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BILL ANALYSIS

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Senate Bill 1105 (Substitute S-1)  
Sponsor: Senator Michelle A. McManus  
Committee: Natural Resources and Environmental Affairs

Date Completed: 5-2-06

### **CONTENT**

**The bill would amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to do the following:**

- Provide for a hunting "apprentice license" that a person with no previous hunting experience could obtain.**
- Allow a minor child to hunt pursuant to an apprentice license.**
- Revise various hunting license fees for a nonresident minor child.**

**The bill also would amend provisions requiring license fee revenue under Part 435 to be credited to the Game and Fish Protection Account. The bill would provide for money to be credited to the Account or, if House Joint Resolution Z is not approved by the voters, to the Game and Fish Protection Fund.**

#### Apprentice License

Under the Act, a person authorized to sell hunting licenses may not issue a license to a person born after January 1, 1960, unless the person presents proof of previous hunting experience in the form of a hunting license or a certification of completion of training in hunter safety. If an applicant does not have proof of a previous license or certification, the seller may issue a license if the applicant submits a signed affidavit stating that he or she has completed a hunter safety course or possessed a hunting license previously. Under the bill, these requirements would apply to a hunting license other than an apprentice license. The bill specifies that an apprentice license or its equivalent would not satisfy the Act's requirements concerning proof of previous hunting experience.

Under the bill, a person who did not meet the previous experience requirements could obtain an apprentice license for the same price as the corresponding regular license that he or she otherwise would be qualified to obtain. A person who was at least 14 years old would be eligible to obtain an apprentice license to hunt deer, bear, or elk with a firearm only during two license years. A person who was at least 12 would be eligible to obtain any other apprentice license only during two license years. An apprentice license would have to be distinguished from a regular license by a notation or other means.

A person who was at least 17 could not hunt game under an apprentice license unless he or she were accompanied by another person at least 21 who was licensed to hunt that game under a regular license, and who was not accompanying more than two apprentice licensees of any age at a time.

A person could not accompany more than two apprentice licensees of any age at a time.

The apprentice license provisions would apply to licenses that were valid for the 2007-2008 license year or subsequent license years.

The Natural Resources Commission could issue an order to implement the apprentice license program.

### Minor Child

The Act prohibits a parent or legal guardian from allowing a minor child (a person under 17) to hunt under the authority of a license issued under Part 435 on land upon which the parent or guardian is not regularly domiciled unless the minor child is accompanied by the parent or guardian, or another person authorized by the parent or guardian who is at least 17 years old.

Under the bill, this provision would not apply if the license were an apprentice license. In that case, the minor child would have to be accompanied by a person who was at least 21 years old and licensed to hunt that game under a license other than an apprentice license.

The Act allows the Department of Natural Resources to issue a hunting license to a minor child on application of a parent or legal guardian, if the child, when hunting on land upon which the parents are not regularly domiciled, is accompanied by the parent or guardian or an authorized individual who is at least 17; and upon payment of the license fee.

Under the bill, the parent or legal guardian would have to represent either that the apprentice license requirements would be complied with, or that the child would hunt only on land upon which the parent or guardian was domiciled or would be accompanied by the parent or guardian or an authorized person at least 17 years old.

### Hunting License Fees

The bill would revise various hunting license fees for nonresident minor children, as shown in Table 1.

Table 1

	<u>Current Fee</u>	<u>Proposed Fee</u>
Small game	\$1	\$6
Wild turkey	\$69	\$20
Firearm deer	\$138	\$20
Bow and arrow deer	\$7.50	\$12.50
Combination deer (firearm/bow and arrow)	\$15	\$20
Antlerless deer	\$138	\$20
Fur harvester	\$7.50	\$12.50

The Act currently refers to an individual "who is 12 years of age through 16 years of age". The bill would refer instead to a "minor child".

### Game & Fish Protection Account/Fund

Public Act 587 of 2004 will amend the Act to establish the Conservation and Recreation Legacy Fund if the voters approve House Joint Resolution Z of the 2003-2004 session. Under Public Act 587, several existing funds, including the Game and Fish Protection Account, will be contained as separate accounts within the proposed Conservation and Recreation Legacy Fund. The Legislature approved House Joint Resolution (HJR) Z in 2004.

If approved by the voters, the joint resolution will establish the Conservation and Recreation Legacy Fund, including the existing funds, in the State Constitution, and the Legislature will be precluded from transferring funds from the Conservation and Recreation Legacy Fund to other State funds. The joint resolution will be on the November 7, 2006, general election ballot.

Under the Act, the DNR must transmit all money received from the sale of licenses to the State Treasurer, together with a statement indicating the amount of money received and the source of the money. Currently, Section 43553 requires the State Treasurer to credit the money to the Game and Fish Protection Fund, and make payments from the Fund for purposes specified in Part 435. Under Public Act 587 of 2004 (if approved), this section will require the State Treasurer to credit the money to the Game and Fish Protection Account, and make payments out of the Account for specified purposes.

The bill would amend the version of Section 43553 under Public Act 587 (and thereby enact that version). The bill specifies that the Game and Fish Protection Fund formerly created as a separate fund in the State Treasury would continue unless all the money in it were transferred to the Game and Fish Protection Account as a result of HJR Z becoming part of the State Constitution. The State Treasurer would have to credit the money received from the sale of passbooks and licenses to the Game and Fish Protection Fund, unless HJR Z were approved by voters and became part of the State Constitution. In that case, the money would have to be credited to the Game and Fish Protection Account.

MCL 324.43502 et al.

Legislative Analyst: Julie Koval

### **FISCAL IMPACT**

The bill's provisions concerning an apprentice hunting license would increase revenue to the Game and Fish Protection Fund by an indeterminate amount depending on the number of apprentice hunting licenses sold and the type of hunting licenses.

The bill's provisions creating a new category of hunting license fee for nonresident minors would have an indeterminate impact on the Game and Fish Protection Fund. For some types of licenses, the fee would be \$5 higher than the current rate paid for a hunting license for any minor and, for other types of licenses, the fee for a nonresident minor would decrease from the much higher nonresident fee level to an amount just \$5 higher than the resident rate. Since the nonresident minor group is not identified separately now, it is unknown how many of these licenses would be sold.

Fiscal Analyst: Jessica Runnels

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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.