impacts.

Please give the Southwick study on economic impact and jobs created by expansion of Sunday a reality test before portraying it before Pennsylvanians as a major justification to expand Sunday hunting.

Pennsylvania Farm Bureau believes that other critical questions should be directed to the Pennsylvania Game Commission, and we urge you to do so. Specifically, what additional deployment of Game Wardens will be required for each Sunday of expanded hunting? What will be the additional cost, who will foot the bill, and how? One would assume that the cost will need to be covered by the sportsmen themselves, but so far as we know, nothing has been said about this.

Let me move on to the concern raised by proponents about the need for Sunday hunting to provide additional hunting opportunities for youth while also helping to increase hunter retention. First, Pennsylvania Farm Bureau is empathetic to the need for hunter retention, if for no other reason than keeping hunters in the field for crop damage control. It is interesting to note that Director Roe, PA Game Commission, reported on a recent PCN show that Pennsylvania hunting licenses sales increased this year about four percent, including a two percent increase in youth participation, or about 3,000 additional mentored youth over last year. We suggest that this has occurred as a result of actions taken by the PA Game

Commission to provide youth hunting opportunities and increasing access to hunting license applications electronically.

Pennsylvania Farm Bureau has actively supported youth hunting opportunities and will continue to do so during the six days a week which are already available. The PA Game Commission, for example, could open rifled deer season on the Saturday following Thanksgiving to provide an additional day for youth to hunt when schools are closed. This is just one example of some creative thinking that the PA Game Commission can act upon without any involvement by the General Assembly and while not intruding on others' use of public and private lands on Sundays.

If hunters want to be in the woods and fields on Sundays with their children, is this not a good time to go out without the guns and show them the signs of deer and deer themselves as they pick their hunting spot. That is the type of hunting activity I grew up with on Sundays and I believe it still holds great value in creating anticipation and interest in the sport, while providing a quality time for family. After all, I believe the sport of hunting is in the pursuit. The taking of wildlife as a result of the pursuit is the bonus.

Proponents try to distract and diminish the expansion of Sunday hunting as a significant issue for all Pennsylvanians by declaring it to be nothing less than an outdated "blue law" whose time has passed. As stated in our earlier testimony at the June hearing, there is a vast difference between the matter of Sunday hunting and the past repeal of other Sunday limitations such as retail sales. Namely, retail businesses welcomed the change and a compelling public interest was served with broad popular support. Neither is the case with Sunday hunting. The vast majority of those providing access for hunting (i.e. landowners) do not want it expanded and we don't believe that many of the 12.6 million Pennsylvanians are clamoring to cross paths with hunters on Sundays.

Finally, proponents contend that private landowners should have the right to do what they want on their own private property. It sounds like a reasonable argument until the facts and realities are examined. Farmers are experts on the question of what can or cannot be done on private property. There are endless examples of how farmers are restricted or regulated on their own property including zoning, land use, building codes, manure application, pesticide use, and even hunting and taking wildlife for crop damage. And no, they don't always like it. But for the most part, such restrictions are placed upon farmers and other landowners because they are believed to be in the public interest.

Restrictions on Sunday hunting are no exception. As stated in previous testimony, if Sunday hunting is expanded to public lands or private lands, the trouble of trespass will become an even worse problem than it is today. Just picture this. With about 930,000 hunters in the field, if only one percent end up on the wrong side of a property line, it is 9,300 instances of someone violating the privacy of a landowner. And although the vast majority of hunters respect our

trespass laws, they can and do unintentionally wander onto private property because boundaries are often not clear. It is the primary reason why just posting "No Sunday Hunting" won't work for farmers – or other landowners, for that matter. The problem of enforcement becomes even more overwhelming with an expansion of Sunday hunting.

In conclusion, Pennsylvania Farm Bureau hears the pleas from proponents to come to the table to negotiate a compromise. For the reasons and more that we have stated – and repeated over the years – the vast majority of Pennsylvania's farmers do not believe that expansion of Sunday hunting can be implemented in a way that won't eventually confirm their worst fears and concerns. However, Farm Bureau's annual statewide policy development process continually hears and represents the views of farm families, and responds to changing opinions if and when it occurs. Anyone not knowing the extensive grassroots nature of how our organization decides its position on issues such as Sunday hunting is encouraged to visit our website for an overview of the process.

In closing, hunters need farmers and farmers need hunters. During the sixteen years I have worked for Pennsylvania Farm Bureau, we have seen great strides taken by the Pennsylvania Game Commission to assist farmers with wildlife damage control, particularly as they relate to deer. Programs have been developed that mutually benefit hunters and farmers. We want that progress to continue, and are concerned that this very contentious issue can erode support for hunters by Pennsylvania's general population.

Thank you. I will be happy to take your questions.



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November 8, 2011

The Honorable John Evans
107 Ryan Office Building
Harrisburg, PA 17120-2005

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Dear Chairman Evans,

I am writing to clarify the record on testimony and related answers to questions presented by Pennsylvania Farm Bureau at the October 27, 2011 hearing to consider expansion of Sunday hunting in Pennsylvania.

Questioning by several members of the Committee panel suggested that Pennsylvania Farm Bureau's general comments had misrepresented the facts when stating that roughly 50% of the sportsmen in Pennsylvania were supporting Sunday hunting. We were asked the basis of our assertion. While not able at that time to provide the exact percentages at the hearing, we did identify as the supporting source of our information to be the original study of the Legislative Budget and Finance Committee released in 2005 titled, "A Study of the Potential Economic, Social, and Other Impacts of Expanding Sunday Hunting in Pennsylvania."

That study both reaffirms the accuracy of our statement that only half of the Pennsylvania hunters support Sunday hunting, and refutes the representations made by Committee members that a higher percentage of Pennsylvania hunters (or hunters generally) support Sunday hunting. Enclosed you will find a copy of page nine of the study, which includes responses to the question asked of licensed hunters stated as "Do you support some form of expanded Sunday hunting?" The results show that only 52.6% of all hunters responding to the question – both in state and out-of-state – supported Sunday hunting. And specific to hunters who are residents of Pennsylvania, 50.2 percent of those hunters supported Sunday hunting.

The overstated figure of 77.5% that some Committee members claimed as the percentage of hunters "supporting" Sunday hunting was instead the percentage of non-Pennsylvania hunters that the study found to be in support. Again, a review the study's results of all hunters and Pennsylvania hunters supports the accuracy of the general statement we offered in response to questioning that only about half of the hunters support Sunday hunting.

Pennsylvania Farm Bureau believes, and hopes the members of the General Assembly concur, that data reflecting the views of Pennsylvania residents is much more important than data reflecting opinions of out-of-state residents when deciding the outcome of this issue.

We do want to correct for the record, a slight error in the response offered to the question to identify those counties in Pennsylvania that do not have an organized County Farm Bureau. That response accurately indicated Allegheny and Philadelphia Counties as not having an organized Farm Bureau, but misstated that there was no organized Farm Bureau in Carbon County. The county meant to be identified was Cameron. There are no organized farm bureaus in these counties simply because there are an insufficient number of farmers to sustain an organization structure. However, several individuals who reside and actively farm in these counties are members of neighboring counties where organized Farm Bureaus exist.

We appreciate the opportunity to follow up with this information subsequent to our testimony your questioning at the public hearing.

Sincerely,

Joel Rotz, Director
State Governmental Relations

Enclosure

5.2 Why did you hunt in another state besides Pennsylvania in 2004? (please check all that apply):

7.3%	- I live in that state, or I previously lived in that state
34.5	- I had friends/family inviting me to hunt in that state
32.8	- I could hunt on Sunday
53.5	- There were hunting experiences available there not available in Pennsylvania
46.6	- Hunting in another state provided me with additional hunting days when Pennsylvania's seasons were closed.
24.1	- Other reasons not listed above.

For the 15.4 percent of licensed Pennsylvania hunters who reported hunting in other states, the primary reason was to experience hunting opportunities not available in Pennsylvania. Being able to hunt on Sundays was cited by nearly one third of these hunters.

5.3 If Sunday hunting was expanded in Pennsylvania for 2005, do you think your hunting activities in other states would increase or decrease next year?

	<u>Increase</u>	<u>Decrease</u>	<u>Stay the Same</u>	<u>Don't Know</u>
All Respondents.....	8.7%	21.7%	55.8%	13.8%
Residents.....	9.0	18.9	55.0	17.1
Non-Residents.....	7.7	30.8	61.5	0

When asked if their levels of out-of-state hunting would change if Sunday hunting was allowed, just over half report they expected no change. Nearly a fifth of Pennsylvania hunters report they would not hunt as much in other states if they could hunt in-state on Sundays. Over 30 percent of non-residents indicate their hunting activities in other states would drop, possibly indicating their hunting activities in Pennsylvania might increase as a result.

6. The State legislature is studying the issue of expanding Sunday hunting.

Please provide us your opinion about the following:

6.1 Do you support some form of expanded Sunday hunting?

	<u>Yes</u>	<u>No</u>	<u>Don't Know</u>
All Respondents.....	52.6%	42.7%	4.6%
Residents.....	50.2	45.1	4.7
Non-Residents.....	77.5	20.0	2.5