

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1013

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding sections 40110a, 43528a, and
43540d; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 40110A. THE LEGISLATURE HEREBY AUTHORIZES THE
2 ESTABLISHMENT OF THE FIRST OPEN SEASON FOR MOOSE. THE COMMISSION
3 MAY ISSUE ORDERS PERTAINING TO MOOSE FOR EACH OF THE PURPOSES
4 LISTED IN SECTION 40113A, INCLUDING, BUT NOT LIMITED TO, ORDERS
5 ESTABLISHING THE FIRST OPEN SEASON FOR MOOSE.

1 SEC. 43528A. (1) A RESIDENT SHALL NOT HUNT MOOSE WITHOUT A
2 MOOSE HUNTING LICENSE. THE FEE FOR A MOOSE HUNTING LICENSE IS
3 \$100.00. THE DEPARTMENT MAY ESTABLISH A NONREFUNDABLE APPLICATION
4 FEE NOT TO EXCEED \$4.00 FOR EACH PERSON WHO APPLIES FOR A MOOSE
5 HUNTING LICENSE.

6 (2) THE DEPARTMENT MAY ISSUE A KILL TAG WITH, OR AS PART OF, A
7 MOOSE HUNTING LICENSE. SECTION 43526(2) APPLIES WITH RESPECT TO A
8 MOOSE HUNTING LICENSE.

9 SEC. 43540D. (1) THE MOOSE HUNTING ADVISORY COUNCIL IS CREATED
10 WITHIN THE DEPARTMENT.

11 (2) THE COUNCIL SHALL CONSIST OF THE FOLLOWING 7 MEMBERS:

12 (A) THE DIRECTOR OF THE DEPARTMENT, OR HIS OR HER DESIGNEE.

13 (B) ONE MEMBER REPRESENTING AN ORGANIZATION THAT PROMOTES
14 CONSERVATION IN THIS STATE APPOINTED BY THE DIRECTOR.

15 (C) TWO MEMBERS REPRESENTING ORGANIZATIONS THAT PROMOTE
16 HUNTING OR FISHING IN THIS STATE APPOINTED BY THE DIRECTOR.

17 (D) ONE MEMBER APPOINTED BY THE DIRECTOR FROM A LIST OF 3
18 NAMES PROVIDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

19 (E) ONE MEMBER APPOINTED BY THE DIRECTOR FROM A LIST OF 3
20 NAMES PROVIDED BY THE MAJORITY LEADER OF THE SENATE.

21 (F) ONE MEMBER SELECTED BY THE MICHIGAN INTERTRIBAL COUNCIL.

22 (3) THE MEMBERS APPOINTED TO THE COUNCIL SHALL BE APPOINTED
23 WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
24 ADDED THIS SECTION.

25 (4) THE FIRST MEETING OF THE COUNCIL SHALL BE CALLED BY THE
26 DIRECTOR OF THE DEPARTMENT WITHIN 60 DAYS AFTER THE EFFECTIVE DATE
27 OF THE AMENDATORY ACT THAT ADDED THIS SECTION. AT THE FIRST

1 MEETING, THE COUNCIL SHALL ELECT FROM AMONG ITS MEMBERS A
2 CHAIRPERSON AND OTHER OFFICERS AS IT CONSIDERS NECESSARY OR
3 APPROPRIATE. AFTER THE FIRST MEETING, THE COUNCIL SHALL MEET AT
4 LEAST QUARTERLY, OR MORE FREQUENTLY AT THE CALL OF THE CHAIRPERSON
5 OR IF REQUESTED BY A MAJORITY OF THE MEMBERS.

6 (5) A MAJORITY OF THE MEMBERS OF THE COUNCIL CONSTITUTE A
7 QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE COUNCIL.
8 A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR
9 OFFICIAL ACTION OF THE COUNCIL.

10 (6) THE BUSINESS THAT THE COUNCIL MAY PERFORM SHALL BE
11 CONDUCTED AT A PUBLIC MEETING OF THE COUNCIL HELD IN COMPLIANCE
12 WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

13 (7) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
14 RETAINED BY THE COUNCIL IN THE PERFORMANCE OF AN OFFICIAL FUNCTION
15 IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL
16 15.231 TO 15.246.

17 (8) MEMBERS OF THE COUNCIL SHALL SERVE WITHOUT COMPENSATION.
18 HOWEVER, MEMBERS OF THE COUNCIL MAY BE REIMBURSED FOR THEIR ACTUAL
19 AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR
20 OFFICIAL DUTIES AS MEMBERS OF THE COUNCIL.

21 (9) THE COUNCIL SHALL, WITHIN 12 MONTHS AFTER THE EFFECTIVE
22 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, SUBMIT TO THE
23 DEPARTMENT, COMMISSION, AND THE LEGISLATURE A REPORT THAT MAKES
24 RECOMMENDATIONS ON WHETHER THE MOOSE HUNTING SEASON ESTABLISHED
25 PURSUANT TO SECTION 40110A SHOULD BE EXPANDED IN THIS STATE. THE
26 REPORT SHALL TAKE INTO ACCOUNT THE EFFECT AN EXPANDED MOOSE HUNTING
27 SEASON WOULD HAVE ON THE MOOSE POPULATION IN THIS STATE AND THE

1 POTENTIAL ECONOMIC BENEFITS OF SUCH A SEASON. IF THE COUNCIL
2 RECOMMENDS AN EXPANDED MOOSE HUNTING SEASON, THE REPORT SHALL ALSO
3 CONTAIN A RECOMMENDED SEASON LENGTH AND THE NUMBER OF MOOSE TO BE
4 TAKEN.

5 (10) THIS SECTION IS REPEALED EFFECTIVE 12 MONTHS AFTER THE
6 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.