

Act No. 317  
Public Acts of 2008  
Approved by the Governor  
December 17, 2008  
Filed with the Secretary of State  
December 18, 2008  
EFFECTIVE DATE: December 18, 2008

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2008**

**Introduced by Senators Prusi, Gleason, Jelinek, Patterson, Barcia, Switalski and Kuipers**

# **ENROLLED SENATE BILL No. 1077**

AN ACT 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:*

Sec. 5. (1) Sections 1 and 3 shall not be operational and enforceable until 1 of the following occurs:

(a) A final appellate court issues a decision overruling the decision of the United States district court for the District of Columbia in The Humane Society of the United States v Dirk Kempthorne, civil action no. 07-0677 (D.C.C. September 29, 2008), and permits the final rule of the United States fish and wildlife service in 72 FR p 6052 (February 8, 2007) removing gray wolves located in this state from the list of endangered and threatened wildlife established under the federal endangered species act of 1973 to take effect.

(b) The United States fish and wildlife service promulgates a final rule dated after March 12, 2007 that removes gray wolves located in this state from the list of endangered and threatened wildlife established under the federal endangered species act of 1973 and that final rule takes effect.

(2) Upon sections 1 and 3 becoming operational and enforceable pursuant to subsection (1), the department shall post a notice on the department's website that includes all of the following:

(a) The date sections 1 and 3 are operational and enforceable pursuant to subsection (1).

(b) A summary of the provisions of sections 1 and 3.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Richard J. Brown*

Clerk of the House of Representatives

Approved \_\_\_\_\_

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Governor