

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 299 (Substitute S-1 as passed by the Senate)  
Sponsor: Senator Dave Jaye  
Committee: Hunting, Fishing and Forestry

Date Completed: 3-25-99

### **RATIONALE**

According to the Department of Natural Resources (DNR), there are many areas in the southern Lower Peninsula of the State where the deer population is above the DNR's objective levels. Reportedly, in 1996 Michigan had an estimated 2 million deer; 700,000 more than the 1.3 million deer conservation officials determined to be ideal. As a result, deer overpopulation has destroyed crops, depleted other plants and lower vegetation, caused vehicle-deer accidents, and resulted in the starvation of deer, among other things. The DNR has considered various wildlife management policies to control the increasing deer population, such as the issuance of more antlerless deer hunting permits, redistribution of the herd population, expansion of hunting seasons, and limits on buck (male deer) harvest.

Many people believe that lawful hunting by licensed hunters should be the preferred method of reducing game population, unless there is concern for the health, safety, and welfare of the public. As a measure to control the whitetail deer population, for example, the Huron-Clinton Metropolitan Authority recently approved a plan to hire an expert sharpshooter to kill whitetail deer in Kensington Metropark in Milford. An article in the *Detroit Free Press* (2-12-99) reported that the Michigan Humane Society had proposed the plan as a mercy killing of overabundant whitetail deer that were dying from starvation and causing other wildlife to disappear.

### **CONTENT**

The bill would amend Part 435 (Hunting and Fishing Licenses) of the Natural Resources and Environmental Protection Act to provide that the State and all local and regional governmental entities in the State would be required to use lawful hunting by licensed members of the public as the preferred method of reducing game populations unless the health, safety, or welfare of the public required that a different method be used.

Proposed MCL 324.43526

### **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**

The bill would address the deer overpopulation problem by establishing that hunting by licensed hunters would be the preferred method of reducing game population unless a different method was required to maintain the health, safety, or welfare of the public. The bill would provide flexibility in the management of wildlife for unique circumstances, such as outbreaks of bovine tuberculosis in deer. The recent outbreaks of bovine TB in five Michigan counties has forced the Governor to issue an executive directive to ban year-round feeding of deer and the Department to issue directives to ban deer captivity and limit the types of bait used by hunters to minimize the chance of deer having nose-to-nose contact.

**Response:** The DNR supports hunting as a legitimate and useful tool in the management of the wildlife resource. The bill's provisions, however, would reiterate the DNR's current wildlife management policies. Ballot Proposal G of 1996 amended the NREPA to give the Natural Resources Commission (NRC) exclusive authority to regulate the taking of game in the State, using principles of sound scientific management. The Deputy Attorney General has suggested that, "...the only action the Legislature could take to regulate the taking of game would have to include a change to or repeal of the voter-approved statute giving this exclusive power to the NRC."

#### **Opposing Argument**

Increased hunting actually could exacerbate the deer overpopulation problem, according to The Fund for Animals in Baltimore, Maryland. Hunting deer is not only inhumane, but also ineffective in solving any type of conflict between humans and deer. Like other animals, deer breed more when their species is attacked. It would be better to control deer by putting

up fencing and planting vegetation the deer find unpalatable.

**Response:** These and other options have been considered and found to be unacceptable or not feasible. Allowing an animal to die of starvation is less humane than killing it quickly to prevent that fate.

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.