

SENATE BILL No. 1013

December 9, 2009, Introduced by Senators ALLEN, PRUSI, JANSEN and CROPSEY and referred to the Committee on Hunting, Fishing and Outdoor Recreation.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 40110A. WITHIN 1 YEAR OF THE EFFECTIVE DATE OF THE
2 AMENDATORY ACT THAT ADDED THIS SECTION, THE COMMISSION SHALL ISSUE
3 ORDERS UNDER SECTION 40113A ESTABLISHING AN ANNUAL MOOSE HUNTING
4 SEASON. THE ORDERS SHALL PROVIDE THAT AT LEAST 1 MOOSE MAY BE TAKEN
5 DURING EACH MOOSE HUNTING SEASON.

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

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

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

2 (B) ONE MEMBER REPRESENTING AN ORGANIZATION THAT PROMOTES
3 CONSERVATION IN THIS STATE APPOINTED BY THE GOVERNOR.

4 (C) TWO MEMBERS REPRESENTING ORGANIZATIONS THAT PROMOTE
5 HUNTING OR FISHING IN THIS STATE APPOINTED BY THE GOVERNOR.

6 (D) ONE MEMBER APPOINTED BY THE GOVERNOR FROM A LIST OF 3
7 NAMES PROVIDED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

8 (E) ONE MEMBER APPOINTED BY THE GOVERNOR FROM A LIST OF 3
9 NAMES PROVIDED BY THE MAJORITY LEADER OF THE SENATE.

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

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

14 (4) THE FIRST MEETING OF THE COUNCIL SHALL BE CALLED BY THE
15 DIRECTOR OF THE DEPARTMENT WITHIN 60 DAYS AFTER THE EFFECTIVE DATE
16 OF THE AMENDATORY ACT THAT ADDED THIS SECTION. AT THE FIRST
17 MEETING, THE COUNCIL SHALL ELECT FROM AMONG ITS MEMBERS A
18 CHAIRPERSON AND OTHER OFFICERS AS IT CONSIDERS NECESSARY OR
19 APPROPRIATE. AFTER THE FIRST MEETING, THE COUNCIL SHALL MEET AT
20 LEAST QUARTERLY, OR MORE FREQUENTLY AT THE CALL OF THE CHAIRPERSON
21 OR IF REQUESTED BY A MAJORITY OF THE MEMBERS.

22 (5) A MAJORITY OF THE MEMBERS OF THE COUNCIL CONSTITUTE A
23 QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE COUNCIL.
24 A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR
25 OFFICIAL ACTION OF THE COUNCIL.

26 (6) THE BUSINESS THAT THE COUNCIL MAY PERFORM SHALL BE
27 CONDUCTED AT A PUBLIC MEETING OF THE COUNCIL HELD IN COMPLIANCE

1 WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

2 (7) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
3 RETAINED BY THE COUNCIL IN THE PERFORMANCE OF AN OFFICIAL FUNCTION
4 IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL
5 15.231 TO 15.246.

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

10 (9) THE COUNCIL SHALL, WITHIN 12 MONTHS AFTER THE EFFECTIVE
11 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, SUBMIT TO THE
12 DEPARTMENT, COMMISSION, AND THE LEGISLATURE A REPORT THAT MAKES
13 RECOMMENDATIONS ON WHETHER THE MOOSE HUNTING SEASON ESTABLISHED
14 PURSUANT TO SECTION 40110A SHOULD BE EXPANDED IN THIS STATE. THE
15 REPORT SHALL TAKE INTO ACCOUNT THE EFFECT AN EXPANDED MOOSE HUNTING
16 SEASON WOULD HAVE ON THE MOOSE POPULATION IN THIS STATE AND THE
17 POTENTIAL ECONOMIC BENEFITS OF SUCH A SEASON. IF THE COUNCIL
18 RECOMMENDS AN EXPANDED MOOSE HUNTING SEASON, THE REPORT SHALL ALSO
19 CONTAIN A RECOMMENDED SEASON LENGTH AND THE NUMBER OF MOOSE TO BE
20 TAKEN.

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