

Act No. 22  
Public Acts of 2013  
Approved by the Governor  
May 8, 2013  
Filed with the Secretary of State  
May 8, 2013  
EFFECTIVE DATE: May 8, 2013

**STATE OF MICHIGAN  
97TH LEGISLATURE  
REGULAR SESSION OF 2013**

Introduced by Senators Casperson, Hildenbrand, Booher and Meekhof

# **ENROLLED SENATE BILL No. 289**

AN ACT to amend 1994 PA 451, entitled "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 prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," 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:*

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

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

- (a) The wildlife populations of the state and their habitat are of paramount importance to the citizens of this state.
- (b) The sound scientific management of the wildlife populations of the state, including hunting of bear, is declared to be in the public interest.
- (c) The sound scientific management of bear populations in this state is necessary to minimize human/bear encounters and to prevent bears from threatening or harming humans, livestock, and pets.

(2) The commission has the exclusive authority to regulate the taking of game as defined in section 40103 in this state. The commission shall, to the greatest extent practicable, utilize principles of sound scientific management in making decisions regarding the taking of game. Issuance of orders by the commission regarding the taking of game shall

be made following a public meeting and an opportunity for public input. Not less than 30 days before issuing an order, the commission shall provide a copy of the order to each of the following:

(a) Each member of each standing committee of the senate or house of representatives that considers legislation pertaining to conservation, the environment, natural resources, recreation, tourism, or agriculture.

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

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

(3) The legislature declares that hunting, fishing, and the taking of game are a valued part of the cultural heritage of this state and should be forever preserved. The legislature further declares that these activities play an important part in the state's economy and in the conservation, preservation, and management of the state's natural resources. Therefore, the legislature declares that the citizens of this state have a right to hunt, fish, and take game, subject to the regulations and restrictions prescribed by subsection (2) and law.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Gay E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor