



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 1070 (Substitute S-2 as reported)
Senate Bill 1071 (Substitute S-2 as reported)
Senate Bill 1072 (Substitute S-2 as reported)
Sponsor: Senator Dale W. Zorn (S.B. 1070 & 1072)
Senator Mike Green (S.B. 1071)
Committee: Outdoor Recreation and Tourism

CONTENT

Senate Bills 1070 (S-2) and 1072 (S-2) 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) in order to act as a commercial fishing or hunting guide, beginning March 1, 2019. Specifically, the bills would do the following:

- Prescribe eligibility criteria for a commercial guide license, including first aid certification, liability insurance, and a lack of NREPA violations and felony convictions.
- Prohibit a person from acting as a commercial guide on commercial forestland.
- Provide that a license would be valid for three years, and authorize the DNR to revoke a license for specified reasons.
- Require a commercial guide to file regular reports with the DNR.
- Require the DNR to post, annually, the number of applications submitted and licenses issued, and a list of individuals with a valid license.
- Require a commercial guide to carry his or her license and display it on demand to law enforcement or conservation officers, or the owner or occupant of land where he or she was acting as a guide.
- Prescribe a civil fine for acting as a commercial guide without a license and require the money to be deposited in the Game and Fish Protection Account.
- Prescribe a misdemeanor penalty for providing false information to the DNR.

Senate Bill 1071 (S-2) would amend Part 401 (Wildlife Conservation) of NREPA to do the following:

- Require the DNR to charge an individual applying for a commercial hunting or fishing guide permit an application fee of \$500 (or \$750 for a nonresident), and require the money to be deposited into the Game and Fish Protection Account.
- Require the DNR to charge a resident or nonresident a \$250 fee for a commercial hunting guide license or a commercial fishing guide license he or she had applied previously for a fishing guide license or a hunting guide license, respectively.
- Allow an individual to obtain a public boating access entry pass with a commercial fishing guide license for \$300, and require the money to be deposited in the Waterways Account.
- Include regulating the use of commercial guides in taking game and fish in the Natural Resources Commission's exclusive authority to regulate the taking of game in Michigan, and give the Commission the exclusive authority to regulate sport fishing.

Proposed MCL 324.48714a (S.B. 1070)
MCL 324.40113a (S.B. 1071)
Proposed MCL 324.43528c (S.B. 1072)

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on the Department of Natural Resources and no fiscal impact on local units of government. The bills would establish a license program for commercial hunting and fishing guides, and would introduce some new administrative costs to the DNR related to that effort. It is not clear how many individuals would apply for a license to operate as a hunting or fishing guide, but each would be subject to an application fee of \$500 (or \$750 for nonresidents). Fee revenue would serve to offset some or all of DNR's costs, depending on the number of applicants.

Senate Bill 1071 (S-2) also would establish a public boating access entry pass for commercial fishing guides that would be included as part of their license application for an additional fee of \$300. Revenue from the pass would be deposited in the Michigan State Waterways Account, and would support capital improvements and maintenance on public boating facilities.

If individuals were punished for acting as a commercial fishing or hunting guide without the proper license, or failed to submit required reports, civil fine revenue would be dedicated to the Game and Fish Protection Fund. Any increase in misdemeanor arrests and prosecutions for providing false information could increase resource demands on law enforcement, court systems, and jails. Any additional fine revenue from misdemeanor convictions would be dedicated to public libraries.

Date Completed: 10-20-16

Fiscal Analyst: Ryan Bergen
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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.