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GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES  
DIRECTOR

LATE MEMO: June 2, 2009

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Dog Training Technical Amendment  
Wildlife Conservation Order Amendment No. 15 of 2009  
FOR INFORMATION ONLY

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

In March of 2009, The Department made recommendations for changes to bear hunting regulations as a result of recent discussions regarding the statewide bear management plan. As part of those recommendations, a change to allow dog training on July 8 was approved by the Natural Resources Commission in April.

Upon updating the Wildlife Conservation Order to incorporate the above changes, a technical error was found in the language of Amendment 5. The spring dog training exclusion is defined in section 14.3 but is also mentioned in the Wildlife Conservation Order in later sections. This Amendment is to provide the technical correction to assure that the Wildlife Conservation Order includes the proper language necessary to enact the desired changes to begin dog training annually on July 8. This amendment would also replace three subsections of section 14.3 that were inadvertently omitted in April.

NATURAL RESOURCES COMMISSION  
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • John Madigan • Timothy L. Nichols • J. R. Richardson • Frank Wheatlake

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Recommendation:

This order is being submitted for information and consideration. This item appeared on the Department's February 23, 2009 calendar and will appear on the June 3, 2009 calendar, and may be eligible for approval on July 9 2009.

Russ Mason, Ph.D., Chief  
Wildlife Division

Ronald A. Olson, Chief  
Parks and Recreation Division

Lynne M. Boyd, Chief  
Forest, Mineral and Fire Management Division

Gary Hagler, Chief  
Law Enforcement Division

Armindia S. Koch  
Resource Management Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

Rebecca A. Humphries  
Director

# **WILDLIFE CONSERVATION ORDER**

## **Amendment No. 15 of 2009**

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective July 10, 2009 the following section(s) of the Wildlife Conservation Order shall read as follows:

### **14.3 Dog training, seasons, exceptions.**

Sec. 14.3. (1) Dogs may only be trained on game which can be lawfully hunted with dogs as defined in section 6.2 during the period of July 8 of one year to April 15 of the following year, except as provided in subsections (2) and (3), sections 14.4 and 15.2, or as otherwise permitted by law.

**(2) FOX MAY BE CHASED FROM APRIL 16 TO JULY 8 IN ZONE 3 ON STATE-OWNED LAND WITH WRITTEN AUTHORIZATION FROM THE DIRECTOR UPON AN APPLICATION FORM APPROVED BY THE DIRECTOR.**

**(3) GAME WHICH CAN BE LAWFULLY HUNTED WITH DOGS MAY BE CHASED THROUGHOUT THE YEAR ON STATE-OWNED LANDS WITHIN THE FOLLOWING PORTIONS OF THE DESIGNATED FIELD DOG TRIAL AREAS:**

**(A) SECTION 35, T7N R7W, AND SECTION 2, T6N R7W, WITHIN THE IONIA RECREATION AREA.**

**(B) ALL THOSE PORTIONS OF THE ALLEGAN STATE GAME AREA, HIGHLAND RECREATION AREA, HOLLY RECREATION AREA, LAPEER STATE GAME AREA, AND SHARONVILLE STATE GAME AREA DESIGNATED AS FIELD DOG TRIAL AREAS IN SECTION 15.2.**

**(4) TRAINERS MAY TRAIN THEIR DOGS FROM HORSEBACK ON THOSE PORTIONS OF HIGHLAND AND IONIA RECREATION AREAS DEFINED IN SUBSECTION (3).**

### **14.4 Private dog training areas, director authority.**

Sec 14.4 (1) A person shall not train dogs on private lands from April 16 to July ~~14~~ 8 or post their lands as private dog training areas unless they receive written authorization from the director or the director's authorized representative upon an application form approved by the director.

(2) It shall be unlawful for any person to make a false statement upon the application form authorized in this section.

(3) It shall be unlawful for a person to allow dogs being trained on private lands, as authorized by this section, to go upon lands not specified in the application form.

(4) It shall be unlawful for a person to allow dogs to be trained on private lands, as authorized by this section, if a written complaint of trespass by an adjacent landowner is found upon investigation by the department to be legitimate and the department so notifies the applicant and the applicant does not fence the area in such a manner that dogs cannot exit the area.

(5) A person shall remove any posted signs authorized by the director at a time specified by the director.

**14.5 Dog training, unlawful acts.**

Sec 14.5 (1) It shall be unlawful for nonresidents to dog train on bear, bobcat, fox, coyote, raccoon, or opossum, except upon areas authorized in section 14.4 from April 16 to July ~~14 8~~; upon dog training areas established under ~~Act No. 82 of the Public Acts of 1947~~ **PART 421 OF 1994 PA 451**; or when participating in an authorized field dog trial.

(2) It shall be unlawful to begin to dog train on bear between one-half hour after sunset to one-half hour before sunrise.

(3) It shall be unlawful to dog train on bear or bobcat in an area where the state has not established an open season for those species at some time during the license year.

(4) It shall be unlawful to dog train on a captive, tethered, or caged bear.

(5) It shall be unlawful to dog train in state parks without permission of the land administrator.

(6) It shall be unlawful to dog train more than eight dogs on bear at any one time.

(7) Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, MCL 324.43510, it shall be unlawful for a person to possess a firearm other than a shotgun, pistol, or revolver or ammunition other than blank cartridges, while engaged in training dogs unless specifically authorized in writing by the director or by an authorized representative of the director.

(8) A person not listed as a field dog trial participant, or dog training in an area not open to nonresident training by subsection (1) shall carry proof of residency and shall produce proof of residency upon the demand of a conservation officer or other law enforcement officer.

Issued this 9<sup>th</sup> day of July 2009.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman  
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rebecca A. Humphries  
Director