

SUBSTITUTE FOR
HOUSE BILL NO. 4597
(As amended May 3, 2007)

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 504 (MCL 324.504), as amended by 2004 PA 130.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 504. (1) The department shall promulgate rules ~~for the~~
2 ~~protection of the~~ **TO PROTECT AND PRESERVE** lands and **OTHER** property
3 under its control ~~against wrongful use or occupancy as will ensure~~
4 ~~the carrying out of the intent of this part to protect the lands~~
5 ~~and property from depredations and to preserve the lands and~~
6 ~~property from molestation, spoilation, destruction, or any other~~
7 **FROM DEPREDAATION, DAMAGE, OR DESTRUCTION OR WRONGFUL OR** improper
8 use or occupancy.

9 (2) **[SUBJECT TO SUBSECTION (4),]** THE DEPARTMENT SHALL DO ALL OF THE
FOLLOWING:

10 (A) KEEP LAND UNDER ITS CONTROL OPEN TO HUNTING UNLESS THE

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DEPARTMENT DETERMINES THAT THE LAND SHOULD BE CLOSED TO HUNTING

BECAUSE OF PUBLIC SAFETY, FISH OR WILDLIFE MANAGEMENT, OR HOMELAND

SECURITY CONCERNS OR AS OTHERWISE REQUIRED BY LAW.

(B) MANAGE LAND UNDER ITS CONTROL TO SUPPORT AND PROMOTE

HUNTING OPPORTUNITIES TO THE EXTENT AUTHORIZED BY LAW.

(C) MANAGE LAND UNDER ITS CONTROL TO PREVENT ANY NET DECREASE

IN THE ACREAGE OF SUCH LAND THAT IS OPEN TO HUNTING.

(3) [SUBJECT TO SUBSECTION (4),] BY APRIL 1, 2008 AND EACH YEAR
THEREAFTER, THE DEPARTMENT

SHALL SUBMIT TO THE LEGISLATURE A REPORT THAT INCLUDES ALL OF THE

FOLLOWING:

(A) THE LOCATION AND ACREAGE OF LAND UNDER ITS CONTROL
PREVIOUSLY OPEN TO HUNTING THAT THE DEPARTMENT CLOSED TO HUNTING
DURING THE 1-YEAR PERIOD ENDING THE PRECEDING MARCH 1, TOGETHER
WITH THE REASONS FOR THE CLOSURE.

(B) THE LOCATION AND ACREAGE OF LAND UNDER ITS CONTROL
PREVIOUSLY CLOSED TO HUNTING THAT THE DEPARTMENT OPENED TO HUNTING
DURING THE 1-YEAR PERIOD ENDING THE PRECEDING MARCH 1 TO COMPENSATE
FOR LAND CLOSED TO HUNTING UNDER SUBDIVISION (A).

[(4) SUBSECTIONS (2) AND (3) DO NOT APPLY TO COMMERCIAL FORESTLAND
AS DEFINED IN SECTION 51101.

[(5)] ~~(2)~~—This section does not ~~allow~~ AUTHORIZE the department
to promulgate a rule that applies to commercial fishing except as
otherwise provided by law.

[(6)] ~~(3)~~—The department shall not promulgate or enforce a rule
that prohibits an individual who is licensed or exempt from
licensure under 1927 PA 372, MCL 28.421 to 28.435, from carrying a
pistol in compliance with that act, whether concealed or otherwise,
on property under the control of the department.

[(7)] ~~(4)~~—The department shall issue orders necessary to

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1 implement rules promulgated under this section. These orders shall
2 be effective upon posting.

3 **[(8)]** ~~(5)~~—A person who violates a rule promulgated under this
4 section or an order issued under this section is responsible for a
5 state civil infraction and may be ordered to pay a civil fine of
6 not more than \$500.00.