



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5226 (Substitute H-2 as passed by the House)
Sponsor: Representative Edward McBroom
House Committee: Natural Resources
Senate Committee: Agriculture

Date Completed: 10-1-14

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act to do the following:

- **Allow bear to be taken outside of the open bear season if bear had caused damage to crops or properly stored feed.**
- **Specify that only an individual with a valid bear hunting license could take a bear under a bear damage shooting permit.**
- **Require the Department of Natural Resources (DNR) to respond to and evaluate a request for a permit within four days, and grant or deny the permit within 10 days of responding to the request.**
- **Prohibit the use of bait to take a bear under a bear damage shooting permit.**

Specifically, the bill would allow bear to be taken outside of their open season if the DNR determined that bear had caused damage to emerging, standing, or harvested crops or to feed properly stored in accordance with normal agricultural practices. Within four days after receiving a request for a bear damage shooting permit, the Department would have to respond to it and evaluate whether a permit should be issued. Within 10 days after responding to the permit request, the DNR could attempt, or recommend that the applicant attempt, other methods for controlling the bear, if the applicant were not required to pay for those methods.

Also, within 10 days after responding to a permit request, the DNR would have to grant or deny the request in writing. In denying the request, the DNR would have to advise the applicant on other techniques for controlling or preventing damage caused by bear.

A bear damage shooting permit would allow only an individual with a bear hunting license for that bear management unit and calendar year to take a bear. If an individual took a bear under a permit, that individual would not be able to take another bear under a bear hunting license during the calendar year. An individual implementing a permit would be subject to the rules and regulations for a bear hunting license, except that the use of bait to take a bear would be prohibited.

The bill would prohibit the DNR from allowing more than 5% of the bear hunting licenses issued for a bear management unit to be used to implement the bill's purposes. In a bear management unit that offers fewer than 20 licenses, the DNR could allow one of those license to be used for the bill's purposes.

The bill would require an individual who took a bear under a bear damage shooting permit to register the bear within 72 hours of taking it.

Within three years after the bill's effective date, the DNR would have to issue a report in electronic form to each member of the Legislature. The report would have to include the following information: a) the number of bear damage shooting permits issued, b) the number of bears taken, and c) any recommendations for changes to the permits.

The bill would take effect 90 days after its enactment.

MCL 324.40114

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have a minor, but negative, fiscal impact on the Department of Natural Resources and no fiscal impact on local units of government. The bill would introduce some new, but likely minor, administrative costs to the DNR. New costs would be related to processing requests for bear damage shooting permits, determining whether bears were responsible for damage to crops or stored feed, providing advice on controlling bear damage, and likely performing other minor administrative functions.

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.