

HOUSE BILL No. 4896

June 25, 2003, Introduced by Reps. Richardville and Byrum and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 40107a (MCL 324.40107a), as added by 1998 PA
470.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40107a. (1) The department shall issue an order in the
2 manner provided in section 40107(2) establishing a season or
3 seasons for falconers to take not more than a total of 25 live
4 raptors per year in any combination of red-tailed hawks (*Buteo*
5 *jamaicensis*), cooper's hawks (*Accipiter cooperii*), American
6 kestrels (*Falco sparverius*), and sharp-shinned hawks (*Accipiter*
7 *striatus*), for use in falconry. The order shall designate the
8 numbers of raptors that may be taken and possessed and any other
9 conditions pertaining to the taking and possession of raptors
10 that the department considers advisable.

1 (2) The order shall prohibit the taking of raptors on
2 national lakeshores and national recreation areas and all state
3 lands. The order shall require licensed falconers to contact
4 property owners or land managers and obtain written permission
5 before making direct contact with any raptor nest. The order
6 shall provide that only licensed falconers may have direct
7 contact with the raptor nest and that a licensed falconer shall
8 leave in a nest a minimum of 2 healthy young raptors. A licensed
9 falconer shall report the nest location from which a raptor is
10 taken by township, range, and section to the department within 5
11 business days after the raptor is taken. Within 1 year of the
12 issuance of the order, the department shall establish a public
13 education program regarding raptors and shall institute a study
14 to establish survey protocols to monitor raptor populations
15 likely to be used for falconry purposes.

16 (3) This section does not and an order issued under this
17 section shall not designate any species of raptor as game. This
18 section does not prohibit the department from determining that
19 any species of raptor is a protected animal.

20 ~~(4) This section is repealed effective 5 years after its~~
21 ~~effective date.~~