

Act No. 79  
Public Acts of 2005  
Approved by the Governor  
July 19, 2005  
Filed with the Secretary of State  
July 19, 2005  
EFFECTIVE DATE: July 19, 2005

**STATE OF MICHIGAN  
93RD LEGISLATURE  
REGULAR SESSION OF 2005**

**Introduced by Senators Stamas, Birkholz, Toy, Allen, Gilbert, Sanborn, Patterson, Van Woerkom, Hardiman,  
Hammerstrom and Basham**

# **ENROLLED SENATE BILL No. 213**

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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 41305 (MCL 324.41305), as added by 2003 PA 270, and by adding section 41306.

*The People of the State of Michigan enact:*

Sec. 41305. A person shall not introduce a prohibited species, a restricted species, or a genetically engineered or nonnative fish or aquatic plant unless the introduction is authorized by 1 of the following, as applicable:

- (a) For a fish, by a permit issued by the department under section 48735.
- (b) For a prohibited species or restricted species that is an insect, by a permit issued by the department of agriculture under section 41306.
- (c) For an aquatic plant, by a permit issued by the department under section 41306.

Sec. 41306. (1) A person shall apply for a permit that section 41303 or 41305 describes as being issued by the department or the department of agriculture under this section on a form developed by the department or the department of agriculture, respectively. The application shall be accompanied by a fee based on the cost of administering this part. The department or the department of agriculture, respectively, shall either grant an administratively complete application and issue a permit or deny the application.

(2) The department or the department of agriculture may revoke or modify a permit issued by the department or the department of agriculture, respectively, under subsection (1) after providing an opportunity for a hearing under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 211.
- (b) Senate Bill No. 212.
- (c) Senate Bill No. 215.
- (d) House Bill No. 4714.
- (e) House Bill No. 4715.
- (f) House Bill No. 4716.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Jay E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor