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BILL ANALYSIS

Senate Fiscal Agency

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House Bill 5048 (Substitute H-1 as reported without amendment)
Sponsor: Representative Bart Stupak
House Committee: Tourism, Fisheries, and Wildlife
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 10-26-89

RATIONALE

Three years ago, 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 obtain a second license during the bow and arrow deer hunting season. At that time, the deer population in the Upper Peninsula was not considered large enough to provide for the taking of two deer per hunter, so that district was not included in the legislation. The Upper Peninsula's deer population reportedly has increased dramatically during the past few years. In fact, some areas, such as Menominee, Dickinson, and Delta Counties, are reported to 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.)

In addition, in 1988 the Wildlife Conservation Act was enacted to recodify game laws and allow the Natural Resources Commission (NRC) to manage the taking of animals by the issuance of orders. Since animal populations vary so much, the NRC was given greater flexibility in managing game. For instance, in some counties in the Upper Peninsula the deer herd is enormous; yet, in the Keweenaw peninsula deer are very scarce. It may not be advisable, then, to allow hunters to harvest more than one deer per season in some areas. In addition, a current provision requiring the second deer taken by bow and arrow hunters to be a male antlered deer concerns many firearm deer hunters 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, and the firearm deer season is November 15-30.)

For these reasons, some feel that further harvesting of the Upper Peninsula's deer population should be permitted and that the second bow hunting license provisions of the Hunting and Fishing License Act should be amended to correspond with the Wildlife Conservation Act's authorization of the NRC to regulate the taking of game.

CONTENT

The bill would amend the Hunting and Fishing License Act to delete restrictions on the use of a second bow and arrow deer license in one season, and empower the NRC to regulate the issuance and use of such a license. Currently, a second bow and arrow deer license may be used only for a male deer with antlers of at least three inches and is valid only in zones 2 and 3 (the Lower Peninsula). The bill provides, instead, that a second license could be purchased where authorized by the Commission and that the NRC, in exercising its powers to issue orders under the Wildlife Conservation Act, could designate the kind of deer that could be taken and limit issuance of a license in areas that it considered advisable in managing deer.

MCL 316.309

H.B. 5048 (10-26-89)

FISCAL IMPACT

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

ARGUMENTS

Supporting Argument

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

Supporting Argument

Currently, the NRC, under the Hunting and Fishing License Act, does not have the flexibility to determine the method, manner, and gender of deer to be taken during the bow season. Flexibility is needed when establishing hunting rules and regulations because animal populations can vary greatly from county to county and from year to year. The bill would provide for better population management by granting the Commission the authority to regulate the taking of a second deer during bow season.

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