

**SUBSTITUTE FOR
HOUSE BILL NO. 5686**

A bill to authorize the removal, capture, or lethal control of a gray wolf that is preying upon livestock under certain circumstances; and to provide for penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Department" means the department of natural resources.

3 (b) "Livestock" means those species of animals used for human
4 food or fiber or those species of animals used for service to
5 humans. Livestock includes, but is not limited to, cattle, sheep,
6 new world camelids, goats, bison, privately owned cervids, ratites,
7 swine, equine, poultry, aquaculture, and rabbits.

8 Sec. 3. (1) The owner of livestock or his or her designated
9 agent may remove, capture, or, if deemed necessary, use lethal

1 means to destroy a gray wolf that is in the act of preying upon the
2 owner's livestock.

3 (2) The owner of the livestock or his or her designated agent
4 shall report the taking of a gray wolf to a department official as
5 soon as practicable, but not later than 12 hours after the taking.
6 A person who violates this subsection is guilty of a misdemeanor
7 punishable by imprisonment for not more than 90 days or a fine of
8 not less than \$100.00 or more than \$1,000.00, or both, and the
9 costs of prosecution.

10 (3) Except as otherwise provided in subsection (4), the owner
11 of the livestock or his or her designated agent shall retain
12 possession of a gray wolf taken until a department official is
13 available to take possession of and transfer the gray wolf to the
14 appropriate department personnel for examination. A person who
15 violates this subsection is guilty of a misdemeanor punishable by
16 imprisonment for not more than 90 days or a fine of not less than
17 \$100.00 or more than \$1,000.00, or both, and the costs of
18 prosecution.

19 (4) If lethal means are used to destroy a gray wolf, a person
20 shall not move or disturb the deceased gray wolf until he or she
21 takes photographs of the deceased gray wolf and of the area where
22 lethal means were used to destroy the gray wolf. Copies of the
23 photographs taken by the person may be requested by the department
24 for examination. A person who violates this subsection is guilty of
25 a misdemeanor punishable by imprisonment for not more than 90 days
26 or a fine of not less than \$100.00 or more than \$1,000.00, or both,
27 and the costs of prosecution.

1 (5) A department official shall respond to the scene where
2 lethal means were used to destroy a gray wolf not later than 12
3 hours after a department official is notified under subsection (2).

4 (6) The owner of the livestock or his or her designated agent
5 may report the taking of a gray wolf by utilizing the department's
6 report all poaching hotline at 1-800-292-7800.

7 Enacting section 1. If any federal or state litigation
8 overturns the decision to remove gray wolves from the list of
9 endangered species, the Michigan department of natural resources
10 shall report the impact of that litigation on this act to the
11 standing committees of the legislature with jurisdiction over
12 issues primarily dealing with natural resources and the
13 environment.