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## 2ND BOW HUNTING DEER LICENSE IN U.P.

House Bill 5048 (Substitute H-1)  
First Analysis (9-26-89)

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Sponsor: Rep. Bart Stupak  
Committee: Tourism, Fisheries, & Wildlife

Mich. State Law Library

### **THE APPARENT PROBLEM:**

The Hunting and Fishing License Act was amended by Public Act 63 of 1986 to allow bow and arrow hunters in the lower peninsula to take a second deer during the bow and arrow deer hunting season. At that time legislators in the Upper Peninsula felt that the deer population was not large enough to provide for the taking of two deer per bow and arrow hunter, so their districts were not included in the legislation. The deer population in the Upper Peninsula has dramatically increased during the past few years. Some areas, such as Menominee, Dickinson, and Delta counties, have herds that have reached 100 deer per square mile. According to the Department of Natural Resources, the optimum number of deer per square mile is 30. Legislation has been proposed to provide for further harvesting of the deer population in the Upper Peninsula.

Public Act 256 of 1988 created the Wildlife Conservation Act to recodify current game laws and allow the Natural Resources Commission to manage the taking of animals by issuance of orders. Flexibility in establishing taking provisions is said to be needed because animal populations vary so much. For instance, in certain counties in the Upper Peninsula the deer herd is enormous; however, in the Keweenaw peninsula deer are very scarce, so it is not advisable to allow hunters to harvest more than one deer per season. In addition, a current provision requiring the second deer taken by bow and arrow hunters to be a male antlered deer makes many firearm deer hunters concerned because they feel that many of the "trophy bucks" are gone by the time they get to the woods. (The bow and arrow season is October 1-14 and December 1-January 1, the firearm deer hunting season is November 15 - November 30.) The Hunting and Fishing License Act should be amended to correspond with the Wildlife Conservation Act regarding the Natural Resources Commission's flexibility in regulating the taking of game.

### **THE CONTENT OF THE BILL:**

The bill would amend the Hunting and Fishing License Act to allow bow and arrow hunters in the Upper Peninsula to take a second deer during bow hunting season where authorized by the Natural Resources Commission. The bill would delete a current provision requiring the second deer taken by bow and arrow hunters in the lower peninsula to be a male and would specify that the Commission of Natural Resources would have the authority to regulate by order under the Wildlife Conservation Act the kind of animals to be taken and the manner in which they can be taken.

MCL 316.309

### **FISCAL IMPLICATIONS:**

According to the Department of Natural Resources, the bill would have no fiscal implications for the state. (9-21-89)

### **ARGUMENTS:**

#### **For:**

The deer herd needs to be harvested more effectively in the Upper Peninsula, and allowing bow and arrow hunters to take a second deer will provide for the stabilization and long-term survival of the herd. In addition, proper management of deer populations is based upon the number of deer needed to be taken and would be better served if the second license was not limited to antlered deer. Further, by allowing bow and arrow hunters to take deer of either sex, there will be more bucks for firearm deer hunters, and it will be easier for bow and arrow hunters to have a successful hunting season because they will have a choice of deer to hunt.

#### **For:**

Currently, the Natural Resources Commission does not have the flexibility to determine the method, manner and species of animal to be taken under the Hunting and Fishing License Act. Flexibility is needed when establishing hunting rules and regulations because animal populations, such as deer populations, vary greatly. The bill will address this issue and provide for better population management by specifying that the commission is granted the authorization to regulate the taking of deer.

### **POSITIONS:**

The Department of Natural Resources supports the bill. (9-25-89)

The Michigan Bowhunters Association supports the bill. (9-25-89)

The Michigan United Conservation Clubs supports the bill. (9-22-89)

The Sportsmen's Alliance of Michigan supports the bill. (9-22-89)

H.B. 5048 (9-26-89)