

Senate Fiscal Agency
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SFA



BILL ANALYSIS

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Senate Bill 1021 (as reported without amendment)
Sponsor: Senator Dave Jaye
Committee: Hunting, Fishing and Forestry

Date Completed: 3-31-98

RATIONALE

Public Act 396 of 1994 repealed several Local Acts that prohibited Sunday hunting in Lapeer, Hillsdale, Huron, Lenawee, Macomb, St. Clair, Sanilac, Tuscola, and Washtenaw Counties, subject to voter approval in the respective counties at the next general election or any special election called by the county board of electors. Several counties failed to submit the question of repealing the ban on Sunday hunting at a general election or special election before the deadline of December 29, 1996, set in Public Act 396. Currently, Hillsdale, Lenawee, Macomb, St. Clair, Tuscola, and Washtenaw Counties still prohibit Sunday hunting. Under these Local Acts, a person is subject to a misdemeanor charge and the following penalties for hunting game animals and game birds with firearms or dogs on any Sunday: a fine of up to \$100 and/or imprisonment in a county jail for up to 90 days (Hillsdale and Macomb); a fine of up to \$25 and prosecution costs and/or imprisonment in a county jail for up to 30 days (Lenawee and St. Clair); or a fine of at least \$10 and up to \$25 and prosecution costs and/or imprisonment in a county jail for up to 30 days (Tuscola and Washtenaw). All of the Acts that ban Sunday hunting, except Local Act 1 of 1935 (Hillsdale), allow State conservation officers to receive the same fees for making an arrest under the Acts that other officers receive for similar service. Since hunting on Sunday currently takes place in most of these counties, it has been suggested that the Local Acts should be repealed without local voter approval.

CONTENT

The bill would repeal the following Local Acts which prohibit or restrict Sunday hunting: Local Act 1 of 1935 (Hillsdale County), Local Act 1 of 1931 (Lenawee County), Local Act 9 of 1947 (Macomb County), Local Act 4 of 1939 (St. Clair County),

Local Act 2 of 1927 (Tuscola County), and Local Act 9 of 1927 (Washtenaw County).

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 repeal Local Acts in Hillsdale County, Lenawee County, Macomb County, St. Clair County, Tuscola County, and Washtenaw County that prevent hunting for game animals and game birds with firearms or dogs on Sundays. The Local Acts, which were established over 50 years ago, currently are not enforced in the counties and clearly are outdated. The obsolete laws should be removed from the books since hunting on Sundays has become generally accepted.

Legislative Analyst: N. Nagata

FISCAL IMPACT

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

Fiscal Analyst: G. Cutler

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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.