

# HOUSE BILL No. 4189

February 9, 2017, Introduced by Reps. Hornberger, Hughes, Frederick and Lucido and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 504 (MCL 324.504), as amended by 2009 PA 47.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

7       (a) Keep land under its control open to hunting unless,  
8 **SUBJECT TO SUBDIVISION (C)**, the department determines that the land  
9 should be closed to hunting because of public safety, fish or  
10 wildlife management, or homeland security concerns or as otherwise

1 required by law.

2 (b) Manage land under its control to support and promote  
3 hunting opportunities to the extent authorized by law.

4 (c) Manage land under its control ~~to prevent any net decrease~~  
5 **SO THERE IS NO NET LOSS** in the acreage of such land that is open to  
6 hunting.

7 (3) Subject to subsection (4), by April 1, ~~2010 and each~~  
8 year, ~~thereafter,~~ the department shall submit to the legislature a  
9 report that includes all of the following:

10 (a) The location and acreage of land under its control  
11 previously open to hunting that the department closed to hunting  
12 during the 1-year period ending the preceding March 1, together  
13 with the reasons for the closure.

14 (b) The location and acreage of land under its control  
15 previously closed to hunting that the department opened to hunting  
16 during the 1-year period ending the preceding March 1 to compensate  
17 for land closed to hunting under subdivision (a).

18 (4) ~~Subsections~~ **FOR THE PURPOSE OF SUBSECTIONS** (2) and (3), ~~do~~  
19 ~~not apply to~~ **LAND UNDER THE CONTROL OF THE DEPARTMENT IS CONSIDERED**  
20 **TO INCLUDE** commercial forestland as defined in section 51101.

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

24 (6) The department shall not promulgate or enforce a rule that  
25 prohibits an individual who is licensed or exempt from licensure  
26 under 1927 PA 372, MCL 28.421 to 28.435, from carrying a pistol in  
27 compliance with that act, whether concealed or otherwise, on

1 property under the control of the department.

2 (7) The department shall issue orders necessary to implement  
3 rules promulgated under this section. These orders ~~shall be~~ **ARE**  
4 effective upon posting.

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

9 Enacting section 1. This amendatory act takes effect 90 days  
10 after the date it is enacted into law.