



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5686 (Substitute H-1 as passed by the House)
Sponsor: Representative Michael Lahti
House Committee: Agriculture
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 9-17-08

CONTENT

The bill would create a new act to do the following:

- Authorize the removal, capture, or killing of a gray wolf that was preying upon livestock.**
- Prescribe procedures following the legal taking of a gray wolf.**
- Prescribe a misdemeanor penalty for a violation of the procedures.**

Specifically, the owner of livestock, or his or her designated agent, could remove, capture, or, if deemed necessary, use lethal means to destroy a gray wolf that was in the act of preying upon the owner's livestock.

The owner or designated agent would have to report the taking of a gray wolf to a Department of Natural Resources (DNR) official as soon as practicable, but not later than 12 hours after the taking. Except as otherwise provided, the owner or designated agent would have to retain possession of a gray wolf taken until a DNR official was available to take possession of and transfer it to the appropriate Department personnel for examination. If lethal means were used, a person could not move or disturb the deceased gray wolf until he or she took photographs of it and the area where lethal means were used to destroy it. The DNR could request copies of the photographs for examination. A person who violated any of these provisions would be guilty of a misdemeanor punishable by imprisonment for up to 90 days and/or a fine of at least \$100 but not more than \$1,000, and the costs of prosecution.

A DNR official would have to respond to the scene where lethal means were used within 12 hours after the Department was notified.

The owner or designated agent could report the taking of a gray wolf by using the DNR's Report All Poaching hotline at 1-800-292-7800.

If any Federal or State legislation overturned the decision to remove gray wolves from the list of endangered species, the DNR would have to report the impact of that litigation on the proposed act to the standing committees of the Legislature with jurisdiction over issues dealing primarily with natural resources and the environment.

"Livestock" would mean those species of animals used for human food or fiber or used for service to humans. Livestock would include cattle, sheep, goats, bison, swine, equine, poultry, aquaculture, and rabbits. Livestock also would include new world camelids (e.g.,

alpacas and llamas), privately owned cervids (e.g., deer and elk), and ratites (e.g., ostriches).

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on the State. The additional responsibilities of DNR officials to retrieve a gray wolf from the owner of livestock would be paid for from existing resources.

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders would be convicted of the proposed offenses involving the taking of gray wolves. Additional penal fine revenue would benefit public libraries.

Fiscal Analyst: Lindsay Hollander
Jessica Runnels

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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.