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House Bill 6147 (as reported without amendment)
Sponsor: Representative Sue Tabor
House Committee: Conservation and Outdoor Recreation
Senate Committee: Hunting, Fishing and Forestry

Date Completed: 12-5-00

RATIONALE

Mourning doves are abundant in Michigan, especially south of a line from Bay City to Ludington. Reportedly, an estimated 4 million of these birds migrate from Michigan each fall. According to the National Wildlife Federation and the Michigan United Conservation Clubs, 39 states allow the hunting of mourning doves, and the mourning dove is the number one game bird in North America. Some people feel that Michigan should join the other states that allow the hunting of mourning doves. In addition, some believe that the Natural Resources Commission should be able to establish the open season for taking game.

CONTENT

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to include mourning doves in the definition of "game" beginning June 1, 2001.

The bill also would repeal a section that allows only the Legislature to designate species as game and establish the first open season for the taking of an animal (MCL 324.40110).

MCL 324.40103

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Properly regulated sport hunting is a legitimate recreational activity enjoyed by millions of hunters nationwide; many states permit the hunting of numerous species, including mourning doves. Hunting mourning doves bred in Michigan is enjoyed by hunters along the southern migratory paths of

Indiana, Ohio, Kansas, and many other states. Currently, Michigan hunters must travel to another state to hunt mourning doves, many of which may have originated from Michigan. A Michigan hunting season for mourning doves would give Michigan hunters, as well as out-of-State hunters, a chance to enjoy this outdoor recreational sport close to home, and spend their hunting dollars here rather than in another state, thus benefitting local businesses.

Response: According to the Michigan Humane Society, Michigan is at the northernmost edge of the breeding range of mourning doves, and doves behave differently in Michigan than in any of the other states where they are hunted. In Michigan, mourning doves do not flock in vast numbers in fields, but do heavily frequent birdfeeders in urban and rural communities.

Supporting Argument

The mourning dove is a Federally recognized migratory game bird hunted in 39 states. The current continent-wide mourning dove population is over 400 million in the fall migration. An extremely prolific bird, the mourning dove is capable of producing several broods per year. According to the National Wildlife Federation, it has been estimated that hunters in the United States take 41 million doves annually, with little effect on the overall dove population. Also, the natural mortality rate for mourning doves reportedly is approximately 70%. Mourning dove mortality is caused by a variety of factors including predators, disease, accidents, and weather extremes. According to the National Wildlife Federation, a U.S. Fish and Wildlife Service study showed no differences between mourning dove mortality rates in states with a hunting season and mortality rates in states without a season. Since there is no evidence that a regulated season in Michigan would cause mourning dove populations to decline, there is no biological reason not to have a dove season.

Response: Although there might be no *biological* reason not to have a dove season, there are ethical

matters to consider. Mourning doves may have lost much of their natural wariness of humans as a result of years of backyard bird-feeding. In addition, according to the Michigan Audubon Society, mourning doves have a lengthy breeding season that may last into the winter months; many people would consider it cruel to kill any animal that has nesting young.

Supporting Argument

Mourning dove hunting offers a great recreational opportunity for young, elderly, and disabled hunters because it involves a warm weather hunt and a passive style of hunting, where hunters wait for the bird to fly into shooting range, instead of having to tramp over rough terrain and low-cover areas.

Supporting Argument

Wildlife management decisions, including the establishment of the first open season for an animal declared as game, should be made by experienced and knowledgeable professional wildlife managers, rather than the Legislature. Ballot Proposal G of 1996 approved an amendment to the Natural Resources and Environmental Protection Act giving the Natural Resources Commission exclusive authority to regulate the taking of game in the State, using principles of sound scientific management. According to the Act, the Commission must issue orders regarding the taking of game after a public meeting and an opportunity for public input. By eliminating language that gives the Legislature the exclusive authority to establish the first open season for the taking of an animal, the bill would be consistent with Proposal G. In addition, the Legislature still would have the authority to designate a species as game, because the term "game" is defined by statute. Any amendment to the definition would continue to be made by the Legislature.

Opposing Argument

The vast majority of the Michigan public views the mourning dove as a songbird, not a target for hunting. These birds have value in their beauty, as well as their song, and are enjoyed by millions of residents in their backyards. Just because these birds are hunted elsewhere is no reason for them to be hunted in Michigan. According to the Michigan Humane Society, a public opinion survey by EPIC/MRA in 1995 showed that a majority of the State's residents, including 54% of hunters surveyed, opposed the hunting of mourning doves. The interests of the majority, who enjoy the birds, should not be denied in order to satisfy a minority of hunters. The State should remain, as it always has been, a refuge for these beautiful birds.

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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.

Opposing Argument

There seems to be little reason to hunt mourning doves, other than for target practice. Even hunters admit that it takes approximately a dozen breasts to make a decent meal. Hunters make a legitimate case when arguing that the taking of some species, such as deer, has value because of the meat. That logic, however, cannot be applied to the hunting of mourning doves. The mourning dove is not overpopulated, and it offers little in the way of meat. Also, it is not a nuisance and does not spread disease.

Opposing Argument

Allowing a mourning dove season could put other endangered species at risk. The mourning dove could be mistaken for the American Kestrel (a small falcon) or other falcons, which are protected. It would be tragic if some of these rare birds were shot by mistake. Further, the mourning dove is well known for roosting on power lines. While most hunters would never consider shooting something on a utility line, others are not so careful. Legalizing the hunting of mourning doves could put phone and power lines at risk, increasing the incidence of outages.

Response: Even if hunters mistook endangered species of birds for mourning doves, this is a risk taken whenever hunters are allowed in the fields to hunt birds. There are stiff penalties for hunters who shoot birds that are protected species.

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have an indeterminate fiscal impact depending on whether the addition of mourning doves would cause an increase in the sale of small game licenses, or an increase in enforcement activities or fines related to dove hunting.

Fiscal Analyst: P. Graham