

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 388 (Substitute S-2 as reported)  
Sponsor: Senator Loren Bennett  
Committee: Hunting, Fishing and Forestry

## **CONTENT**

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to prohibit a person from casting an artificial light for the purpose of locating animals, onto a barn or other building used in farm operations, onto any occupied dwelling, or onto land within 450 feet of, and not separated by a street, road, or highway from, a barn or other building used in farm operations or any occupied dwelling, without the written consent of the owner or lessee of the barn or other building or dwelling. Further, if land were posted in a conspicuous manner "No Shining" as specified in the bill, then a person could not cast an artificial light from or onto that land for the purpose of locating animals without the written consent of the owner or lessee of the land. In either case, the person would have to exhibit the written consent upon the demand of a peace officer. These prohibitions would apply through December 31, 2003.

In addition, a person could not throw, cast, or cause to be thrown or cast, the rays of an artificial light in a field, woodland, or forest frequented by animals, for the purpose of locating animals, from January 1 to August 31, between the hours of 11 p.m. and 6 a.m., or from September 1 to December 31. Currently, a person must not throw, cast, or cause to be thrown or cast, the rays of an artificial light from December 1 to October 31 between the hours of 11 p.m. and 6 a.m., and from November 1 to November 30, for the purpose of locating animals.

Currently, the Act exempts certain individuals from the Act's restrictions on using artificial light to locate animals. The bill would delete the exemption for a person using an artificial light from November 1 to November 30 on property that is owned by that person or by a member of that person's immediate family. The bill would add an exemption for farming, horticulture, silviculture, and ranching activities conducted by a person on land owned or leased by that person, by a member of that person's immediate family, or by that person's employer, unless conducted for the purpose of locating animals.

Currently, a person using artificial light need not obtain the written consent of a member of his or her immediate family or the owner or lessee of publicly owned land; the bill would retain this provision. Also, using an artificial light to take game would continue to be prohibited.

MCL 324.40113

Legislative Analyst: N. Nagata

## **FISCAL IMPACT**

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

Date Completed: 4-14-00

Fiscal Analyst: P. Graham

floor/sb388 (S-1)

Analysis available @ <http://www.michiganlegislature.org>

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.