

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 965 (Substitute S-3 as passed by the Senate)
Sponsor: Senator Walter H. North
Committee: Hunting, Fishing and Forestry

Date Completed: 5-11-98

RATIONALE

Under Part 401 of the Natural Resources and Environmental Protection Act (NREPA), which regulates the taking of game, the Department of Natural Resources (DNR) has the power to establish time, manner, and bag limits of a hunt. Currently, the DNR has established regular and special late Canada goose hunting seasons with consent from the U.S. Fisheries and Wildlife Division. (See **BACKGROUND** for detailed information.) According to the DNR, Michigan's resident Canada geese population grew 11-fold from 1969 to the present. It was reported that in the last four years, the spring population has been 200,000, producing a fall flight in excess of 300,000 geese. Reportedly, there have been numerous complaints throughout the State that the Canada geese have become a nuisance. Some people feel that the DNR should expand the special late season for Canada goose hunting, currently only for southern Michigan, throughout the State in order to reduce the Canada geese population.

CONTENT

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to provide that, notwithstanding Section 40113a(2) of the Act, the Department of Natural Resources (DNR) would have to establish an annual open season for Canada goose hunting in the State beginning on the first Saturday of January and ending on the first Sunday of February. During this open season, the daily bag limit would be five Canada geese taken and 10 possessed. ("Open season" refers to the dates during which game may be legally taken and "bag limit" means the number of animals that may be taken and possessed as determined by the DNR.) The bill also would allow an individual to possess Canada goose feathers for the purpose of an art or craft. The bill specifies that it could not be construed so as to violate Federal law.

Proposed MCL 324.40113b

BACKGROUND

In 1997, for northern and mid-Michigan, the regular Canada goose hunting season began on the first Saturday of October and ended on the third Sunday of October with a daily bag limit of two geese taken, and four possessed. For southern Michigan, the regular season began on the second Saturday of October and ended on the third Sunday of October with a daily bag limit of one goose taken and two possessed, and also began on the last Thursday of November and ended on the first Sunday of December with a daily bag limit of two geese taken and four possessed. The special late Canada goose hunting season, which applied only for southern Michigan, began on the first Saturday of January 1998 and ended on the first Sunday of February, with a daily bag limit of five geese taken and 10 geese possessed.

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

By expanding the late goose hunting open season statewide beginning on the first Saturday of January and ending on the first Sunday of February, the bill would help provide additional control of the increasing Canada goose population. Canada geese have become a nuisance in many waterfront areas of the State and have required some State and county parks, local and residential outdoor pools, and various other outdoor water locations to be shut down for cleanup of environmental problems caused by Canada geese.

Opposing Argument

The bill would be contrary to Federal law since Canada geese are protected under the Migratory Bird Treaty Act, which protects all common wild birds found in the U.S. except the house sparrow, starling, feral pigeon, and resident game birds.

Response: The Federal law already has an exception for Michigan to have regular and limited late goose hunting seasons. The bill would only expand the late season statewide during one month. Since the bill specifies that it could not be construed so as to violate Federal law, it would complement Senate Resolution 154, adopted by the Senate, which would urge the U.S. Department of Interior and the Fish and Wildlife Service to expand the boundaries for the late season Canada goose hunt.

Legislative Analyst: N. Nagata

FISCAL IMPACT

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

Fiscal Analyst: G. Cutler

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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.