

House Bill 5883 (Substitute H-1)
First Analysis (5-28-98)

Sponsor: Rep. Charles Perricone
Committee: Conservation, Environment
and Recreation

THE APPARENT PROBLEM:

Currently, under the hunting and fishing licensing provisions of the Natural Resources and Environmental Protection Act (NREPA), a hunter must obtain a bow and arrow deer license to hunt deer during the bow and arrow season, and a separate firearm deer license if he or she wants to hunt deer during the firearm deer season. Hunters are allowed to purchase two of each type of license (two firearm and two archery), according to the Department of Natural Resource' rules. However, interpretation of the DNR rules has led to some confusion and division among hunters. Apparently, some have interpreted the rules to mean that two deer may be taken with each license. The DNR maintains that it was intended that each hunter is entitled to take a *total* of two deer, regardless of the number of licenses held. A consortium of hunting organizations has met to address these concerns. The group has proposed legislation that would allow the DNR to issue a "combination" deer license that could be used to hunt deer in either or both the firearm and the archery seasons, and which would specify that only two deer could be taken.

THE CONTENT OF THE BILL:

Currently, Part 435 of the Natural Resources and Environmental Protection Act (NREPA), which regulates hunting and fishing licensing, specifies that a hunter must obtain a firearm deer license to hunt deer during the firearm deer season and must also obtain a bow and arrow deer license to hunt deer during the bow and arrow deer season. House Bill 5883 would allow an exception to these provisions to permit a person who held a "combination" deer license to hunt deer during both hunting seasons, as follows:

- The bill would allow the Department of Natural Resources (DNR) to issue a combination deer license that authorized a person to hunt deer during both the firearm and the bow and arrow season, according to the rules established for each season. The holder of a

combination license would be allowed to take two deer, as specified under Part 401 of the act, which regulates wildlife conservation.

- Under the bill, the fee for a resident combination deer license would be equal to the total of both a resident firearm deer license fee plus a resident bow and arrow deer license fee. The fee for a nonresident combination deer license would be calculated in the same manner. In addition, the fee for a resident or nonresident who was 12 to 16 years of age would be discounted by 50 percent.

- An order issued under Part 401 of the act could designate the kind of deer that could be taken and the geographic area in which a combination license would be valid, when desirable in deer management.

- The DNR could issue kill tags bearing license numbers with, or as part of, each combination deer license. A kill tag would be considered part of the license and could not be used more than once. A kill tag could also include space for other pertinent information.

- A combination deer license would count as two licenses for the purposes of license fees paid by a person in the armed forces who maintains a state residence in order to obtain a driver license or voter registration (MCL 324.43536a), a discount on four or more licenses (MCL 435.53521), and as applied to the transmittal, deposit and use of fees to the deer habitat management program (MCL 324.43554) and the Wildlife Resource Protection Fund (MCL 324.43555).

- A senior citizen could obtain a senior combination deer license that would be discounted at the same rate that is currently provided under the act (MCL 324.535).

- A combination deer license issued to a person less than 14 years of age would be valid only for taking

deer with a bow and arrow until the person reached 14 years of age.

The bill would also specify that, notwithstanding any other provision of Part 435, and except for when replacing lost or destroyed licenses, a person could not apply for, obtain, or purchase any combination of firearm, bow and arrow, and combination deer license that would authorize the taking of more than two deer.

MCL 324.43525a

FISCAL IMPLICATIONS:

According to the House Fiscal Agency and the Department of Natural Resources (DNR), it is estimated that the bill would result in a \$500,000 loss in revenue. (5-27-98)

ARGUMENTS:

For:

Current DNR rules regulating hunting and fishing licenses have led to confusion among sports persons. Some have interpreted the rules to mean that two deer may be taken with each license, and so have taken two during the bow and arrow deer season and two during the firearm deer season. The provisions of the bill would eliminate the current confusion in licensing rules by specifying the total number of deer that could be taken with a hunting license, regardless of the season, and by allowing one license to be used for either, or both, seasons.

Against:

According the DNR, the provisions of the bill would result in a \$500,000 loss in revenues, since sports persons would now purchase one license, where they formerly purchased two. Some might raise concerns over this loss of revenue.

POSITIONS:

The Department of Natural Resources (DNR) supports the bill. (5-27-98)

The Michigan United Conservation Clubs (MUCC) supports the bill. (5-27-98)

The Natural Resources Commission supports the bill. (5-27-98)

The Michigan Farm Bureau supports the bill. (5-27-98)

The Michigan Bow Hunters Association supports the bill. (5-27-98)

The Michigan Sportsmen Congress, an organization that includes the Upper Peninsula Sportsmen's Alliance, Ted Nugent USA, the Michigan Hunting Dog Federation, the Michigan Bear Hunters Association, the Sterling Sportsmen Association, the Fish Creek Sportsmen, the A.P. Goodrich R & P Club, the St. Clair Flats Hunters' Association, and the Harseness Island Waterfowl Hunters, among other groups, support the bill. (5-27-98)

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.