

Act No. 47
Public Acts of 2009
Approved by the Governor
June 18, 2009
Filed with the Secretary of State
June 18, 2009
EFFECTIVE DATE: June 18, 2009

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Reps. Nerat, Melton, Byrnes, Rocca, Lindberg, Lahti, McDowell, Neumann, Bauer, Sheltrown and Scripps

ENROLLED HOUSE BILL No. 4286

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 504 (MCL 324.504), as amended by 2004 PA 130.

The People of the State of Michigan enact:

Sec. 504. (1) The department shall promulgate rules to protect and preserve lands and other property under its control from depredation, damage, or destruction or wrongful or improper use or occupancy.

(2) Subject to subsection (4), the department shall do all of the following:

(a) Keep land under its control open to hunting unless the 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, 2010 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.

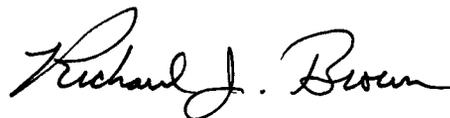
(5) This section does not authorize the department to promulgate a rule that applies to commercial fishing except as otherwise provided by law.

(6) 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) The department shall issue orders necessary to implement rules promulgated under this section. These orders shall be effective upon posting.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor