

# HOUSE BILL No. 4189

February 7, 1991, Introduced by Rep. Alley and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend section 2 of Act No. 203 of the Public Acts of 1974, entitled  
"Endangered species act of 1974,"  
as amended by Act No. 404 of the Public Acts of 1982, being section 299.222 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 2 of Act No. 203 of the Public Acts of  
2 1974, as amended by Act No. 404 of the Public Acts of 1982, being  
3 section 299.222 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 2. As used in this act:

6       (a) "Commission" means the commission of ~~natural resources~~  
7 CONSERVATION AND RECREATION.

8       (b) "Department" means the department of natural resources.

1 (c) "Director" means the director of the department or the  
2 director's authorized representative.

3 (d) "Endangered species" means any species of fish, plant  
4 life, or wildlife which is in danger of extinction throughout all  
5 or a significant part of its range other than a species of inse-  
6 cta determined by the commission or the secretary of the United  
7 States department of the interior to constitute a pest whose pro-  
8 tection under this act would present an overwhelming and overrid-  
9 ing risk to man.

10 (e) "Fish or wildlife" means any member of the animal king-  
11 dom, including any mammal, fish, amphibian, mollusk, crustacean,  
12 arthropod, or other invertebrate, and includes any part, product,  
13 egg, or offspring, or the dead body or parts thereof. Fish or  
14 wildlife includes migratory birds, nonmigratory birds, or endan-  
15 gered birds for which protection is afforded by treaty or other  
16 international agreement.

17 (f) "Import" means to bring into, or introduce into, or  
18 attempt to bring into, or introduce into, any place subject to  
19 the jurisdiction of this state.

20 (g) "Person" means an individual, corporation, partnership,  
21 trust, association, or any other private entity, or any officer,  
22 agent, department, or instrumentality of the federal government,  
23 of a state or political subdivision of a state, or of any foreign  
24 government.

25 (h) "Plant or plant life" means any member of the plant  
26 kingdom, including seeds, roots, and other parts of a member of  
27 the plant kingdom.

1 (i) "Species" includes any subspecies of fish, plant life,  
2 or wildlife and any other group of fish, plants, or wildlife of  
3 the same species or smaller taxa in common spatial arrangement  
4 that interbreed or cross-pollinate when mature.

5 (j) "Take" means, in reference to fish and wildlife, to  
6 harass, harm, pursue, hunt, shoot, wound, kill, trap, capture,  
7 collect, or attempt to engage in any such conduct.

8 (k) "Take" means, in reference to plants, to collect, pick,  
9 cut, dig up, or destroy in any manner.

10 (l) "Threatened species" means any species which is likely  
11 to become an endangered species within the foreseeable future  
12 throughout all or a significant portion of its range.

13 Section 2. This amendatory act shall not take effect unless  
14 all of the following bills of the 86th Legislature are enacted  
15 into law:

16 (a) Senate Bill No. \_\_\_\_ or House Bill No. ~~4177~~ (request  
17 no. 00827'91).

18 (b) Senate Bill No. \_\_\_\_ or House Bill No. 4173 (request  
19 no. 00827'91 a).