

REMOVAL, CAPTURE, OR LETHAL CONTROL OF GRAY WOLF (EXCERPT)
Act 318 of 2008

324.95163 Removal, capture, or use of lethal means to destroy gray wolf; conditions; procedure.

Sec. 3. (1) The owner of a dog or his or her designated agent may 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 dog.

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

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

(4) If lethal means are used to destroy a gray wolf, a person shall not move or disturb the deceased gray wolf until a department official is available to take possession of and transfer the gray wolf to the appropriate department personnel for examination or until as otherwise directed by a department official. A person shall not disturb the area where lethal means were used to destroy a gray wolf until after an official investigation by the department is complete. If a dog is physically attacked or killed, a person who uses lethal means to destroy a gray wolf shall produce the dog that was attacked for inspection by department officials. A person who violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not less than \$100.00 or more than \$1,000.00, or both, and the costs of prosecution.

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

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

History: 2008, Act 318, Imd. Eff. Dec. 18, 2008.

Compiler's note: Enacting section 1 of Act 318 of 2008 provides:

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

For transfer of powers and duties of department of natural resources and environment to department of natural resources, see E.R.O. No. 2011-1, compiled at MCL 324.99921.