

# Legislative Analysis



## FOX AND COYOTE HUNTING FROM TREE STANDS

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**House Bill 4407 as introduced**

**Sponsor: Rep. Dudley Spade**

**Committee: Tourism, Outdoor Recreation and Natural Resources**

**First Analysis (3-20-07)**

**BRIEF SUMMARY:** The bill would permit hunters to take fox or coyote from a scaffold, platform, or tree if the taking is otherwise lawful.

**FISCAL IMPACT:** There would be no fiscal impact on the state or on local governmental units.

### **THE APPARENT PROBLEM:**

Michigan hunters are allowed to hunt deer from tree stands, including temporary tree stands on public lands. Coyote and fox hunting is gaining in popularity, and some contend that Michigan should similarly allow coyote and fox to be taken from tree stands, following the same state rules.

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

The bill would permit hunters to take fox or coyote from a scaffold, platform, or tree if the taking is otherwise lawful. Fox and coyote hunters using raised platforms on public lands would have to comply with all labeling and other general requirements applicable to the use of raised hunting structures on public lands. The bill would create a new Section 40111b in the Natural Resources and Environmental Protection Act.

MCL 324.4011

### **BACKGROUND INFORMATION:**

According to the Department of Natural Resources, a tree stand or other raised hunting platform used on public lands must be portable with the hunter's name and address affixed legibly so that it can be easily read from the ground. Hunting platforms cannot be affixed or attached to any tree by nails, screws, or bolts; however, a "T" bolt or similar device supplied by a tree stand manufacturer may be used. No permanent tree stands are allowed on public lands.

There is a statewide coyote season from July 15 through April 14. Michigan residents possessing a valid small-game license may hunt coyote during the established season. Non-residents must have a fur harvester's license. The coyote season is closed in Zones 1 and 2 (Upper Peninsula and northern Lower Peninsula) during the firearms deer hunting season (November 15 through November 30). Coyote may be taken on private property

by a property owner or designee at any time if they are doing or about to do damage on private property. No license is needed in this situation. Gray and red fox hunting is allowed from October 15 through March 1. Both residents and non-residents must have a fur harvester's license to hunt fox.

The Natural Resources Commission establishes general policies for the DNR and hires the Department's Director. According to the DNR, voter adoption of Proposal G in November 1996, vests exclusive authority in the Natural Resources Commission to regulate the taking of game.

### ***ARGUMENTS:***

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

Michigan deer hunters are allowed to hunt from tree stands, and we should allow coyote and fox hunters to do the same. Hunting from an elevated perch, aiming down toward the ground, is safer than hunting on the ground. The bill would allow tree stands to be used for coyote and fox hunting in the same way that they are used for deer hunting. The same rules pertaining to tree stands on public lands would apply.

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

While the DNR does not disagree with the content of the bill, it is opposed to the bill because it contends that the voters of Michigan gave the Natural Resources Council the exclusive authority to regulate the taking of game in Michigan by the passage of Proposal G in 1996. A DNR representative testified that the Council would take up the issue in the near future and that the same result—allowing fox and coyote hunting from tree stands—could be achieved through Council action.

### ***POSITIONS:***

The Department of Natural Resources opposes the bill. (3-13-07)

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