

Legislative Analysis



FREE HUNTING & FISHING LICENSES FOR DISABLED VETERANS

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House Bill 5292 as enrolled

Public Act 339 of 2012

Sponsor: Rep. Holly Hughes

House Committee: Natural Resources, Tourism, and Outdoor Recreation

Senate Committee: Outdoor Recreation and Tourism

Second Analysis (1-28-13)

BRIEF SUMMARY: The bill would allow a permanently and totally disabled veteran to obtain any resident hunting or fishing license for which a lottery is not required free of charge.

The bill would not apply to licenses for which a lottery is required, which include licenses for wild turkey, waterfowl in managed waterfowl area, elk, and black bear.

FISCAL IMPACT: House Bill 5292 would have an indeterminate fiscal impact on the Department of Natural Resources. The bill's provisions would reduce the amount of revenue deposited into the Game and Fish Protection Fund and its subfunds by an unknown amount. In addition, the bill would reduce current federal funding by an indeterminate amount. See below for a detailed fiscal analysis.

THE APPARENT PROBLEM:

According to committee testimony, Michigan could stand to improve the delivery of services to veterans, many of whom face significant economic difficulties when they return to civilian life. For example, the unemployment rate is significantly higher among veterans than the rest of the population. Currently, a disabled veteran is able to purchase a senior small game, senior firearm deer, senior bow and arrow deer, senior wild turkey, senior fur harvester, and a restricted or all-species fishing license at a discounted senior rate of 60 percent less than a resident license. Many feel providing resident hunting and fishing licenses to disabled veterans at no charge would be a gesture of gratitude for all that veterans have sacrificed on behalf of the people of Michigan.

THE CONTENT OF THE BILL:

The bill would amend Section 43537 of the Natural Resources and Environmental Protection Act to allow a disabled veteran to obtain any resident hunting or fishing license for which a lottery is not required free of charge.

Currently, a disabled veteran is able to purchase a senior small game, senior firearm deer, senior bow and arrow deer, senior wild turkey, senior fur harvester, and a restricted or all-species fishing license at a discounted senior rate of 60 percent less than a resident license.

The bill would also remove a section, enacted as 2007 PA 60, that established a 2007 pilot program allowing disabled veterans who are Michigan residents to hunt during youth firearm deer hunting days in certain counties. Additionally, the bill would remove a provision allowing the department to require proof of blindness for a resident who is legally blind and is seeking to purchase a senior restricted or all-species fishing license. The individual would no longer have to possess proof of blindness when fishing or provide the proof upon the request of a peace officer.

As used in Section 43537, "*disabled veteran*" means a resident who has been determined by the United States Department of Veterans Affairs to be permanently and totally disabled as a result of military service and entitled to veterans' benefits at the 100% rate, for a disability other than blindness, or a resident rated by the United States Department of Veterans Affairs as individually unemployable.

MCL 324.43537

FISCAL INFORMATION:

House Bill 5292 would have an indeterminate fiscal impact on the Department of Natural Resources. The bill's provisions would reduce the amount of revenue deposited into the Game and Fish Protection Fund and its subfunds by an unknown amount. In addition, the bill would reduce current federal funding by an indeterminate amount.

Under current law, disabled veterans are eligible to purchase senior hunting and fishing licenses at the same 60 per cent discount as senior citizens. Revenues from hunting and fishing licenses must be deposited into the Game and Fish Protection Fund and its subfunds. In FY 2009-10, the Fund received \$45.3 million from hunting and fishing license fees.

The Fund is intended to support statewide hunting and fishing programs. Funding may be expended for the development, operation and maintenance of wildlife and fisheries programs and facilities, acquisition of land, research, law enforcement, and the protection and control of wildlife and fish.

Under current law, eligible disabled veterans may purchase senior hunting licenses at the senior discounted rate. However, House Bill 5292 would allow an eligible disabled veteran to obtain any license listed under Part 435 of NREPA free of charge. Thus, these veterans would be eligible to obtain other hunting licenses - in addition to those offered for seniors - at no cost.

Because qualifying disabled veterans would now receive hunting and fishing licenses at no charge, the DNR would no longer receive federal funding reimbursements for those licenses. The federal government reimburses the DNR for each hunting or fishing license sold in the state. Licenses that are given away for free do not qualify. In FY 2011-12, the average reimbursement was \$14.91 for each hunting license and \$17.49 for each fishing license.

The federal funding for hunting license reimbursements is authorized under the Federal Aid in Wildlife Restoration Act (16 U.S.D. 669-669i, 50 Stat. 917), commonly referred to

as the "Pittman-Robertson Act." The Pittman-Robertson funding is generated by federal excise tax on sporting arms, ammunition, hunting bows and arrows, and hand guns. The DNR received about \$9.9 million in FY 2011-12 from these license reimbursements. The federal funding for fishing license reimbursements is authorized under the Federal Aid in Sport Fish Restoration Act (16 U.S.C. 777-777k, 64 Stat. 430), commonly referred to as the "Dingell-Johnson Act." These funds are generated by an excise tax on various sport fishing tackle and equipment, and a part of federal motorboat fuel tax revenues. In FY 2011-12, the DNR received approximately \$11.2 million from these fishing license reimbursements.

By allowing disabled veterans to obtain licenses free of charge instead of purchasing licenses at the Senior Citizen 60 per cent discount, the bill would reduce the amount of revenue to the Game and Fish Protection Fund and its subfunds by an unknown amount and would reduce the amount of federal funding the department receives. The amount of revenue reduction would depend upon the number of disabled veterans that would obtain free licenses under the provisions of the bill. According to the 2010 American Community Survey conducted by the U.S. Census Bureau, it is estimated that there are approximately 16,100 veterans living in Michigan classified as seventy per cent disabled or higher.

The DNR has estimated that under the bill's provisions, the department could potentially lose up to \$60,000 in direct license sale revenue and up to \$125,000 in federal revenue if qualifying disabled veterans that currently buy hunting and fishing licenses choose to receive these licenses for free.

BACKGROUND INFORMATION:

As noted, the bill would not apply to licenses for which a lottery is required, which include licenses for wild turkey, waterfowl in managed waterfowl areas, elk, and black bear.

Additionally, Public Act 226 of 2010 granted the Natural Resources Commission (NRC) authority to establish a moose hunting season and established the Moose Hunting Advisory Council to study the impacts of moose hunting and provide guidance to the Commission. As part of its report, the Advisory Council recommended that moose hunting licenses be issued via a lottery. Should such action be taken, the bill would not apply to moose hunting licenses. It should be noted that there is currently no established moose hunting season and whether or not to establish a season is at the sole discretion of the NRC.

ARGUMENTS:

For:

Supporters say that veterans have sacrificed a great deal and that this bill would be a meaningful show of thanks for that sacrifice. Additionally, testimony indicated license sales could increase as a disabled veteran would likely be accompanied in the field by other individuals who would need hunting and/or fishing licenses.

Against:

There was concern over the amount of money that could be lost from the federal government.

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