

# Legislative Analysis



## PHEASANT HUNTING LICENSES AND COLLECTOR STAMPS

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**House Bill 4313 (H-2) as referred to second committee**

**Sponsor: Rep. Gary Howell**

**1st Committee: Natural Resources and Outdoor Recreation**

**2nd Committee: Judiciary**

**Complete to 3-9-20**

**BRIEF SUMMARY:** House Bill 4313 would amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act (NREPA) to require a pheasant hunting license to hunt pheasants and to allow collectors to obtain a pheasant hunting stamp that would not be a valid hunting license.

**FISCAL IMPACT:** House Bill 4313 is likely to increase revenues for the Department of Natural Resources (DNR) by requiring a \$25 permit to hunt pheasants; the extent of this revenue increase is dependent on the number of permits sold, which is unclear at present. The bill may also increase law enforcement costs for the department, as DNR officers charged with verifying hunting licenses would be required to do so for pheasant hunts as well. (See **Fiscal Information**, below, for a detailed discussion.)

### **THE APPARENT PROBLEM:**

Pheasant hunting was a popular pastime for Michigan residents, who harvested over a million pheasants in some years. According to the DNR, pheasants were plentiful in Michigan's Lower Peninsula and provided ample small game hunting opportunities. However, hunting preferences and land use changes have decreased hunting opportunities for pheasants, as well as decreasing pheasant populations in the state.<sup>1</sup> As a result, the DNR has created two initiatives to help restore pheasant hunting Michigan and to increase pheasant populations. The hunting initiative focuses on releasing pheasants into areas for hunting purposes, while the restoration initiative works with many organizations across the state to establish grasslands for pheasant habitats.<sup>2</sup> Legislation has been proposed to increase proceeds for the restoration efforts.

### **THE CONTENT OF THE BILL:**

Currently under NREPA, a base license is required to hunt small game.<sup>3</sup> Under the bill, an individual who is 16 years of age or older would also have to purchase an annual pheasant hunting license for \$25 in order to hunt pheasants. If the pheasant hunting license were

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<sup>1</sup> See [https://www.michigan.gov/documents/dnr/Pheasant\\_Hunting\\_427344\\_7.pdf](https://www.michigan.gov/documents/dnr/Pheasant_Hunting_427344_7.pdf)

<sup>2</sup> Wildlife Podcast interview with Al Stewart, the upland game bird specialist with the DNR: [https://www.michigan.gov/dnr/0,4570,7-350-79136\\_79608\\_83455-472551--,00.html?utm\\_campaign=Showcasing%20Wildtalk&utm\\_medium=pr&utm\\_source=govdelivery](https://www.michigan.gov/dnr/0,4570,7-350-79136_79608_83455-472551--,00.html?utm_campaign=Showcasing%20Wildtalk&utm_medium=pr&utm_source=govdelivery)

<sup>3</sup> Base license requirements and fee structure can be found in MCL 324.43523a: <http://legislature.mi.gov/doc.aspx?mcl-324-43523a>

issued as a stamp, the stamp would have to be placed on the individual's base license and signed by the individual across its face. This fee would not apply to an individual only hunting pheasants at a properly licensed game bird hunting preserve.

However, a collector could purchase a pheasant hunting license stamp without having to place it on a base license, sign across its face, or provide proof of competency as is normally required under section 43520(2).<sup>4</sup> A pheasant hunting stamp purchased under these parameters would not be a valid license for hunting pheasants.

The bill provides that 75% of the fees collected under the new section would be deposited in the newly created pheasant subaccount of the Game and Fish Protection Fund to be used by the DNR, upon appropriation, to release live pheasants on state-owned lands managed for the benefit of pheasants. The other 25% would be deposited in the Game and Fish Protection Fund to be used to restore or enhance state-owned lands to be managed for the benefit of pheasants.

The new section would be repealed effective January 1, 2026.

Proposed MCL 324.43525c

#### ***BACKGROUND:***

According to the DNR's website, the DNR is currently partnering with Pheasants Forever, Michigan United Conservation Clubs, United States Fish and Wildlife Service, Michigan Department of Agriculture and Rural Development, local conservation districts, and other conservation organizations for the Michigan Pheasant Restoration Initiative (MPRI) "to facilitate a revitalization of Michigan pheasants. This initiative has the potential to change small game hunting opportunities, increase wildlife populations, improve hunter satisfaction and help Michigan's economy."<sup>5</sup> The website also provides several links to information regarding the MPRI, including maps of restoration priority areas and what private landowners can do to help the initiative.

#### ***FISCAL INFORMATION:***

House Bill 4313 is likely to increase revenues for the DNR by requiring a \$25 permit to hunt pheasants; the extent of this revenue increase is dependent on the number of permits sold, which is unclear at present. The bill may also increase law enforcement costs for the department, as DNR officers charged with verifying hunting licenses would be required to do so for pheasant hunts as well. These increases in revenues and costs would be temporary, as the section created by the bill would be repealed on January 1, 2026. The bill would create a pheasant subaccount within the larger Game and Fish Protection Fund established in the Michigan Constitution of 1963. Revenue from the sale of hunting and fishing licenses is deposited to the Game and Fish Protection Fund and its subaccounts. The sale of hunting and fishing licenses generated \$30.3 million in revenue for DNR in FY 2017-18. The

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<sup>4</sup> See <http://legislature.mi.gov/doc.aspx?mcl-324-43520>

<sup>5</sup> See [https://www.michigan.gov/dnr/0,4570,7-350-79136\\_79608\\_83992---,00.html](https://www.michigan.gov/dnr/0,4570,7-350-79136_79608_83992---,00.html)

department's Wildlife Division has a budget of \$46.2 million for FY 2019-20, including \$45.6 million for wildlife management programs. The department's Law Enforcement Division has a budget of \$44.8 million for FY 2019-20.

### ***ARGUMENTS:***

#### ***For:***

Supporters of the bill argued that pheasant hunting in Michigan is important to Michigan's economy and that providing additional revenue for the continued restoration efforts that are needed to increase pheasant hunting opportunities will, simply by providing those opportunities, pay off by bolstering and improving Michigan's economy.

#### ***Against:***

Critics of the bill argued that a base license is already required to hunt pheasants and that adding an additional license to hunt pheasants on public lands makes the sport more costly, which could push people away from pheasant hunting, ultimately decreasing revenues for pheasant restoration efforts and diminishing the economic benefits of hunting in Michigan.

### ***POSITIONS:***

Representatives of the following organizations testified in support of the bill:

- Michigan Game Breeders Association (10-22-19)
- Michigan Pheasant Hunting Initiative (10-22-19)
- Michigan United Conservation Clubs (11-5-19)
- Michigan Hunting Dog Federation (11-5-19)
- Michigan Pheasant Hunting Initiative (11-5-19)
- Pheasants Forever (12-3-19)

The following organizations indicated support for the bill (10-22-19):

- Michigan United Conservation Clubs
- Michigan Hunting Dog Federation
- Waterloo Hunt Club
- Michigan State Foxhunter Association
- Michigan State United Coon Hunters Association
- Upper Peninsula Bear Houndsmen Association
- Michigan Bear Hunters Association
- Cass City Gun Club

Representatives of the Department of Natural Resources testified to a neutral position on the bill. (11-5-19)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.