

January 13, 2021

Delegate Dana Stein, Vice-Chair
House Environment and Transportation Committee
General Assembly of Maryland
House Office Building, 6 Bladen St.
Annapolis, Maryland 21401

RE: Written Testimony from the Animal Law Section of the Maryland State Bar Association in support of HB 293

Dear Delegate Stein and House Environment and Transportation Committee Members:

The Animal Law Section of the Maryland State Bar Association (the “Section”) is in support of HB 293, which would prohibit a person from sponsoring, conducting, or participating in organized contests that have the objective of killing a coyote, fox, or racoon for prizes or monetary awards, and would establish a \$25 fine for each coyote, fox, or racoon killed in violation of the Act.

I. KILLING CONTESTS ARE AN UNACCEPTABLE METHOD OF ECOLOGICAL MANAGEMENT

Killing contests are an unacceptable method of ecological management and fail to utilize any scientific principles. Killing contests target predator species such as coyote, fox, and raccoon, species which have no bag limit in Maryland.¹ The practice incentivizes the indiscriminate and unlimited killing of animals while masquerading as conservation. Killing contests contribute to the decline of Maryland’s biodiversity and ecosystem functions and should be banned in favor of science-based ecological practices.

II. WANTON WASTE REGULATIONS DO NOT APPLY TO KILLING CONTESTS

Wanton waste laws prohibit the intentional waste of certain wild animals. However, neither state nor federal wanton waste regulations apply to the predator species which are hunted during killing contests. The Maryland wanton waste regulation² applies specifically to deer hunting, while the Federal wanton waste regulation³ applies to migratory game birds.

III. LEGISLATION IS NECESSARY TO REGULATE KILLING CONTESTS

Legislation is necessary to prohibit killing contests because the Judiciary is not positioned to systemically regulate killing contests or establish a ban through case law.

¹ 2020-21 Maryland Guide to Hunting & Trapping. (2020). Maryland: Maryland Department of Natural Resources.

² COMAR 08.03.04.24

³ 50 CFR 20.25

Under Maryland's current laws, it would be challenging for a plaintiff to establish standing and/or identify a cause of action for the extermination of Maryland's predator populations via killing contests.

A potential plaintiff may also experience challenges related to the collection and preservation of evidence. Killing contests occur in isolated locations and provide a remarkable level of privacy to participants, who have little incentive for accountability.

The Animal Law Section appreciates the General Assembly's interest in strengthening Maryland's animal laws and in advancing Sustainable Development Goal 15. Please take this testimony into consideration, as well as the MSBA Animal Law Section's support, and vote in favor of HB 293.

Respectfully,

Kimberly Fullerton, Esquire
Immediate Past Chair
Animal Law Section of the Maryland State Bar Association

CC: Richard A. Montgomery, III
Director of Legislative and Governmental Relations
Maryland State Bar Association