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Senate Bill 388 (as introduced 2-24-99)  
Sponsor: Senator Loren Bennett  
Committee: Hunting, Fishing and Forestry

Date Completed: 4-5-00

### **CONTENT**

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to prohibit a person from using an artificial light for the purpose of locating animals unless the person possessed the written consent of the owner or lessee of the land from which the light was being cast, and the written consent of the owner or lessee of the land onto which the light was being cast. The person would have to exhibit the written consent upon the demand of a conservation or law enforcement officer. 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.

In addition, a person could not throw, cast, or cause to be thrown or cast, the rays of an artificial light from January 1 to August 31, between the hours of 11 p.m. and 6 a.m., and from September 1 to December 31, for the purpose of locating animals. 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 following are exempt from the Act's restrictions on using artificial light to locate animals: a peace officer while performing his or her duties; a person operating an emergency vehicle in an emergency; an employee of a public or private utility while working in the scope of his or her employment; a person operating a vehicle with headlights in a lawful manner upon a street, highway, or roadway; a person using an artificial light to identify a house or mailbox number; or the use of artificial lights to conduct a census by the Department of Natural Resources. The Act also exempts 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 delete this provision. The bill would add an exemption for farming, horticulture, silviculture, and ranching activities, unless conducted for the purpose of locating animals.

Using an artificial light to take game would continue to be prohibited, except as otherwise allowed by department order.

MCL 324.40113

Legislative Analyst: N. Nagata

### **FISCAL IMPACT**

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

Fiscal Analyst: P. Graham

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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.