

February / March 2015 LEGISLATIVE REPORT

The midnight hour of the 2014 lame duck session saw SB926 held behind and as a result of being tie barred to SB927 the Drone Bill 927 **was vetoed** by the Governor.

SB 926 & 927, Drones, prohibit their use for hunting or fishing and interfere with or harass another individual who is lawfully hunting or fishing passed in late December. SB 926 primary sponsor Sen. Thomas Casperson (38th district) would define *unmanned aerial vehicle* (UAV) as an unmanned vehicle or device that uses aerodynamic forces to achieve flight. Also defined is *unmanned submersible vehicle* (USV), which means an unmanned vehicle or device that operates on the surface of water or underwater. The bill would prohibit an individual from using a UAV or USV to interfere with or harass another individual who is engaged in the process of lawfully taking an animal or fish. The bill also would modify language specifying that the Natural Resources Commission (NRC) has the exclusive authority to regulate sport fishing in Michigan. The statute currently states that the NRC has exclusive authority to regulate the taking of fish in this state. SB 927 primary sponsor Sen. Phillip Pavlov (25th district), would prohibit an individual from taking game using a UAV. The two bills are tie-barred, meaning that neither can take effect unless both are enacted. SB927 was presented to the Governor and 926 was not due to not being held back in legislature.

HB 5226, crop damage permits to include bear, as reported in the MBH News back in June, primary sponsor Ed McBroom (R) 108th district introduced bill would amend the Natural Resources and Environmental Protection Act to allow bear to be taken outside of their open season if the Department of Natural Resources (DNR) determined that bear had caused damage to emerging, standing, or harvested crops or to properly stored feed. After receiving a request for a bear damage permit;

- Within four days after the DNR must evaluate whether a permit should be issued.
- Within 10 days after responding, 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, 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 permittee could allow only an individual with a valid bear hunting license for that bear management unit and calendar year to implement the provisions of the bill.
- An individual who took a bear under a permit could not take another bear under a bear hunting license during the calendar year.
- The DNR could not allow 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 licenses to be used for the bill's purposes.
- An individual who took a bear under a bear damage shooting permit to register the bear within 72 hours of taking it.
- Amendment added in December would prohibit a person from taking a cub bear or a female bear accompanied by a cub bear. "Cub bear" would mean a bear that is less than one year of age.

Within three years after the bill's effective date, the DNR would have to report the following to each member of the Legislature: a) the number of bear damage shooting permits issued, b) the number of bears taken, and c) any recommendations for changes to the permits. This was approved by the Governor on 12/27/2014

SB 0078 of 2013, designation of biodiversity areas prohibit by DNR and remove biological diversity from list of state forest management goals, primary sponsor Sen. Thomas Casperson (38th district) this bill amends several parts of the Natural Resources and Environmental Protection Act to define "conservation of biological diversity" as measures for maintaining, managing, or enhancing biological diversity while ensuring accessibility, productivity, and use of the natural resources for present and future generations. The bill would eliminate the definition of "conservation", which means measures for maintaining and restoring natural biological diversity through management efforts in order to protect, restore, and enhance as much of the variety of native species and communities as possible in quantities and distributions that provide for the continued existence and normal functioning of native species and communities. One of the main concerns in this bill is any portion of state land designated as a biological diversity area specifically for the purpose of achieving or maintaining biological diversity remain available for hunting and timber management. This was vetoed by the Governor on 1/15/2015.

S.B. 795, 796, 797, 799 & 800 increase penalties concerning non native and prohibited species. Senate Bills 796-799 are tie-barred together, meaning that none can take effect unless all are enacted and would make complementary amendments to several other acts. The bills combined would amend the Natural Resources and Environmental Protection Act (NREPA), generally speaking, (1) by creating separate new felonies for violations involving for the illegal possession or introduction of a prohibited aquatic species, essentially increasing current penalties, permit and license penalties; and (2) by allowing for the seizure and forfeiture of property used in such criminal violations under the Revised Judicature Act. These were presented to the Governor on 1/2/2015

HB 4038, bush autumn olive; include on restricted species list sponsor Nancy Jenkins (R) district 57, this bill approved by the Governor on December 9th designates autumn olive and a hybrid or genetically engineered variant of the species as a restricted species (whose possession, introduction, and sale are prohibited). Refer to giant hogweed and Japanese knotweed as prohibited terrestrial species rather than prohibited aquatic species.

MDNR

Deer Management Assistance Permits (DMAPs). The NRC created wildlife orders in 2013 to allow firearms to be utilized to harvest antlerless deer across the state by permit on a case by case basis for private landowners during the first 2 weeks of October's archery season and in 2014 the same for the 5 county pilot area except from October 4 through to November 10th. One additional tool for the 5 county pilot area was the ability for the MDNR to also issue a single antlered DMAP permit to the land owner requesting one for an antlered deer that is causing damage as proven by MDNR inspection even with barriers or methods such as tree wraps or fencing to prevent damage in place. These tools given to private land owners, especially farmers and orchard growers were to enable them to control deer damage during the regular

early archery season according to the NRC order. The MBH and MUCC opposed these changes as well as Michigan Quality Deer Management (QDMA), however the Michigan Farm Bureau (MFB) is strongly in favor of firearm use in conjunction with DMAP's regardless of deer season and expressed that the order of 2014 is too restrictive! One thing is for certain, DMAP permits increased in the 5 county pilot area without inspection by the MDNR which was one of the conditions of this order as well as permits for antlered deer totally a surprising 28 again without following the conditions of the wildlife order to obtain them. The MBH will be following up on this issue and many other concerns of these wildlife orders with the MDNR.

Preliminary Firearm Deer Season results from the December NRC meeting by Brent Rudolph

Chad Stewart the New Deer Specialist with the MDNR comes from the Indiana DNR where he served as a deer biologist was introduced as Brent Rudolph's' replacement and Brent Rudolph gave the report. A decrease in licensed hunters compared to 2013 -2.6% through November 13 and – 6.6% through November 30th.

Firearm deer check harvest data at check stations as compared to 2013; *Upper Peninsula* down 31.4% - *Northern Lower Peninsula* down 11.0 % - *Southern Lower Peninsula* down 6.1 % - *Statewide* down 17.4%. More data will be compiled from the Mail Surveys sent to licensed hunter samples. Item of interest, antler beam diameters of harvested deer continue their downward trend in the SLP and NLP. But in the UP they increased. Could be because of fewer deer where antlered deer survived last year's harsh winter and possibly antler point restriction.

Duck Stamp cost increase: Because the cost of a Federal Duck Stamp will increase from its current \$15 to \$25 – there is concern of hunter retention and maybe recruitment because of this increased cost. With the requirement in Michigan of all waterfowl hunters 16 and older to purchase a base license, a Michigan waterfowl License and a federal Duck Stamp, the increase cost may cause lower numbers of duck hunters. A possible weekend waterfowl license at a lower cost to be included in license options for next year might help retain these hunters.

Law Enforcement

44 new recruits began attending the Conservation Officer Academy on January 4th. Those that make it through the academy will graduate in mid June then go for training in the field with an experienced officer with October finding them at their respective placement location. This is the largest recruit class of future conservation officers in anyone's memory...including after World War II. There are 40 men and four women in this recruit school. Eleven of the new recruits are military veterans and two are previous law enforcement officers. If those 44 recruits all become Conservation Officers, 25 of these new positions were approved by the Legislature through appropriations, 10 will be previously funded positions that are replacing officers who have recently retired or left the division and 9 of them would be directly funded in relation to the license fee increases that occurred in 2014.

NRC

Governor Snyder appointment to the Natural Resource Commission. In late November, Michigan Governor Rick Snyder appointed **Christine Crumbaugh**, of St. Louis, Mi. as a commissioner to the NRC and the reappointment of **J.R. Richardson**, of Ontonagon, to the Michigan Natural Resources Commission. The seven-member commission works to conserve, protect and manage the state's natural resources. No more than four members may be from the same political party. However this most recent appointment is a second appointment of a commissioner linked to the Michigan Farm Bureau. MDNR Director Creagh, came from the Department of Agriculture.

Crumbaugh is vice president of Crumbaugh Legacy Inc., a board director of GreenStone Farm Credit Services, and owner of Captured by Christine Crumbaugh. She is a member of the Michigan Farm Bureau, Gratiot Area Chamber of Commerce, Michigan Sugar Co., and the Michigan Corn Growers Association. Crumbaugh earned her associate degree from Davenport University and a bachelor's degree from Central Michigan University. She and her family enjoy camping, fishing and boating. She represents Republicans and replaces John Madigan.

Richardson is the technical and safety manager for P.M. Power Group and is an avid fly fisherman and hunter. He served as a member of the Michigan Timber Advisory Council and the Michigan State Parks Advisory Committee. Richardson earned his bachelor's degree from Michigan Technological University. He continues to represent Republicans.

Commissioner **John Matonich** of Davison, has been appointed to the position of NRC Chairman replacing J.R. Richardson.

Members will serve four-year terms expiring Dec. 31, 2018. Their appointments are subject to the advice and consent of the Senate.

Closure of State Game Area Target Range. Closure of the Middleville State Game Area (Barry County) target range was recommended at the January NRC meeting by order of the MDNR for safety concerns due to damage of nearby private property, excessive damage to posted signs in area as well as trees, habitat and excessive litter.