

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 5002 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Larry DeVuyst  
House Committee: Conservation, Environment and Recreation  
Senate Committee: Hunting, Fishing and Forestry

Date Completed: 4-30-98

### **RATIONALE**

Under the Natural Resources and Environmental Protection Act (NREPA), a resident, the resident's spouse, and the resident's children may hunt small game without a license on enclosed farmlands upon which they are regularly domiciled. A person, however, is prohibited from carrying firearms or a bow and arrow during the spring wild turkey season without a valid wild turkey license. Apparently, the spring wild turkey hunting season is also the preferred season to hunt woodchucks that destroy property and livestock. Many landowners and farmers believe that they should be allowed to hunt woodchuck and other small game on farmland owned or operated by them at any time without a license.

### **CONTENT**

The bill would amend Part 435 (Hunting and Fishing Licensing) of the NREPA to repeal a provision that prohibits the possession of firearms or a bow and arrow during the spring wild turkey season unless a person possesses a valid wild turkey license.

MCL 324.43512

### **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**

Under the current law, small game licenses are considered invalid in a wild turkey hunting area during the spring wild turkey hunting season. The bill would allow a resident to carry a firearm or bow and arrow during the spring wild turkey hunting season without a wild turkey hunting license. This

would enable people to hunt small game animals, such as woodchuck, that destroy crops, livestock, and property owned or operated by them.

**Response:** According to the Michigan Wild Turkey Hunters Association, harvesting male turkeys during the spring season is an accepted hunting method and has no biological impact on this resource. Many female small game animals, including woodchucks, however, raise their young during the spring and it would be cruel and unethical to hunt them during this vulnerable period. Prohibiting the possession of firearms during the spring turkey season without a wild turkey license serves to protect other species.

#### **Supporting Argument**

The current law, which prohibits the possession of firearms or a bow and arrow during the spring wild turkey season without a valid wild turkey license, was established by the Department of Natural Resources when turkey hunting was limited to small geographic areas of the State. At the time, it had little impact on other hunting activities. Evidently, Michigan's wild turkey population has flourished and expanded since the establishment of the law. The regulation is no longer needed to protect and manage the wild turkey population, according to the Department.

#### **Opposing Argument**

Since the bill would allow the possession of firearms or a bow and arrow during the spring wild turkey season, it would be difficult to determine and monitor the taking of wild turkey. There are concerns that some hunters would participate in the unlawful taking of wild turkey while not in possession of a valid wild turkey license. This could diminish the quality of Michigan's spring turkey hunting experience, which currently is

among the highest in the nation, according to the Wild Turkey Hunters Association.

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.