

State Appeals Court finds Michigan's 2014 wolf hunt unconstitutional Sault Tribe encouraged by ruling

SAULT STE. MARIE, Mich. - The State of Michigan Court of Appeals released its decision Nov. 22 in *Keep Michigan Wolves Protected v The Michigan Department of Natural Resources and Natural Resources Commission*, that PA 281, "The Scientific Fish and Wildlife Conservation Act" enacted in August 2014, violates the state's Constitution, making the 2014 wolf hunt unconstitutional.

"I am encouraged by the ruling that the Michigan wolf hunt is unconstitutional," said Sault Ste. Marie Tribe of Chippewa Indians Chairperson Aaron Payment. "The Three Fires people -- the Anishinaabeg -- are hunters, gatherers and fishers. However, an enduring tribal cultural value is that you 'take what you need and leave the rest'. We don't hunt our Brother Maingun (Wolf) because to do so is only for sport. I am grateful for all of the hard work of the volunteers and petitioners who have kept the faith, the United Tribes of Michigan and the Humane Society of the United States for their advocacy on this issue."

Chairperson Payment also serves as the chairperson of the Chippewa Ottawa Resource Authority and the newly elected president of the United Tribes of Michigan.

The law violates the "Title-Object Clause of the Michigan Constitution, Const 1963, art 2 §24," according to the unanimous decision of the three-judge panel. The clause states, "No law shall embrace more than one object, which shall be expressed in its title."

Keep Michigan Wolves Protected contended, that the provisions allowing for free hunting, trapping and fishing licenses to qualified active members of the military and appropriating \$1 million to address the threat of invasive fish species, violate the single-object requirement because they have no necessary connection to each other or to the act's general purpose. Although the court did find the appropriation at least germane to the purpose of PA 281, free hunting, trapping, and fishing licenses to qualified active members of the military was not.

"We agree with plaintiff, however, that the act's amendment to MCL 324.43536a, which provides free hunting, trapping, and fishing licenses to qualified active members of the military, has no necessary connection to the scientific management of fish, wildlife, and their habitats," said the Court in its decision.

###