



Senate Bill 1013 (as enacted)

PUBLIC ACT 366 of 2010

Sponsor: Senator Jason E. Allen

Senate Committee: Hunting, Fishing and Outdoor Recreation

House Committee: Tourism, Outdoor Recreation and Natural Resources

Date Completed: 1-25-11

RATIONALE

By the early 20th century, Michigan's moose population was nearly eliminated. The decline was thought to be a result of habitat changes, human exploitation, brainworm, and wolf predation. In the mid-1980s, 61 moose were relocated from Canada to the Upper Peninsula in an effort to spur a population growth. Today, the State's moose population is estimated at 500 to 600 animals and is projected to continue growing. In light of the repopulation project's success, it was suggested that Michigan should establish a moose hunting season.

-- Require the Advisory Council to issue a report on whether the moose hunting season should be expanded.

The bill took effect on December 22, 2010.

Specifically, the bill authorizes the NRC to issue orders pertaining to moose for each of the purposes listed in Section 40113a, including orders establishing the first open season for moose. (That section prescribes the procedures the NRC must follow in issuing orders, and requires the Commission, to the greatest extent practicable, to use principles of sound scientific management in making decisions regarding the taking of game.)

CONTENT

The bill amended Parts 401 (Wildlife Conservation) and 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to do the following:

- Authorize the establishment of the first open season for moose.**
- Allow the Natural Resources Commission (NRC) to issue orders pertaining to moose hunting.**
- Prohibit a resident from hunting moose without a moose hunting license.**
- Establish a \$100 fee for a moose license, and authorize the Department of Natural Resources and Environment (DNRE) to establish an application fee of up to \$4.**
- Create the Moose Hunting Advisory Council.**

The bill prohibits a resident from hunting moose without a license. The fee for a moose license is \$100, and the DNRE may establish a nonrefundable application fee of up to \$4 for each person who applies for a license. In addition, the DNRE may issue a kill tag with, or as part of, a moose hunting license.

The bill provides that Section 43526(2) applies with respect to a moose hunting license. (Under that section, the DNRE may issue a kill tag with, or as part of, a deer license. The kill tag must bear the license number, and may include space for other pertinent information required by the Department. If issued, the kill tag is part of the license.)

The bill created the Moose Hunting Advisory Council within the DNRE. The Council must consist of the following seven members:

- The DNRE Director or his or her designee.
- One member, appointed by the Director, representing an organization that promotes conservation in Michigan.
- Two members, appointed by the Director, representing organizations that promote hunting and fishing in Michigan.
- One member appointed by the Director from a list of three names provided by the Speaker of the House of Representatives.
- One member appointed by the Director from a list of three names provided by the Senate Majority Leader.
- One member selected by the Michigan Intertribal Council.

Within 60 days after the bill's effective date, Advisory Council members must be appointed and the DNRE Director must call its first meeting. At that meeting, the Council must elect a chairperson and other officers it considers necessary or appropriate. After the first meeting, the Council must meet at least quarterly, or more frequently at the call of the chairperson or if requested by a majority of the members.

The Council is subject to the Open Meetings Act and the Freedom of Information Act.

Council members will serve without compensation, but may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

By December 22, 2011, the Council must submit to the DNRE, the NRC, and the Legislature a report that makes recommendations on whether the moose hunting season should be expanded in Michigan. The report must take into account the effect an expanded moose hunting season would have on the State's moose population and the potential economic benefits of such a season. If the Council recommends an expanded season, the report also must contain a recommended season length and the number of moose to be taken.

The provisions regarding the Advisory Council will be repealed on December 22, 2011.

MCL 324.40110a et al.

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

It has been reported that the State's moose population is increasing by about 10% every year. At that rate, the population could reach approximately 1,000 animals - a level at which a restricted hunt is thought to be sustainable - in the next few years.

Outdoor recreation is a valuable component of Michigan's tourism industry. The State's lottery system for elk and bear hunting licenses has generated much interest among hunters; a moose license likely will generate similar interest. A moose hunt will draw people to the Upper Peninsula, producing revenue for local economies and for the DNRE through license and application fees. In addition, the moose population will benefit from the important role hunters play in wildlife management under DNRE regulation, as demonstrated by the permit system applicable to bear and elk hunting.

An initial limited hunt, followed by a thorough investigation into whether it should be expanded, will ensure that decisions regarding moose hunting are science-based and take into consideration the impact on the moose population in relation to the associated economic benefit.

Opposing Argument

At this point, too little is known about the State's moose herd to allow a hunting season. While the moose population is growing, it is growing more slowly than was anticipated when the animals were brought from Canada to Michigan. Several factors, such as low pregnancy rates and the fatal brainworm parasite, are thought to be responsible for limiting the growth of the herd; allowing a hunt under these circumstances actually could reduce the population. An independent panel composed of scientific experts should study the issue before a moose hunting season is established.

Response: The bill does not require the establishment of a moose hunting season, but simply authorizes the NRC to issue orders establishing one. State statute provides an opportunity for public comment

on NRC proposals, and requires the Commission to use sound science in its decisions regarding the taking of game. Presumably, the NRC will engage in a comprehensive examination to determine whether moose hunting should be allowed and, if so, the appropriate number of animals to be taken in the initial hunt.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The Moose Hunting Advisory Council will serve uncompensated but necessary costs incurred by Council members may be reimbursed. Costs will likely include items such as mileage and hotel stays for members traveling long distances to meetings. These costs will not be very significant and will not be ongoing since the bill abolishes the Council after 12 months.

If the Natural Resources Commission decides to expand the hunt, there likely will be various costs associated. The DNRE currently monitors the moose herd in Michigan, however, so it is likely that the costs will be limited to those directly related to the license application and issuance process and will be more than covered by the \$100 license fee and the \$4 application fee that the Department may levy. It is unknown how many applications the DNRE will receive, but in 2009 nearly 40,000 people paid the \$4 fee to apply for the black bear hunt. Funds received by the Department for hunting licenses and for license applications go into the Game and Fish Protection Fund.

Fiscal Analyst: Josh Sefton

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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.