



SENATE BILL No. 69

January 17, 1995, Introduced by Senator BERRYMAN and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend section 8 of Act No. 256 of the Public Acts of 1988, entitled "Wildlife conservation act," being section 300.258 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 8 of Act No. 256 of the Public Acts of
2 1988, being section 300.258 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 8. (1) The commission shall manage animals in this
5 state. In managing animals, the commission may issue orders to
6 do all of the following:

7 (a) Make recommendations to the legislature regarding ani-
8 mals that should be added or deleted from the category of game.

9 (b) Determine the kinds of animals that may be taken.

- 1 (c) Determine the animals that are protected.
- 2 (d) Except as otherwise provided in section 11, establish
3 open seasons for taking or possessing game.
- 4 (e) Establish lawful methods of taking game.
- 5 (f) Establish lawful methods of taking game for persons who
6 have certain handicaps.
- 7 (g) Establish bag limits.
- 8 (h) Establish geographic areas within the state where cer-
9 tain regulations may apply to the taking of animals.
- 10 (i) Determine conditions under which permits may be issued
11 by the ~~director~~ DEPARTMENT.
- 12 (j) Establish fees for the issuing of permits by the
13 ~~director~~ DEPARTMENT.
- 14 (k) Regulate the hours during which animals may be taken.
- 15 (l) Require that a person involved in a chase of an animal
16 have in his or her possession a valid license that would autho-
17 rize the taking of the animal being chased.
- 18 (m) Establish conditions under which animals taken or pos-
19 sessed outside of this state may be imported into this state.
- 20 (n) Regulate the buying and selling of animals and parts of
21 animals.
- 22 (o) Establish methods of taking animals, that are primarily
23 taken because of the value of their pelts, which supplement the
24 lawful methods of taking such animals that exist on ~~the effec-~~
25 ~~tive date of this section~~ OCTOBER 1, 1988.
- 26 (2) In exercising a power under this section, the commission
27 shall comply with the following procedure in a manner that

1 assures adequate public notice, opportunity for public comment,
2 and due regard for traditional methods and practices that were
3 lawful prior to ~~the effective date of this act~~ OCTOBER 1,
4 1988:

5 (a) An order shall be prepared by the ~~director~~ DEPARTMENT
6 after comments from department field personnel and interested
7 persons have been solicited and considered.

8 (b) The order shall be on the commission agenda for at least
9 1 month prior to its consideration by the commission.

10 (c) The commission shall provide an opportunity for public
11 comment on the order.

12 (d) Except as otherwise provided in this subdivision, the
13 commission prior to issuance of an order shall provide a copy of
14 each order to each member of the senate and the house of repre-
15 sentatives standing committees that consider legislation pertain-
16 ing to conservation, environment, recreation, tourism, and natu-
17 ral resources. The members of the standing committees shall have
18 30 days to review and submit comments to the commission regarding
19 an order. This subdivision shall not apply to an order that does
20 not alter the substance of a lawful provision that exists in the
21 form of a statute, rule, regulation, or order at the time the
22 order is prepared.

23 (e) The commission shall approve, reject, or modify the
24 order.

25 (3) The commission may revise an order issued pursuant to
26 this section and any revision of such an order shall comply with
27 the procedure set forth in subsection (2).

~~1 (4) Not later than January 1, 1990, the commission shall~~
~~2 issue orders pursuant to subsection (1) that the commission con-~~
~~3 sider sufficient to take the place of the game law of 1929, Act~~
~~4 No. 286 of the Public Acts of 1929, being sections 311.1 to 315.5~~
~~5 of the Michigan Compiled Laws. The commission shall file the~~
~~6 orders with the secretary of state and shall designate the orders~~
~~7 as being the orders that are intended to result in the repeal of~~
~~8 Act No. 286 of the Public Acts of 1929. The orders filed with~~
~~9 the secretary of state pursuant to this subsection shall indicate~~
~~10 that the orders become effective upon filing with the secretary~~
~~11 of state.~~