



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 103 through 105 (as reported without amendment)

Sponsor: Senator John Cherry (S.B. 103)

Senator Kevin Daley (S.B. 104)

Senator Sean McCann (S.B. 105)

Committee: Natural Resources and Agriculture

CONTENT

Senate Bills 103 and 104 would amend Parts 487 (Sport Fishing) and 435 (Hunting and Fishing Licensing), respectively, of the Natural Resources and Environmental Protection Act (NREPA) to require an individual to obtain a license from the Department of Natural Resources (DNR) to act as a sport fishing or commercial hunting guide, beginning March 1, 2024. Specifically, the bills would do the following:

- Prescribe eligibility criteria for a guide license, including first aid certification and a record clean of NREPA violations and felony convictions.
- Prohibit a person from acting as a sport fishing or commercial hunting guide on commercial forestland.
- Authorize the DNR to revoke a guide license for specified reasons.
- Require a guide to file regular reports with the DNR and prescribe the penalties for failing to file the report.
- Prescribe a civil fine for acting as a guide without a license and require the money to be deposited in the Game and Fish Protection Account.
- Require the DNR to post certain license information to its website.
- Prescribe a civil fine for providing false information to the DNR.

Senate Bill 105 would amend Part 401 (Wildlife Conservation) of NREPA to include regulating sport fishing and the use of commercial guides in taking game in the Commission's exclusive authority to regulate the taking of game and fish in Michigan.

The bills are tie-barred, and each bill would take effect 90 days after its enactment.

Proposed MCL 324.7814a & 324.7814b (S.B. 103)

Proposed MCL 324.43528c & 324.43528d (S.B. 104)

MCL 324.401113a (S.B. 105)

BRIEF RATIONALE

Currently, the State requires Great Lakes charter boats to report their catches and efforts but does not regulate commercial hunting guides or sport fishing guides on inland waters. The data collected from the charter industry is used by the DNR in management decisions for the regulation of the major sport fish in Great Lakes' waters.¹ Some people believe the licensing of sport fishing or commercial hunting guides would provide a similar benefit and could prevent poaching, and so requiring that licensure and regulation has been suggested.

PREVIOUS LEGISLATION

(Please note: This section does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)

¹ "2021 Charter Performance Report", Department of Natural Resources, Retrieved on 05-24-2023.

Senate Bills 103, 104, and 105, are similar reintroductions of House Bills 5358, 5359, and 5360, respectively of the 2021-2022 Legislative Session. The House Bills were reported out of the House Committee of Natural Resources and Outdoor Recreation but received no further action.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bills could have a positive fiscal impact on the State and local units of government. They would impose civil fines ranging from \$100 to \$1,000, depending on the violation. Revenue collected from civil fines is used to support local libraries. Additionally, \$10 of the civil fine would be deposited into the state Justice System Fund, which supports justice-related activities across State government in the Departments of Corrections, Health and Human Services, State Police, and Treasury. It also supports justice-related issues in the Legislative Retirement System and the Judiciary. The amount of revenue to the State or for local libraries is indeterminate and dependent on the actual number of violations.

The bills also would have an indeterminate positive impact on the DNR dependent upon the number of sport fishing guide licenses that were issued, and the additional administrative costs associated with implementing the bill.

Date Completed: 5-25-23

Fiscal Analyst: Joe Carrasco, Jr.
Jonah Houtz

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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.