

SUBSTITUTE FOR
SENATE BILL NO. 1077

A bill to amend 2008 PA 290, entitled

"An act to authorize the removal, capture, or lethal control of a gray wolf that is preying upon livestock under certain circumstances; and to provide for penalties,"

(MCL 324.95151 to 324.95153) by adding section 5.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5. (1) SECTIONS 1 AND 3 SHALL NOT BE OPERATIONAL AND
2 ENFORCEABLE UNTIL 1 OF THE FOLLOWING OCCURS:

3 (A) A FINAL APPELLATE COURT ISSUES A DECISION OVERRULING THE
4 DECISION OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
5 COLUMBIA IN THE HUMANE SOCIETY OF THE UNITED STATES V DIRK
6 KEMPTHORNE, CIVIL ACTION NO. 07-0677 (D.C.C. SEPTEMBER 29, 2008),
7 AND PERMITS THE FINAL RULE OF THE UNITED STATES FISH AND WILDLIFE

1 SERVICE IN 72 FR P. 6052 (FEBRUARY 8, 2007) REMOVING GRAY WOLVES
2 LOCATED IN THIS STATE FROM THE LIST OF ENDANGERED AND THREATENED
3 WILDLIFE ESTABLISHED UNDER THE FEDERAL ENDANGERED SPECIES ACT OF
4 1973 TO TAKE EFFECT.

5 (B) THE UNITED STATES FISH AND WILDLIFE SERVICE PROMULGATES A
6 FINAL RULE DATED AFTER MARCH 12, 2007 THAT REMOVES GRAY WOLVES
7 LOCATED IN THIS STATE FROM THE LIST OF ENDANGERED AND THREATENED
8 WILDLIFE ESTABLISHED UNDER THE FEDERAL ENDANGERED SPECIES ACT OF
9 1973 AND THAT FINAL RULE TAKES EFFECT.

10 (2) UPON SECTIONS 1 AND 3 BECOMING OPERATIONAL AND ENFORCEABLE
11 PURSUANT TO SUBSECTION (1), THE DEPARTMENT SHALL POST A NOTICE ON
12 THE DEPARTMENT'S WEBSITE THAT INCLUDES ALL OF THE FOLLOWING:

13 (A) THE DATE SECTIONS 1 AND 3 ARE OPERATIONAL AND ENFORCEABLE
14 PURSUANT TO SUBSECTION (1).

15 (B) A SUMMARY OF THE PROVISIONS OF SECTIONS 1 AND 3.