

Legislative Analysis



CLASSIFY WOLVES AS GAME SPECIES

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Senate Bill 1350 (Substitute H-1)

Sponsor: Sen. Tom Casperson

House Committee: Natural Resources, Tourism, and Outdoor Recreation

Senate Committee: Natural resource, Environment, and Great Lakes

Complete to 12-12-12

(Enacted as Public Act 520 of 2012)

A SUMMARY OF SENATE BILL 1350 AS REPORTED BY HOUSE COMMITTEE

The bill would amend Parts 401 (Wildlife Conservation) and 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to add "wolf" to the list of game species in the state and authorize the Natural Resources Commission to establish an open hunting season for wolves.

[It should be noted that the bill does not establish a wolf hunting season or guarantee that one will be established. Rather, it grants authority to the Natural Resources Commission, which is constitutionally charged with regulating the taking of all game in Michigan, to make a determination as to whether a wolf hunting season should be established at an undetermined date in the future.]

Legislative Findings

The bill would establish the following legislative findings:

- Wildlife populations in Michigan and their habitat are of paramount importance to the citizens.
- The sound management of wolf populations is necessary, including the use of hunting as a management tool, to minimize negative human and wolf encounters and to prevent wolves from threatening or harming humans, livestock, or pets.

Establishment of Hunting Season

The bill would authorize the first open season for wolf and allow the Natural Resources Commission to issue orders establishing an annual wolf hunting season throughout the state.

Violations

Anyone found in violation of Part 401 or an order issued under the authority of Part 401 with regards to the possession or taking of a wolf would be guilty of a misdemeanor punishable by at least five but not more than 90 days imprisonment and a fine of \$200 to \$1,000, plus the costs of prosecution. [This is the same punishment currently in place for a violation involving the illegal possession or taking of deer, bear, and wild turkey.]

The bill provides that no one could be punished under this provision for lawfully removing, capturing, or destroying a wolf under 2008 PA 290 (which allows owners of livestock to remove, capture, or use lethal means to destroy gray wolves that are preying

on livestock) or 2008 PA 318 (which allows the owner of a dog to remove, capture, or use lethal means to destroy a gray wolf that is preying upon the owner's dog).

Fur-bearing Animal and Small Game

The bill would remove "wolf" from the definition of fur-bearing animals and small game.

Wolf Hunting License and Fee

Individuals could not hunt wolf without first obtaining a wolf hunting license from the Department of Natural Resources (DNR). The license fee would be set at \$100 for a resident of Michigan and \$500 for a nonresident. The DNR could also establish a nonrefundable application fee of up to \$4 for each person that applies for a wolf hunting license. The DNR would be authorized to issue kill tags with, or as part of, a wolf hunting license that would have to bear the license number and include space for other pertinent information required by the DNR. If issued, the kill tag would be considered part of the license.

Wolf Management Council

The Wolf Management Council would be created within the DNR and would consist of the DNR director and one member from the following organizations that would be appointed by the Director:

- an organization that promotes conservation
- an organization that promotes hunting or fishing
- a tribal government
- agricultural interests
- an animal advocacy organization

The council would have to meet at least one time per year and a majority of members would need to be present for a quorum. All meetings of the Council would be subject to the Open Meetings Act and all writing prepared for and used by the Council in the performance of an official function would be subject to the Freedom of Information Act.

Members would serve without compensation but could be reimbursed for actual and necessary expenses incurred during the performance of their official duties.

The Council would be required to submit an annual report to the Natural Resources Commission and to the Legislature containing nonbinding recommendations as to the proper management of wolves in the state.

FISCAL IMPACT:

Senate Bill 1350 would authorize the establishment of a wolf hunting season and allow the Natural Resources Commission (NRC) to issue orders establishing the hunting season in Michigan. The bill requires that the fee for a wolf hunting license would be \$100 for residents and \$500 for nonresidents and allows the Department to charge an application fee of up to \$4. Hunting license fees are required to be deposited into the Game and Fish Protection Fund.

The DNR estimates that in 2011 there were approximately 700 wolves in Michigan. While it is unknown how many applications the Department would receive for the wolf hunting program and how many licenses will be issued, it is anticipated that there would be considerable interest in the hunt. Both the black bear hunt and the elk hunt in Michigan require a \$4 application fee. In 2012, some 51,710 hunters applied for the black bear hunt and 35,388 hunters applied for the elk hunt.

Depending upon the size of the hunting program established by the NRC and the level of hunter participation, the Department may incur additional costs associated with the license program and application process. While the \$4 application fee would help offset these additional costs to the DNR, it is not possible to determine whether the new license revenue and fees would generate an amount of revenue that is greater or less than the Department's additional administrative and law enforcement costs.

The bill would establish the Wolf Management Advisory Council within the DNR. The new Council's six members would serve without compensation, but may be reimbursed for their travel and relevant expenses. These provisions may increase costs to the DNR by an indeterminate amount, depending upon the amount of refundable expenses of council members.

BACKGROUND INFORMATION AND DISCUSSION:

The bill would add wolves to the list of game species and provide authority to the Natural Resources Commission to establish a wolf hunting season at an undetermined date in the future. The bill is intended to allow wolf hunting in certain regions of the state where wolf-livestock interactions are troublesome (specifically in the Upper Peninsula). While it is currently legal to kill a wolf that is in the act of preying on livestock or a pet, supporters do not feel the law is flexible enough because wolves often attack livestock during the night when livestock owners are not present. The bill is intended to provide a management tool to the Natural Resources Commission, and no determination has been made regarding if or when a season would occur and how many licenses would be made available.

The DNR estimates that there were 700 wolves in Michigan in 2011. According to an editorial in the Lansing State Journal (dated Nov. 18, 2012), Wisconsin and Minnesota currently operate a wolf hunting season.

Wolves were removed from the Endangered Species List in 2011 after having been on the list since 1973. Those in opposition to the bill feel it is too soon to allow wolf hunting and more time should be given to ensure that the wolf population could sustain a hunting season and determine if a wolf hunt is necessary. Many feel the current programs in place to deal with wolf-livestock interactions are adequate and that the bill is intended for hunting purposes rather than as a management tool. Many do not believe there is sufficient scientific evidence to justify allowing a wolf hunt in Michigan at this time.

There were also concerns raised regarding agreements made between the state and its Native American tribes, and what role, if any, the tribes have had in discussing this issue to this point.

POSITIONS:

Michigan Department of Natural Resources supports the bill. (12-4-12)

Michigan Bear Hunters Association supports the bill. (12-4-12)

Michigan Bow Hunters Association supports the bill. (12-4-12)

Michigan Farm Bureau supports the bill. (12-4-12)

Michigan Hunting Dog Federation supports the bill. (12-4-12)

Michigan State Fox Hunter Association supports the bill. (12-4-12)

Michigan State United Coon Hunters Association supports the bill. (12-4-12)

Michigan United Conservation Clubs supports the bill. (12-4-12)

Rocky Mountain Elk Foundation of Michigan supports the bill. (12-4-12)

Upper Peninsula Bear Houndsmen Association supports the bill. (12-4-12)

Gun Lake, Paragon, and Little Traverse Bay Bands of Odawa oppose the bill. (12-4-12)

Humane Society of the United States opposes the bill. (12-4-12)

Huron Band of Potawatomi opposes the bill. (12-4-12)

Little River Band of Ottawa Indians opposes the bill. (12-4-12)

Michigan Environmental Council opposes the bill.

Sault Ste. Marie Tribe of Chippewa Indians opposes the bill. (12-4-12)

Sierra Club Michigan Chapter submitted written testimony in opposition to the bill. (12-3-12)

A number of private citizens claiming to represent the interest of wolves testified and submitted written testimony in opposition to the bill.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.