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SFA



BILL ANALYSIS

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Senate Bill 512 (as reported without amendment)
Sponsor: Senator Don Koivisto
Committee: Hunting, Fishing and Forestry

Date Completed: 11-29-99

RATIONALE

According to the Department of Natural Resources, Michigan has approximately 1 million hunters and fur harvesters, and an estimated 2 million anglers. A hunting or fishing license is required for all persons 17 years of age and older. In addition to paying for a license, many disabled persons have to purchase adaptive recreational equipment (such as a mounting device that can hold a rifle, handgun, or fishing pole for hands-free operation or an electric fishing reel for hooking and fighting fish using just one arm), in order to participate in the sport of hunting or fishing. To ease the costs of extra adaptive hunting and fishing equipment, some people believe that Michigan residents who meet statutory criteria for having a disability should be able to purchase hunting and fishing licenses at a reduced senior resident rate.

CONTENT

The bill would amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to revise the description of a resident with a disability, other than blindness, who is eligible to purchase any senior hunting or fishing license under the Act. Currently, the Act refers to a resident who has been determined by the United States Department of Veterans Affairs to be permanently and totally disabled and entitled to veteran benefits at the 100% rate. The bill would refer, instead, to "a resident who has a disability", as defined in Section 40102 (i.e., a determinable physical characteristic of an individual that may result from disease, injury, congenital condition of birth, or functional disorder).

MCL 324.43502 & 324.43537

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill would encourage participation in hunting and

fishing activities by allowing any Michigan resident with a disability to purchase hunting and fishing licenses at a reduced senior resident rate. Adaptive equipment, transportation, and supplies required for disabled persons to participate in hunting and fishing are often very costly. Therefore, a reduced license rate would be helpful and appreciated.

Opposing Argument

The bill should require a reasonable level of disability for a person to receive a discounted rate. As written, however, the bill would apply to an individual suffering from the most minor incapacitation, or someone who has a temporary disorder, such as a broken leg. This could include a large portion of the State's population.

Part 401 includes the definition of "disability" used in the bill, but does not contain broad hunting privileges for individuals with disabilities. Part 401 authorizes the Department of Natural Resources to issue orders that establish "lawful methods of taking game for persons who have certain disabilities", and allows the Department to issue a permit to a person who is permanently disabled, or unable to walk because of paraplegia or amputation (for hunting from a vehicle); a person who is permanently disabled and without the full use of one arm (for hunting with modified bow that is held with one arm); or a person who is permanently disabled (for hunting with a crossbow).

Opposing Argument

The bill should require proof of eligibility for a discounted license. Otherwise, it would overburden license agents with the additional responsibility of verifying eligibility. License agents already must comply with the current complex licensing laws. The quality and level of service they provide to the public could suffer as a result of having to perform another function without additional compensation.

Opposing Argument

A discount would be impractical and unfair in a user pay program. Discounted license rates would have to be accounted for within existing revenues. With additional groups taking advantage of senior discounts, financial support would decrease.

Response: Reduced rates for any hunting or fishing licenses are already provided for disabled residents who are veterans.

Legislative Analyst: N. Nagata

and then increase GF/GP revenue for the Game and Fish Protection Fund, though the amount of this shift cannot be determined.

Fiscal Analyst: P. Alderfer

FISCAL IMPACT

The fiscal impact of this bill cannot be determined; however, it would reduce restricted revenue collections and shift additional GF/GP revenue to the Department of Natural Resources.

Reduced-price Senior resident hunting and fishing permits now cost approximately \$5.20 for each permit purchased. Resident hunting and fishing permits now cost approximately \$13 per permit, though temporary and special hunt permits, such as those to hunt elk and waterfowl, vary in price. Hunting and fishing license fees are deposited in the Game and Fish Protection Fund for use by the Department of Natural Resources. Consequently, this bill would result in the loss of \$7.80 in Game and Fish revenue, on average, for each Senior rate hunting or fishing license purchased by disabled Michigan residents under the provisions outlined above.

The amount of Game and Fish revenue lost under this proposal cannot be determined, however, in order to purchase a reduced-rate Senior hunting or fishing license, a disabled Michigan veteran must now provide a letter from the Veterans Administration confirming that he or she is totally and permanently disabled and eligible for full veterans' benefits. However, under the terms of this bill, anyone who has a disability other than blindness, as defined by the Natural Resources and Environmental Protection Act (NREPA), could purchase Senior rate hunting and fishing licenses.

The number of Michigan residents who would qualify, and apply for, Senior rate hunting and fishing licenses under this new provision is unknown. Consequently, the total loss in Game and Fish Protection Fund revenue cannot be estimated.

Though this bill would result in lower Game and Fish Fund collections, it would not reduce the revenue available to the Department of Natural Resources. The NREPA requires the Legislature to appropriate annually "from the general fund" an amount equal to the difference between actual collections from the sale of reduced-price Senior licenses, and hypothetical license fee collections in the absence of the Senior rate program. "The difference is the amount that would otherwise be collected, and shall be credited to the game and fish protection fund."

Therefore, this bill would first reduce the amount of Game and Fish Fund revenue available to the State

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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.