

Pennsylvania Farm Bureau

TESTIMONY PRESENTED TO THE PA SENATE GAME & FISHERIES COMMITTEE

BY

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Good morning. My name is Joel Rotz, Senior Director, State Government Affairs, for the Pennsylvania Farm Bureau. Pennsylvania Farm Bureau is the state's largest general farm organization with over 60,000 family members, many of whom are private landowners. Private landowners provide the largest component of land area currently available in the Commonwealth for hunting, totaling over 7.7 million acres or about 80% of the huntable lands in the state. Thank you for the opportunity to testify before you today.

The Farm Bureau truly is a grassroots driven organization. Our policy development process begins with, and is driven by, each of our 54 County Farm Bureaus, where members initiate an idea or view on an issue. If it is supported by a majority of vote of members at their county annual meeting, the policy resolution moves to the state or national level of Farm Bureau for final discussion and decision. The issue of expanding Sunday hunting has been revisited many times by Farm Bureau members over the years and the outcome of the discussion has consistently been overwhelming opposition to any expansion of Sunday hunting privileges in Pennsylvania.

Perhaps one of the best examples of how strongly our members oppose any expansion of Sunday hunting was a debate among our members regarding allowances for groundhog hunting. Groundhogs are perhaps one of the most exasperating forms of wildlife on farms because of the extensive amount of damage their digging and tunneling can do to fields and more importantly farm equipment. Our members still decided that having six days a week for groundhog hunting was enough and that first day of the week, Sunday, needed to be preserved for their own peace and quiet and enjoyment of their property without the interruption by hunters.

Proponents of Sunday hunting have often suggested various, more "restricted" forms of Sunday hunting expansion, such as specifically limiting Sunday hunting authorization to state game and other public lands. Our members believe it would be impossible for the Pennsylvania Game Commission, with its already limited resources, to enforce trespass laws in a manner that would effectively keep hunters on public lands and prevent hunters from inevitably wandering onto private lands, either knowingly or unknowingly. The same concern arises with proposals that would authorize Sunday hunting on private lands by permission only. While proponents of Sunday hunting talk of tougher trespass laws to keep hunters on designated lands that would be open for Sunday hunting, landowners know from experience that there are not enough resources to enforce current trespass laws, let alone expanded ones.

Pennsylvania Farm Bureau as an organization is very supportive of hunting and the important role hunters play in managing wildlife in the state. The organization has never encouraged members to prohibit hunting on their land even though we recognize and support the landowners' rights to do so. We have worked for decades to build constructive relationships with the Pennsylvania Game Commission and its staff to help keep privately owned lands open and accessible to hunters in managing wildlife and minimize the need for farmers to take deer and other wildlife for crop damage. A major concern for Farm Bureau is what will happen to the decades of progress that have been made in these areas if Sunday hunting is expanded against the will of the majority of private landowners.

Proponents of Sunday hunting rhetorically characterize Pennsylvania's current Sunday hunting restrictions as a residual of the "arcane blue laws" that should be changed to fit societal views of today. There is a significant difference in belief and attitude between those individuals who would be most directly impacted by repeal of current Sunday hunting restrictions – farmers and private landowners – and those proprietors who were most directly impacted by the repeal of other Pennsylvania blue laws in recent years. The owners and operators of retail stores were strong supporters of the changes in laws to repeal the Sunday sales ban and allow access of the public to their establishments for retail purchases. They welcomed the incursion of the public on their properties on Sundays to expand business opportunities.

Farmers generally do not operate that type of business and receive no economic benefit from having their land open to hunting on Sundays, and have been resoundingly opposed to the "blue law" repeal. In fact, what is most frustrating to farmers in this debate is the arrogance of the assumption that somehow privately owned land should be available to hunters seven days a week with no recognition of the fact that farms are not only privately owned businesses, but family homesteads as well. Proponents of Sunday hunting may describe the prohibition as an "arcane blue law," but many private landowners including farmers see the prohibition as preserving their right to enjoy peace and tranquility on their own land with family and friends the first day of the week without the concern of sharing their property with hunters.

As stated earlier, Pennsylvania Farm Bureau is very supportive of the sport of hunting and of hunters and the important role they play in managing wildlife. We hear the concern from some that our young people are not taking up the sport of hunting because of competing activities and that somehow Sunday's are more available to schedule hunting. We believe other sporting activities have already claimed time on Sundays and like everything else in life the decisions that parents and youth have to make about how time is spent comes down to priorities. If hunting is the priority, then soccer or football is not, and adding another day of hunting will not change the priority choice that needs to be made.

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 for youth on the Friday following Thanksgiving and open rifle season the following day to provide additional days 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, isn't the sport of hunting in the pursuit? The taking of wildlife as a result of the pursuit is the bonus.

If hunters need more time for proper wildlife management and hunting opportunities, additional Saturdays or entire weeks can be added to current hunting seasons. However, it is worth noting

that Pennsylvania already authorizes some form of deer hunting over 90 days per year, including 18 Saturdays. And the current span of days where deer hunting is authorized does not account for the additional opportunities for hunting deer provided throughout the growing season under the Commission's red tag program, which farmers welcome hunters to partake. Landowners don't have a problem with expanding hunting seasons, but 80% of landowners surveyed by the PA Legislative Budget & Finance Committee in 2005 said they did not want Sunday hunting. In fact, 18% of those same landowners who currently owned land open to public hunting were so incensed by the thought of Sunday hunting that they indicated they would post their land. The same survey indicated nearly half of the state's hunters responding did not favor expanding Sunday hunting. It would seem this is not a large segment of people who wish to infringe on others use and enjoyment of public and private lands on Sunday.

The effects of Sunday hunting on all citizens of Pennsylvania – not just farmers and hunters – need to be considered as well. We hope that any outcomes of these committee proceedings would be based on the needs and wants of the majority of those affected by the decision. Pennsylvania Farm Bureau believes negative attitudes on expansion of Sunday hunting go well beyond the vast majority of landowners we represent who oppose it, and reflect the mainstream position among Pennsylvania citizens. While Farm Bureau is recognized as a leading group in opposition, it is becoming clear that a substantial portion of the other 12.6 million citizens of our state also have a strong opinion about the matter. The voice of those 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.

Although Pennsylvania Farm Bureau has not consulted with a third-party economic expert to thoroughly examine those studies, 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, according to Janet Nyce, Chairwoman of Hunting Works for PA, hunting in Pennsylvania currently generates \$1.6 billion in economic activity and creates 15,000 jobs. Does it seem logical that adding Sundays to hunting seasons would create an additional \$800 million in economic activity and create half again as many jobs?

Does the Southwick 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 bird watching, hiking, biking, horseback riding, some family time together in the countryside, and even fall foliage viewing this time of the year?

Additionally, 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 supposed economic impact merely reflect purchases that would otherwise be made by hunters already during the current six-day hunting week and deferred through expansion of the hunting week to a seventh day? If the Pennsylvania Game Commission is going to continue to manage wildlife based upon the resource and its habitat rather the demands of hunters, they will likely need to shorten seasons if additional hunting pressure is added on Sunday.

And finally on the economic issue, the large numbers often represented are for expected revenue if Sundays are available for every hunting season. Yet we are constantly assured that numerous hunting seasons will not include Sundays, even if the Sunday hunting ban is lifted. In fact, we hear from some proponents that Sundays will not be included in 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 and administrative challenges will likely need to be addressed by the Pennsylvania Game Commission, if the current restrictions on Sunday hunting are eliminated. 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.

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. 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 950,000 hunters in the field, if only one percent end up on the wrong side of a property line, it is 9,500 instances of someone violating the privacy of the landowner and his or her family and the personal rejuvenation they receive through peaceful enjoyment of their land. 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. Short of landowners and their families directly policing their own properties on Sunday, which denies those policing the personal respite and relaxation they are trying to attain for at least one day each week, self-help measures by landowners will be no more effective in deterring substantial hunter trespass than enforcement of trespass laws by the Game Commission.

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 remain unconvinced that expansion of Sunday hunting can be implemented in a way that won’t eventually confirm their worst fears and concerns. The open and democratic process implemented by Farm Bureau provides the opportunity for our members each year to review current positions and to make changes that represent the views commonly held by our membership. Anyone not familiar with the extensive grassroots nature of our process and decision-making on policy positions is encouraged to visit our website for an overview of the process. While Farm Bureau’s position on Sunday hunting has been the focus of several recent cycles of our policy process, our members have strongly and consistently supported no change to our position against expansion of Sunday hunting.

In closing, hunters need farmers and farmers need hunters. During the 21 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.