

SENATE BILL No. 289

April 9, 2013, Introduced by Senators CASPERSON, HILDENBRAND, BOOHER and MEEKHOF and referred to the Committee on Natural Resources, Environment and Great Lakes.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the title and section 40113a (MCL 324.40113a), the title as amended by 2005 PA 116 and section 40113a as amended by 1997 PA 19.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; **TO PROTECT THE PEOPLE'S RIGHT TO HUNT AND FISH**; to prescribe the powers and duties of certain state and local

1 agencies and officials; to provide for certain charges, fees,
2 assessments, and donations; to provide certain appropriations; to
3 prescribe penalties and provide remedies; and to repeal acts and
4 parts of acts.

5 Sec. 40113a. (1) The legislature finds and declares that:

6 (a) The wildlife populations of the state and their habitat
7 are of paramount importance to the citizens of this state.

8 (b) The sound scientific management of the wildlife
9 populations of the state, including hunting of bear, is declared to
10 be in the public interest.

11 (c) The sound scientific management of bear populations in
12 this state is necessary to minimize human/bear encounters and to
13 prevent bears from threatening or harming humans, livestock, and
14 pets.

15 (2) The commission ~~of natural resources shall have~~ **HAS** the
16 exclusive authority to regulate the taking of game as defined in
17 section 40103 in this state. The commission ~~of natural resources~~
18 shall, to the greatest extent practicable, utilize principles of
19 sound scientific management in making decisions regarding the
20 taking of game. Issuance of orders by the commission ~~of natural~~
21 ~~resources~~ regarding the taking of game shall be made following a
22 public meeting and an opportunity for public input. Not less than
23 30 days before issuing an order, the commission ~~of natural~~
24 ~~resources~~ shall provide a copy of the order to each of the
25 following:

26 (a) Each member of each standing committee of the senate or
27 house of representatives that considers legislation pertaining to

1 conservation, the environment, natural resources, recreation,
2 tourism, or agriculture.

3 (b) The chairperson of the senate appropriations committee and
4 the chairperson of the house of representatives appropriations
5 committee.

6 (c) The members of the subcommittee of the senate
7 appropriations committee and the subcommittee of the house of
8 representatives appropriations committee that consider the budget
9 of the department of natural resources.

10 (3) THE LEGISLATURE DECLARES THAT HUNTING, FISHING, AND THE
11 TAKING OF GAME ARE A VALUED PART OF THE CULTURAL HERITAGE OF THIS
12 STATE AND SHOULD BE FOREVER PRESERVED. THE LEGISLATURE FURTHER
13 DECLARES THAT THESE ACTIVITIES PLAY AN IMPORTANT PART IN THE
14 STATE'S ECONOMY AND IN THE CONSERVATION, PRESERVATION, AND
15 MANAGEMENT OF THE STATE'S NATURAL RESOURCES. THEREFORE, THE
16 LEGISLATURE DECLARES THAT THE CITIZENS OF THIS STATE HAVE A RIGHT
17 TO HUNT, FISH, AND TAKE GAME, SUBJECT TO THE REGULATIONS AND
18 RESTRICTIONS PRESCRIBED BY SUBSECTION (2) AND LAW.