



Senate Fiscal Agency
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House Bill 4286 (as reported without amendment)
Sponsor: Representative Judy Nerat
House Committee: Tourism, Outdoor Recreation and Natural Resources
Senate Committee: Hunting, Fishing and Outdoor Recreation

Date Completed: 4-1-09

RATIONALE

The sport of hunting is a popular pastime in Michigan and a significant component of the State and local economies. Although hunting opportunities are available on millions of acres across the State, the amount of land open to hunting, particularly private land, evidently is declining. In order to help preserve hunting opportunities in Michigan, it has been suggested that the Department of Natural Resources (DNR) should be required to manage land under its control in a manner that prevents a net loss in the amount of State-owned public land open to hunting.

CONTENT

The bill would amend Part 5 (Department of Natural Resources) of the Natural Resources and Environmental Protection Act to require the DNR to prevent a net decrease in the acreage of land under its control open to hunting, and submit to the Legislature an annual report on land closed and land opened to hunting. Additionally, the bill would revise the description of the rules the DNR must promulgate.

Hunting Land & Annual Report

The bill would require the DNR to do all of the following:

- Keep land under its control open to hunting unless the Department determined that it should be closed to hunting because of public safety, fish or wildlife management, or homeland

security concerns or as otherwise required by law.

- Manage land under its control to support and promote hunting opportunities to the extent authorized by law.
- Manage land under its control to prevent any net decrease in the acreage of land open to hunting.

Beginning April 1, 2010, the DNR would have to submit to the Legislature an annual report that included all of the following:

- The location and acreage of land under its control previously open to hunting that the Department closed to hunting during the one-year period ending the preceding March 1, together with the reasons for the closure.
- The location and acreage of land under its control previously closed to hunting that the Department opened to hunting during the one-year period ending the preceding March 1 to compensate for land closed to hunting.

These requirements would not apply to commercial forestland.

Rule-Making

Currently, the DNR must promulgate rules for the protection of the land and property under its control against wrongful use or occupancy as will ensure the carrying out of the intent of Part 5 to protect the land and property from depredations and to preserve the land and property from molestation, spoilation, destruction, or any other improper use or occupancy.

Under the bill, instead, the DNR would have to promulgate rules to protect and preserve and land and other property under its control from depredation, damage, or destruction or wrongful or improper use or occupancy.

MCL 325.504

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Michigan reportedly ranks third in the nation for the number of licensed hunters, with more than 750,000. In addition to contributing to wildlife management and conservation efforts, hunters are said to contribute \$1.3 billion directly to the State's economy every year and spend another \$1.2 billion on related tourism costs, such as hotel and restaurant expenditures. According to the DNR, the Department already operates under a "no net loss" policy with regard to land under its control, including hunting land. In order to mitigate the decline in the amount of private land open to hunting, the State should enact this practice in statute. The bill would help preserve the tradition of hunting in Michigan while allowing for closures for practical reasons, such as public safety. Reportedly, at least eight other states have enacted similar legislation.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bill Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.