

SENATE BILL NO. 105

March 01, 2023, Introduced by Senators MCCANN, DALEY and CHERRY and referred to the Committee on Natural Resources and Agriculture.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 40113a (MCL 324.40113a), as amended by 2016 PA
382.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 40113a. (1) The legislature finds and declares that:
- 2 (a) The fish and wildlife populations of the state and their
- 3 habitat are of paramount importance to the citizens of this state.
- 4 (b) The conservation of fish and wildlife populations of the

1 state depend upon the wise use and sound scientific management of
2 the state's natural resources.

3 (c) The sound scientific management of the fish and wildlife
4 populations of the state, including hunting of bear, is declared to
5 be in the public interest.

6 (d) The sound scientific management of bear populations in
7 this state is necessary to minimize ~~human/bear~~ **human and bear**
8 encounters and to prevent bears from threatening or harming humans,
9 livestock, and pets.

10 (2) The commission has the exclusive authority to regulate the
11 taking of game as **that term is** defined in section 40103 **and to**
12 **regulate sport fishing under part 487** in this state, **including, but**
13 **not limited to, regulating the use of commercial hunting guides or**
14 **sport fishing guides in taking game and fish.** The commission shall,
15 to the greatest extent practicable, utilize principles of sound
16 scientific management in making decisions regarding the taking of
17 game. The commission may take testimony from department personnel,
18 independent experts, and others, and review scientific literature
19 and data, among other sources, in support of its duty to use
20 principles of sound scientific management. The commission shall
21 issue orders regarding the taking of game following a public
22 meeting and an opportunity for public input. Not less than 30 days
23 before issuing an order, the commission shall provide a copy of the
24 order to each of the following:

25 (a) Each member of each standing committee of the senate or
26 house of representatives that considers legislation pertaining to
27 conservation, the environment, natural resources, recreation,
28 tourism, or agriculture.

29 (b) The chairperson of the senate appropriations committee and

1 the chairperson of the house of representatives appropriations
2 committee.

3 (c) The members of the subcommittee of the senate
4 appropriations committee and the subcommittee of the house of
5 representatives appropriations committee that consider the budget
6 of the department of natural resources.

7 (3) The legislature declares that hunting, fishing, and the
8 taking of game are a valued part of the cultural heritage of this
9 state and should be forever preserved. The legislature further
10 declares that these activities play an important part in the
11 state's economy and in the conservation, preservation, and
12 management of the state's natural resources. Therefore, the
13 legislature declares that the citizens of this state have a right
14 to hunt, fish, and take game, subject to the regulations and
15 restrictions prescribed by subsection (2) and law.

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

18 Enacting section 2. This amendatory act does not take effect
19 unless all of the following bills of the 102nd Legislature are
20 enacted into law:

21 (a) Senate Bill No. 104.

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23 (b) Senate Bill No. 103.

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