A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40110, 40110a, 40110b, and 40113a (MCL 324.40110, 324.40110a, 324.40110b, and 324.40113a), sections 40110 and 40113a as amended by 2016 PA 382, section 40110a as added by 2010 PA 366, section 40110b as added by 2012 PA 520.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 40110. (1) Only the legislature, the UP commission, or
the commission may designate a wildlife species as game. Only the legislature, the UP commission, or the commission may establish the first open season for a game species designated under this section. The legislature retains the sole authority to remove a wildlife species from the list of game species. The UP commission or the commission shall exercise its authority under this subsection by issuing orders consistent with its duty to use principles of sound scientific wildlife management, as expressed in section 40113a. The UP commission or the commission may decline to issue orders authorizing an open season for a game species if doing so would conflict with principles of sound scientific wildlife management. The UP commission or the commission shall not designate any of the following as game under this subsection:

(a) A domestic animal.
(b) Livestock.
(c) Any species added to the game list by a public act that is rejected by a referendum before May 14, 2013.

(2) After the legislature, the UP commission, or the commission authorizes the establishment of the first open season for game under this section, the department may issue orders pertaining to that animal for each of the purposes listed in section 40107.

(3) As used in this section:
(a) "Domestic animal" means those species of animals that live under the husbandry of humans.
(b) "Livestock" includes, but is not limited to, cattle, sheep, new world camelids, goats, bison, privately owned cervids, ratites, swine, equine, poultry, and rabbits. Livestock does not include dogs and cats.
Sec. 40110a. The legislature hereby authorizes the establishment of the first open season for moose. The UP commission may issue orders pertaining to moose for each of the purposes listed in section 40113a, including, but not limited to, orders establishing the first open season for moose.

Sec. 40110b. (1) The legislature finds and declares that:

(a) The wildlife populations of the state and their habitat are of paramount importance to the citizens of this state.

(b) The sound management of wolf populations in this state is necessary, including the use of hunting as a management tool, to minimize negative human and wolf encounters and to prevent wolves from threatening or harming humans, livestock, and pets.

(2) The legislature hereby authorizes the establishment of the first open season for wolf. The UP commission may issue orders under section 40113a establishing annual wolf hunting seasons throughout the state in the Upper Peninsula.

Sec. 40113a. (1) The legislature finds and declares that:

(a) The fish and wildlife populations of the state and their habitat are of paramount importance to the citizens of this state.

(b) The conservation of fish and wildlife populations of the state depend upon the wise use and sound scientific management of the state's natural resources.

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

(d) The sound scientific management of bear populations in this state is necessary to minimize human/bear encounters and to prevent bears from threatening or harming humans, livestock, and pets.
(2) Except as otherwise provided in this subsection, the commission has the exclusive authority to regulate the taking of game as defined in section 40103 in this state. The UP commission has the exclusive authority to regulate the taking of game that only has an impact on the Upper Peninsula or that has no significant impact outside the Upper Peninsula. The UP commission or the commission shall, to the greatest extent practicable, utilize principles of sound scientific management in making decisions regarding the taking of game. The UP commission or the commission may take testimony from department personnel, independent experts, and others, and review scientific literature and data, among other sources, in support of its duty to use principles of sound scientific management. The UP commission or the commission shall issue orders regarding the taking of game following a public meeting and an opportunity for public input. Not less than 30 days before issuing an order, the UP commission or the commission shall provide a copy of the order to each of the following:

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

(b) The chairperson of the senate appropriations committee and the chairperson of the house of representatives appropriations committee.

(c) The members of the subcommittee of the senate appropriations committee and the subcommittee of the house of representatives appropriations committee that consider the budget of the department of natural resources.
(3) The legislature declares that hunting, fishing, and the taking of game are a valued part of the cultural heritage of this state and should be forever preserved. The legislature further declares that these activities play an important part in the state's economy and in the conservation, preservation, and management of the state's natural resources. Therefore, the legislature declares that the citizens of this state have a right to hunt, fish, and take game, subject to the regulations and restrictions prescribed by subsection (2) and law.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 100th Legislature are enacted into law:

(a) Senate Bill No.____ or House Bill No.____ (request no. 04011'19).
(b) Senate Bill No.____ or House Bill No. 5593 (request no. 04014'19).
(c) Senate Bill No.____ or House Bill No. 5594 (request no. 04022'19).