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BILL ANALYSIS

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Senate Bill 10 (as introduced 1-14-09)
Sponsor: Senator Randy Richardville
Committee: Natural Resources and Environmental Affairs

Date Completed: 1-26-09

CONTENT

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to require the Department of Natural Resources (DNR) to issue an order establishing a season or seasons for falconers to take live raptors for use in falconry.

The order would have to designate the number of raptors that could be taken and possessed and any other conditions pertaining to their taking and possession that the Department considered advisable. The Department would have to issue the order in the manner provided in Section 40107(2).

(That section requires the DNR to comply with specific procedures when issuing animal management orders. The DNR must prepare an order after soliciting and considering comments from field personnel and interested people; provide an opportunity for public comment; and give a copy to each member of the Senate and House standing committees that consider related legislation. The committees then have 30 days to review the order and submit comments to the DNR.)

The bill specifies that the section it would add and an order issued under it would not designate any species of raptor as game, nor would the section prohibit the DNR from determining that any species of raptor was a protected animal.

Proposed MCL 324.40107b

BACKGROUND

Part 401 previously required the DNR to issue an order establishing a season or seasons for falconers to take a total of up to 25 live raptors per year from any combination of red-tailed hawks, Cooper's hawks, American kestrels, and sharp-shinned hawks for use in falconry. In addition to these 25 raptors, the order had to allow the issuance of two permits annually to take northern goshawks during the fall passage season. The order had to designate the number of raptors that could be taken and possessed and any other conditions pertaining to the taking and possession of raptors that the DNR considered advisable.

The order also had to prohibit the taking of raptors on national lakeshores, national recreation areas, and all State land. It had to require licensed falconers to contact property owners or land managers and obtain written permission before making direct contact with any raptor nest. It had to provide that only licensed falconers could have direct contact

with the raptor nest and that a licensed falconer had to leave in a nest at least two healthy young raptors. A licensed falconer had to report the nest location from which a raptor was taken by county, township, range, and section to the DNR within five business days after taking the raptor.

These provisions were enacted by Public Act 470 of 1998, which included a sunset date of January 2, 2004. Public Act 242 of 2003 delayed the sunset to January 4, 2009.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would increase revenue to the Game and Fish Protection Fund a small and indeterminate amount due to the purchase of additional hunting licenses by individuals who would participate in a falconry hunting season.

Fiscal Analyst: Jessica Runnels