

ALLOW FARMERS TO CAPTURE OR KILL GRAY WOLVES ATTACKING LIVESTOCK

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House Bill 5686 (Substitute H-1)
Sponsor: Rep. Gary McDowell
Committee: Agriculture

Complete to 6-25-08

A SUMMARY OF HOUSE BILL 5686 AS REPORTED FROM COMMITTEE 6-24-08

The bill would create a new act permitting a livestock owner to capture or kill a gray wolf preying on the owner's animals.

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

"Livestock" would mean animal species used for human food or fiber or used for service to humans, including species of "cattle, sheep, new world camelids [e.g., llamas and alpacas], goats, bison, privately owned cervids [e.g. deer and elk], ratites [e.g., ostriches and emus], swine, equine, poultry, aquaculture, and rabbits." [This is the same definition of livestock as contained in Section 5(2) of the Animal Industry Act, except that act explicitly excludes dogs and cats from the definition of livestock, while this bill is silent as to dogs and cats.]

General reporting and holding requirements. The owner or agent would have to both:

- Report the taking of a gray wolf to a conservation officer as soon as practicable within 12 hours. (The DNR's "Report All Poaching Hotline" could be used to make the report. The number is 1-800-292-7800.)
- Hold the wolf until a DNR official is available to take possession of and transfer it to appropriate DNR personnel for examination (except when the gray wolf is killed and photography is allowed instead, as described below).
- A violation of either of these requirements would constitute a misdemeanor punishable by imprisonment of up to 90 days, a fine of at least \$100 but not more than \$1000, or both, and the costs of prosecution.

Lethal means. If a gray wolf is killed, the following rules would also apply:

- Photographs would have to be taken of the dead gray wolf and the area where it was destroyed before the wolf could be moved or disturbed. The DNR could request the photographs for examination.

- A violation of this requirement would constitute a misdemeanor punishable by imprisonment of up to 90 days, a fine of at least \$100 but not more than \$1000, or both, and the costs of prosecution.

DNR response. A DNR official would be required to respond to the scene within 12 hours after receiving notice of the use of lethal means.

Rules. The DNR could promulgate rules to implement the act.

Effect of court decisions about status of gray wolves. If a federal or state court overturned the decision to remove gray wolves from the list of endangered species, the DNR would be required to report the effect of that decision on the act to the appropriate legislative standing committees.

FISCAL IMPACT:

A fiscal analysis is in process.

POSITIONS:

The Department of Agriculture supports the substitute bill. (6-24-08)

The Michigan Association for Purebred Dogs supports the bill. (6-24-08)

The Michigan Farm Bureau supports the substitute bill. (6-24-08)

The Michigan Hunting Dog Federation supports the bill. (6-24-08)

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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.