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House Bill 5192 (Substitute S-1)
Sponsor: Representative Scott Hummel
House Committee: Conservation, Forestry, and Outdoor Recreation
Senate 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:

- Lower the minimum age for a firearm deer, bear, or elk hunting license from 14 to 12 years old.**
- Allow a child under 14 to hunt deer, bear, or elk with a firearm only on private property and when accompanied by a parent or guardian.**
- Lower the minimum age for a hunting license from 12 to 10 years old.**
- Refer to a "minor child" instead of a person "who is 12 years of age through 16 years of age" in provisions establishing hunting license fees.**

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.

Minor Child

The Act prohibits the Department of Natural Resources (DNR) from issuing a license to hunt deer, bear, or elk with a firearm to a person under the age of 14, and from issuing a hunting license to a person younger than 12. The bill would delete these provisions.

Also, under the Act, a parent or legal guardian may not allow 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 child is accompanied by the parent or guardian, or another person authorized by the parent or guardian who is at least 17 years old. The bill states that this would not apply if the child were younger than 14 and the license were a license to hunt deer, bear, or elk with a firearm. In that case, the child could hunt only on private property and would have to be accompanied by the parent or guardian.

The Act allows the DNR 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 that the requirements related to accompaniment and where a minor child may hunt would be complied with. Also, the minor child could not be younger than 10, or, for a license to hunt deer, bear, or elk with a firearm, 12.

Hunting License Fees

The Act prescribes fees for various hunting licenses based on the licensee's age and resident status. Currently, the Act refers to a "resident or nonresident who is 12 years of age through 16 years of age". The bill would instead refer to a "resident or nonresident minor child".

Currently, a combination deer license, which authorizes the licensee to hunt deer during both the firearm and bow and arrow seasons, issued to a person younger than 14 is valid for the taking of deer only with a bow and arrow, until he or she reaches age 14. The bill would refer to age 12 instead.

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 (and thereby enact) the version of Section 43553 under Public Act 587. 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.

The bill also would refer to "minor children", rather than "youth under 17 years of age" in several provisions of Section 43553.

MCL 324.43502 et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would increase revenue to the State by an indeterminate amount. Lowering the minimum hunting age from 12 to 10 years old could result in the issuance of additional

hunting licenses. The minimum age for hunting deer, bear, or elk would be lowered from 14 to 12 years, also expanding the number of people eligible to hunt. It is unknown how many additional hunting licenses would be issued for minor children. Hunting license revenue is deposited into the Game and Fish Protection Fund for use in habitat development, fisheries activities, and the promotion of hunting and fishing.

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.