

HOUSE BILL NO. 5955

March 22, 2022, Introduced by Reps. Pohutsky, Rogers, Hood, Aiyash, Breen, Cavanagh, Steckloff, Brabec, Manoogian, Sowerby, Brixie, Weiss, Kuppa, Hope, Puri, Morse, Young, Camilleri, Cynthia Johnson, Neeley, Thanedar, O'Neal, Peterson, Ellison, Stone, Hertel, Rabhi and Jones and referred to the Committee on Natural Resources and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 502, 503, and 504 (MCL 324.502, 324.503, and
324.504), section 502 as amended by 2004 PA 587, section 503 as
amended by 2018 PA 240, and section 504 as amended by 2018 PA 238.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1** Sec. 502. (1) The commission may promulgate rules, not
2 inconsistent with law, governing its organization and procedure.
3 (2) The department may do 1 or more of the following:

1 (a) Promulgate and enforce reasonable rules concerning the
2 **protection, conservation, use, and occupancy of ~~lands~~land, water,**
3 and property under ~~its~~**the department's** control, ~~in accordance with~~
4 **subject to** section 504.

5 (b) Provide and develop facilities for outdoor recreation.

6 (c) Conduct investigations it considers necessary for the
7 proper **protection, conservation, and management of land, water, and**
8 **property under the department's control through the** administration
9 of this part.

10 (d) Remove and dispose of forest products as required for the
11 protection, reforestation, and proper development and conservation
12 of the ~~lands~~**land** and property under the **department's** control. ~~of~~
13 ~~the department.~~

14 (e) Require the payment of a fee as provided by law for a
15 daily permit or other authorization ~~that allows the person to~~ hunt
16 and take waterfowl on a public hunting area managed and developed
17 for waterfowl.

18 (3) Except as provided in subsection (4), the department may
19 enter into contracts for the taking of coal, oil, gas, and other
20 mineral products from state owned ~~lands, upon~~**land, on** a royalty
21 basis or ~~upon~~ another basis, and ~~upon~~**on** the terms the department
22 considers just and equitable, subject to section 502a. This
23 contract power includes authorization to enter into contracts for
24 the storage of gas or other mineral products in or ~~upon~~**on** state
25 owned ~~lands, land,~~ if the consent of the state agency having
26 jurisdiction and control of the state owned land is first obtained.
27 A contract permitted under this ~~section~~**subsection** for the taking
28 of coal, oil, gas, or metallic mineral products, or for the storage
29 of gas or other mineral products, is not valid unless the contract

1 is approved by the state administrative board. Money received from
 2 a contract for the storage of gas or other mineral products in or
 3 ~~upon~~ ~~on~~ state lands ~~shall~~ **land must** be transmitted to the state
 4 treasurer for deposit in the general fund of ~~the~~ **this** state to be
 5 used ~~for the purpose of defraying~~ **to defray** the expenses incurred
 6 in the administration of this act and other purposes provided by
 7 law. ~~Other money~~ **Money** received from a contract permitted under
 8 this subsection, except money received from ~~lands~~ **land** acquired
 9 with money from the former game and fish protection fund or the
 10 game and fish protection account of the Michigan conservation and
 11 recreation legacy fund provided for in section 2010, ~~shall~~ **must** be
 12 transmitted to the state treasurer for deposit in the Michigan
 13 natural resources trust fund created in section 35 of article IX of
 14 the state constitution of 1963 and provided for in part 19.
 15 However, the money received from the payment of service charges by
 16 a person using areas managed for waterfowl ~~shall~~ **must** be credited
 17 to the game and fish protection account of the Michigan
 18 conservation and recreation legacy fund provided for in section
 19 2010 and used only for the purposes provided by law. Money received
 20 from bonuses, rentals, delayed rentals, royalties, and the direct
 21 sale of resources, including forest resources, from ~~lands~~ **land**
 22 acquired with money from the former game and fish protection fund
 23 or the game and fish protection account of the Michigan
 24 conservation and recreation legacy fund provided for in section
 25 2010 ~~shall~~ **must** be credited to the Michigan game and fish
 26 protection trust fund established in section 41 of article IX of
 27 the state constitution of 1963 and provided for in part 437, except
 28 as otherwise provided by law.

29 (4) The department shall not enter into a contract that allows

1 drilling operations beneath the lake bottomlands of the Great
2 Lakes, the connected bays or harbors of the Great Lakes, or ~~the a~~
3 connecting ~~waterways~~ **waterway** as **that term is** defined in section
4 32301, for the exploration or production of oil or gas.

5 (5) This section does not permit a contract for the taking of
6 gravel, sand, coal, oil, gas, or other metallic mineral products
7 that does not comply with applicable local ordinances and state
8 law.

9 Sec. 503. (1) The department shall protect and conserve the
10 **water and other** natural resources of this state **and the public**
11 **trust in those natural resources**; provide and develop facilities
12 for outdoor recreation; prevent the destruction of timber and other
13 forest growth by fire or otherwise; promote the reforestation of
14 forestlands belonging to this state; prevent and guard against the
15 pollution of lakes and streams within this state and enforce all
16 laws provided for that purpose with all authority granted by law;
17 and foster and encourage the protection and propagation of game and
18 fish. Before issuing an order or promulgating a rule under this act
19 that will designate or classify land managed by the department for
20 any purpose, the department shall consider, in addition to any
21 other matters required by law, all of the following:

22 (a) Providing for access to and use of the public land **and**
23 **water** for recreation and tourism.

24 (b) The existence of or potential for natural resources-based
25 industries, including forest management, mining, or oil and gas
26 development on the public land.

27 (c) The potential impact of the designation or classification
28 on private property in the immediate vicinity.

29 (2) The department has the power and jurisdiction over the

1 management, control, and disposition of all land under the public
2 domain **and over the management and control of all water under the**
3 **public domain**, except for ~~these lands~~ **land and water** under the
4 public domain that are managed by other state agencies to carry out
5 their assigned duties and responsibilities. On behalf of the people
6 of this state, the department may accept gifts and grants of land
7 and other property and may buy, sell, exchange, or condemn land and
8 other property, for any of the purposes of this part.

9 (3) If any payment under subpart 13 or 14 of part 21 or
10 section 51106 for land located north of the Mason-Arenac line is
11 not made in full and on time during a fiscal year, then, until the
12 end of that fiscal year, the department shall not purchase surface
13 rights to land located north of the Mason-Arenac line unless 1 or
14 both of the following apply:

15 (a) Full payment was made later during that fiscal year.

16 (b) The specific acquisition is approved by resolution adopted
17 by the following, as applicable:

18 (i) If the land is located in a single township, the township
19 board.

20 (ii) If the land is located in 2 or more townships, the county
21 board of commissioners of the county where the land is located.

22 (4) For the purposes of subsections (3) and (9), respectively,
23 land in which the department acquires or owns surface rights does
24 not include any of the following:

25 (a) Land acquired under an option agreement in effect on the
26 date when the payment described in subsection (3) became due if the
27 acquisition takes place within 120 days after the payment became
28 due.

29 (b) Land in which the department has a conservation easement.

1 (c) Land that, before July 2, 2012, was platted under the land
 2 division act, 1967 PA 288, MCL 560.101 to 560.293, or a predecessor
 3 act and acquired by the department.

4 (d) Any of the following if acquired on or after July 2, 2012:

5 (i) Land with an area of not more than 80 acres, or a right-of-
 6 way, for accessing other land owned by the department or for
 7 accessing the waters of the state as **that term is** defined in
 8 section 3101.

9 (ii) Land for a trail, subject to all of the following:

10 (A) If the traveled portion of the proposed trail is located
 11 within an abandoned railroad right-of-way, the land excluded is
 12 limited to the abandoned railroad right-of-way.

13 (B) If the traveled portion of the proposed trail is located
 14 in a utility easement, the land excluded is limited to the utility
 15 easement.

16 (C) If sub-subparagraphs (A) and (B) do not apply, the land
 17 excluded is limited to the traveled portion of the proposed trail
 18 and contiguous land. For the purposes of the exclusion, the area of
 19 the contiguous land ~~shall~~**must** not exceed the product of 100 feet
 20 multiplied by the length of the proposed trail in feet.

21 (iii) Land that, on July 2, 2012 was commercial forestland as
 22 **that term is** defined in section 51101 if the land continues to be
 23 used in a manner consistent with part 511.

24 (iv) Land acquired by the department by gift, including the
 25 gift of funds specifically dedicated to land acquisition.

26 (v) Land acquired by the department through litigation.

27 (5) The department shall maintain a record of land as
 28 described in subsection (4) (a) to (d). The record ~~shall~~**must**
 29 include the location, acreage, date of acquisition, and use of the

1 land.

2 (6) By October 1, 2014, the department shall develop a written
3 strategic plan to guide the acquisition and disposition of state
4 ~~lands~~**land** managed by the department, submit the plan to the
5 relevant legislative committees, and post the plan on the
6 department's website. In developing the plan, the department shall
7 solicit input from the public and local units of government.

8 (7) The strategic plan ~~shall~~**must** do all of the following:

9 (a) Divide this state into regions.

10 (b) Identify ~~lands~~**land and public bodies of water** managed by
11 the department in each region.

12 (c) Set forth for each region measurable strategic performance
13 goals with respect to all of the following for land managed by the
14 department:

15 (i) Maximizing availability of points of access to the land and
16 to bodies of water on or adjacent to the land.

17 (ii) Maximizing outdoor recreation opportunities.

18 (iii) Forests.

19 (iv) Wildlife and fisheries.

20 (d) To assist in achieving the **strategic performance** goals set
21 forth in the strategic plan ~~pursuant to~~**under** subdivision (c),
22 identify all of the following:

23 (i) Land to be acquired.

24 (ii) Land to be disposed of.

25 (iii) Plans for natural resource management.

26 (e) To the extent feasible, identify public ~~lands~~**land and**
27 **public bodies of water** in each region that are not managed by the
28 department but affect the achievement of the **strategic performance**
29 goals set forth in the strategic plan ~~pursuant to~~**under** subdivision

1 (c).

2 (f) Identify ways that the department can better coordinate
3 the achievement of the **strategic performance** goals set forth in the
4 strategic plan ~~pursuant to~~ **under** subdivision (c), recognizing that
5 public ~~lands are~~ **land and public bodies of water are** subject to
6 multiple uses and both motorized and nonmotorized uses.

7 (g) Identify critical trail connectors to enhance motorized
8 and nonmotorized natural-resource-dependent outdoor recreation
9 activities for public enjoyment.

10 (8) The legislature approves the strategic plan entitled
11 "Department of Natural Resources Managed Public Land Strategy"
12 issued by the department and dated July 1, 2013. The department
13 shall implement the most recent legislatively approved strategic
14 plan and shall not change the **strategic** plan except by a plan
15 update proposed ~~pursuant to~~ **under** subsection (10) and subsequently
16 approved by the legislature.

17 (9) The department shall annually submit to the relevant
18 legislative committees and post and annually update on the
19 department's website all of the following:

20 (a) A report on the implementation of the **strategic** plan.

21 (b) The number of acres of land in which the department owns
22 surface rights north of the Mason-Arenac line, south of the Mason-
23 Arenac line, and in total for this state.

24 (c) Information on the total number of each of the following:

25 (i) Acres of land managed by the department.

26 (ii) Acres of state park and state recreation area land.

27 (iii) Acres of state game and state waterfowl areas.

28 (iv) Acres of land managed by the department and open for
29 public hunting.

1 (v) Acres of state-owned mineral rights managed by the
2 department that are under a development lease.

3 (vi) Acres of state forestland.

4 (vii) Public boating access sites managed by the department.

5 (viii) Miles of motorized trails managed by the department.

6 (ix) Miles of nonmotorized trails managed by the department.

7 (10) For legislative consideration and approval, as provided
8 in subsection (8), by July 1, 2021, and every 6 years thereafter,
9 the department shall propose an update to the strategic plan,
10 submit the proposed updated **strategic** plan to the relevant
11 legislative committees, and post the proposed updated **strategic**
12 plan on the department's website. At least 60 days before posting
13 the proposed updated **strategic** plan, the department shall prepare,
14 submit to the relevant legislative committees, and post on the
15 department's website a report that covers all of the following and
16 includes department contact information for persons ~~who~~**that** wish
17 to comment on the report:

18 (a) Progress toward the goals set forth in the strategic plan
19 ~~pursuant to~~**under** subsection (7)(c).

20 (b) Any proposed changes to the goals, including the rationale
21 for the changes.

22 (c) The department's engagement and collaboration with local
23 units of government.

24 (11) Subject to subsection (12), if land owned by this state
25 and managed by the department, land owned by the federal
26 government, and land that is commercial forestland as **that term is**
27 defined in section 51101 constitute 40% or more of the land in a
28 county, the department shall not acquire land in that county if,
29 not more than 60 days after the department sent the notice of the

1 proposed acquisition to the board under section 2165, the
2 department receives a copy of a resolution rejecting the proposed
3 acquisition adopted by the following, as applicable:

4 (a) If the land is located in a single township, the township
5 board.

6 (b) If the land is located in 2 or more townships, the county
7 board of commissioners.

8 (12) Subsection (11) does not apply to land described in
9 subsection (4) (d).

10 (13) The department may accept funds, money, or grants for
11 development of salmon and steelhead trout fishing in this state
12 from the government of the United States, or any of its departments
13 or agencies, pursuant to the anadromous fish conservation act, 16
14 USC 757a to 757f, and may use this money in ~~accordance~~ **compliance**
15 with the terms and provisions of that act. However, the acceptance
16 and use of federal funds does not commit state funds and does not
17 place an obligation ~~upon~~ **on** the legislature to continue the
18 purposes for which the funds are made available.

19 (14) The department may appoint ~~persons~~ **individuals** to serve
20 as volunteers to assist the department in meeting its
21 responsibilities as provided in this part. Subject to the direction
22 of the department, a volunteer may use equipment and machinery
23 necessary for the volunteer service, including, but not limited to,
24 equipment and machinery to improve wildlife habitat on state game
25 areas.

26 (15) The department may lease ~~lands~~ **land** owned or controlled
27 by the department or may grant concessions on ~~lands~~ **land** owned or
28 controlled by the department to any person for any purpose that the
29 department determines to be necessary to implement this part. The

1 department shall grant each concession for a term of not more than
2 7 years based on extension, renegotiation, or competitive bidding.
3 However, if the department determines that a concession requires a
4 capital investment ~~in-for~~ which reasonable financing or
5 amortization necessitates a longer term, the department may grant a
6 concession for up to a 15-year term. A concession granted under
7 this subsection ~~shall require,~~ **requires**, unless the department
8 authorizes otherwise, that all buildings and equipment be removed
9 at the end of the concession's term. Any lease entered into under
10 this subsection ~~shall-must~~ limit the purposes for which the leased
11 land is to be used and ~~shall~~ authorize the department to terminate
12 the lease ~~upon~~ **if the department makes** a finding that the land is
13 being used for purposes other than those permitted in the lease.
14 Unless otherwise provided by law, money received from a lease or a
15 concession of tax reverted land ~~shall-must~~ be credited to the fund
16 providing financial support for the management of the leased land.
17 Money received from a lease of any other land ~~shall-must~~ be
18 credited to the fund from which the land was purchased. However,
19 money received from program-related leases on these lands ~~shall~~
20 **must** be credited to the fund providing financial support for the
21 management of the leased lands. For land managed by the forest
22 management division of the department, that fund is either the
23 forest development fund established ~~pursuant to~~ **under** section 50507
24 or the forest recreation account of the Michigan conservation and
25 recreation legacy fund provided for in section 2005. For land
26 managed by the wildlife or fisheries division of the department,
27 that fund is the game and fish protection account of the Michigan
28 conservation and recreation legacy fund provided for in section
29 2010.

1 (16) When the department sells land, the deed may reserve all
2 mineral, coal, oil, and gas rights to this state only if the land
3 is in production or is leased or permitted for production, or if
4 the department determines that the land has unusual or sensitive
5 environmental features or that it is in the best interest of this
6 state to reserve those rights as determined by commission policy.
7 However, the department shall not reserve the rights to sand,
8 gravel, clay, or other nonmetallic minerals. When the department
9 sells land that contains subsurface rights, the department shall
10 include a deed restriction that restricts the subsurface rights
11 from being severed from the surface rights in the future. If the
12 landowner severs the subsurface rights from the surface rights, the
13 subsurface rights revert to this state. The deed may reserve to
14 this state the right of ingress and egress over and across land
15 along watercourses and streams. Whenever an exchange of land is
16 made with the United States government, a corporation, or an
17 individual for the purpose of consolidating the state forest
18 reserves, the department may issue deeds without reserving to this
19 state the mineral, coal, oil, and gas rights and the rights of
20 ingress and egress. The department may sell the limestone, sand,
21 gravel, or other nonmetallic minerals. However, the department
22 shall not sell a mineral or nonmetallic mineral right if the sale
23 would violate part 353, part 637, or any other provision of law.
24 The department may sell all reserved mineral, coal, oil, and gas
25 rights to ~~such lands upon~~ **land on** terms and conditions ~~as that~~ the
26 department considers proper and may sell oil and gas rights as
27 provided in part 610. The owner of ~~those lands~~ **the land** as shown by
28 the records shall be given priority in case the department
29 authorizes any sale of ~~those lands,~~ **the land**, and, unless the

1 landowner waives that priority, the department shall not sell ~~such~~
 2 **the** rights to any other person. For the purpose of this section,
 3 mineral rights do not include rights to sand, gravel, clay, or
 4 other nonmetallic minerals.

5 (17) The department may enter into contracts for the sale of
 6 the economic share of royalty interests it holds in hydrocarbons
 7 produced from devonian or antrim shale qualifying for the
 8 nonconventional source production credit determined under section
 9 45k of the internal revenue code of 1986, 26 USC 45k. However, in
 10 entering into these contracts, the department shall ensure that
 11 revenues to the natural resources trust fund under these contracts
 12 are not less than the revenues the natural resources trust fund
 13 would have received if the contracts were not entered into. The
 14 sale of the economic share of royalty interests under this
 15 subsection may occur under contractual terms and conditions
 16 considered appropriate by the department and as approved by the
 17 state administrative board. Funds received from the sale of the
 18 economic share of royalty interests under this subsection ~~shall~~
 19 **must** be transmitted to the state treasurer for deposit in the state
 20 treasury as follows:

21 (a) Net proceeds allocable to the nonconventional source
 22 production credit determined under section 45k of the internal
 23 revenue code of 1986, 26 USC 45k, under this subsection ~~shall~~**must**
 24 be credited to the environmental protection fund created in section
 25 503a.

26 (b) Proceeds related to the production of oil or gas from
 27 devonian or antrim shale ~~shall~~**must** be credited to the natural
 28 resources trust fund or other applicable fund as provided by law.

29 (18) As used in this section:

1 (a) "Concession" means an agreement between the department and
2 a person under terms and conditions ~~as~~ specified by the department
3 to provide services or recreational opportunities for public use.

4 (b) "Lease" means a conveyance by the department to a person
5 of a portion of this state's interest in land under specific terms
6 and for valuable consideration, ~~thereby granting~~ **and that grants** to
7 the lessee the possession of that portion conveyed during the
8 period stipulated.

9 (c) "Mason-Arenac line" means the line formed by the north
10 boundaries of Mason, Lake, Osceola, Clare, Gladwin, and Arenac
11 Counties.

12 (d) "Natural resources trust fund" means the Michigan natural
13 resources trust fund established in section 35 of article IX of the
14 state constitution of 1963 and provided for in section 1902.

15 (e) "Net proceeds" means the total receipts received from the
16 sale of royalty interests under subsection (17) less costs related
17 to the sale. Costs may include, but are not limited to, legal,
18 financial advisory, geological or reserve studies, and accounting
19 services.

20 (f) "Relevant legislative committees" means the senate and
21 house **of representatives** committees with primary responsibility for
22 natural resources and outdoor recreation and the corresponding
23 appropriation subcommittees.

24 (g) "Strategic plan" or "plan" means the plan developed under
25 subsection (6), as updated under subsection (10), if applicable.

26 Sec. 504. (1) The department shall promulgate rules to protect
27 and preserve ~~lands~~ **land, water**, and ~~other~~ property under its
28 control from depredation, damage, or destruction or wrongful or
29 improper use or occupancy. Not more than 10 days after promulgating

1 a rule under this subsection, the department shall provide a copy
2 of the rule to the relevant legislative committees. ~~as defined in~~
3 ~~section 503.~~ Within 6 months after the effective date of a rule
4 promulgated under this subsection that limits the use of or access
5 to more than 500 acres of state forest, the department shall, if
6 requested by the chair of a relevant legislative committee, provide
7 testimony to the committee on the implementation and effects of the
8 rule.

9 (2) Subject to subsection (3), the department shall do all of
10 the following:

11 (a) Keep land **and bodies of water** under its control open to
12 hunting **and fishing** unless the department determines that the land
13 **or body of water** should be closed to hunting **or fishing** because of
14 public safety, fish or wildlife management, or homeland security
15 concerns or as otherwise required by law.

16 (b) Manage land **and water** under its control to support and
17 promote hunting and fishing opportunities to the extent authorized
18 by law.

19 (c) Manage land under its control to prevent any net decrease
20 in the acreage of ~~such~~**the** land that is open to hunting.

21 (3) Subsection (2) does not apply to commercial forestland as
22 **that term is** defined in section 51101.

23 (4) The department is urged to promote public enjoyment of
24 this state's wildlife and other natural resources by providing
25 public access to ~~lands~~**land and bodies of water** under the control
26 of the department for outdoor recreation activities dependent on
27 natural resources, providing reasonable consideration for both
28 motorized and nonmotorized activities.

29 (5) If the department receives a written resolution from a

1 recreational users organization or the legislative body of a local
2 unit of government requesting the removal of a berm, gate, or other
3 human-made barrier on land under the department's control, the
4 department shall notify the requestor in writing within 60 days of
5 1 of the following:

6 (a) That the barrier will be removed. In this case, the
7 department shall remove the barrier within 180 days after receiving
8 the written request.

9 (b) The reasons the department believes the barrier should not
10 be removed and the right of the recreational users organization or
11 local unit of government, within 21 days after the department sends
12 the written notice, to request in writing a public meeting on the
13 matter. If the recreational users organization or local unit of
14 government requests a public meeting as provided in this
15 subdivision, the department shall conduct a public meeting within
16 the city, village, or township where the barrier is located to
17 explain the department's position and receive comments on the
18 proposed removal. After the meeting, and within 180 days after
19 receiving the request to remove the barrier, the department shall
20 approve or deny the request and notify the requestor in writing. If
21 the request is denied, the notice ~~shall~~**must** include the reasons
22 for denial. If the request is approved, the department shall remove
23 the barrier as follows:

24 (i) Unless subparagraph (ii) applies, within 180 days after the
25 public meeting.

26 (ii) Within 30 days, if the recreational users organization or
27 legislative body requesting the removal of the barrier agrees with
28 the department to remove the barrier under the department's
29 oversight and at the requestor's expense.

1 (c) That the department will not consider the request. The
2 department is not required to consider the request if, within the
3 3-year period preceding the receipt of the request, the department
4 received another request for removal of the barrier and acted or is
5 acting on the request under subdivision (a) or (b). The notice
6 under this subdivision ~~shall~~**must** explain why the request is not
7 being considered and specify the date after which the department is
8 required, if the barrier has not already been removed, to consider
9 a new request.

10 (6) Upon request from a local unit of government, the
11 department shall work with the local unit to allow use of state
12 land managed by the department and located within the local unit
13 that will benefit the local community by increasing outdoor
14 recreation opportunities and expanding access to and appropriate
15 use of the natural resources and outdoors. The department may
16 charge the local unit a reasonable fee for the use that does not
17 exceed the costs incurred by the department for the use.

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

21 (8) The department shall not promulgate or enforce a rule that
22 prohibits an individual who is licensed or exempt from licensure
23 under 1927 PA 372, MCL 28.421 to 28.435, from carrying a pistol in
24 compliance with that act, whether concealed or otherwise, on
25 property under the control of the department.

26 (9) The department shall issue orders necessary to implement
27 rules promulgated under this section. The orders are effective upon
28 posting.

29 (10) ~~In~~**Subject to subsection (11), in** issuing an order under

1 subsection (9), the department shall comply with the following
2 procedures in a manner that ensures adequate public notice and
3 opportunity for public comment:

4 (a) The department shall prepare the order after considering
5 comments from department field personnel.

6 (b) The department shall conduct a public meeting and
7 otherwise provide an opportunity for public comment on the order.

8 (c) Commencing at least 30 days before the first meeting and
9 continuing through the public comment period under subdivision (b),
10 the natural resources commission shall include the order on a
11 public meeting agenda and the department shall post the order on
12 its website. If the order will result in a loss of public land open
13 to hunting, the agenda and website posting ~~shall~~**must** specify the
14 number of acres affected.

15 (d) Not less than 30 days before issuance of an order, the
16 department shall provide a copy of the order to the relevant
17 legislative committees. This subdivision does not apply to an order
18 that does not alter the substance of a lawful provision that exists
19 in the form of a statute, rule, regulation, or order at the time
20 the order is prepared.

21 (11) Subsection (10) does not apply to an order for emergency
22 management purposes that is in effect for 90 days or less.

23 (12) If an order limits the use of or access to more than 500
24 acres of state forest, the department shall provide a copy of the
25 order to the relevant legislative committees not more than 10 days
26 after the order is issued. If requested by the chair of a relevant
27 legislative committee, the department shall provide testimony on
28 the implementation and effects of ~~such~~ an order at a committee
29 hearing held within 6 months after the effective date of the order.

1 (13) The department may revise an order issued ~~pursuant to~~
2 **under** subsection (9). The revision is subject to subsections (10)
3 to (12), as applicable.

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

8 (15) As used in this section, "relevant legislative
9 committees" means that term as defined in section 503.