



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

May 04, 2023

NOTICE OF FILING

ADMINISTRATIVE RULES

To: Secretary of the Senate
Clerk of the House of Representatives
Joint Committee on Administrative Rules
Michigan Office of Administrative Hearings and Rules (Administrative Rule #2023-001-NR)
Legislative Service Bureau (Secretary of State Filing #23-05-05)
Department of Natural Resources

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2023-001-NR (Secretary of State Filing #23-05-05) on this date at 11:55 A.M. for the Department of Natural Resources entitled, "Use of Trawls."

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,

Jocelyn Benson
Secretary of State

Lashana Threlkeld, Departmental Supervisor
Office of the Great Seal

Enclosure



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
SUZANNE SONNEBORN
EXECUTIVE DIRECTOR

ORLENE HAWKS
DIRECTOR

May 4, 2023

The Honorable Jocelyn Benson
Secretary of State
Office of the Great Seal
Richard H. Austin Building – 1st Floor
430 W. Allegan
Lansing, MI 48909

Dear Secretary Benson:

Re: Administrative Rules – Michigan Office of Administrative Hearings and Rules
Administrative Rules #: 2023-1 NR

The Michigan Office of Administrative Hearings and Rules received administrative rules, dated January 17, 2023 for the Department of Natural Resources “Use of Trawls”. We are transmitting these rules to you pursuant to the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6.

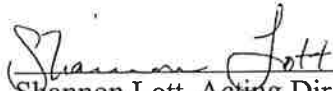
Sincerely,

Michigan Office of Administrative Hearings and Rules

CERTIFICATE OF ADOPTION

By authority conferred on the department of natural resources by parts 467 and 473 of 451 PA 1994, MCL and 324.46701 and 324.47305, Administrative Rules R 299.701, R 299.702, R 299.703, R 299.704, and R 299.705 of the Michigan Administrative Code are rescinded.

Adopted by:


Shannon Lott, Acting Director

4/19/2023

Date



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

ORLENE HAWKS
DIRECTOR

LEGAL CERTIFICATION OF RULES

I certify that I have examined the attached administrative rules, dated January 17, 2023, in which the Department of Natural Resources proposes to modify a portion of the Michigan Administrative Code entitled "Use of Trawls" by:

- ◆ Rescinding R 299.701, R 299.702, R 299.703, R 299.704, and R 299.705.

The Legislative Service Bureau has approved the proposed rules as to form, classification, and arrangement.

I approve the rules as to legality pursuant to the Administrative Procedures Act, MCL 24.201 *et seq.* and Executive Order No. 2019-6. In certifying the rules as to legality, I have determined that they are within the scope of the authority of the agency, do not violate constitutional rights, and are in conformity with the requirements of the Administrative Procedures Act.

Dated: April 17, 2023

Michigan Office of Administrative Hearings and Rules

By: *Emily Leik*

Emily Leik,
Attorney



Since 1941

Legal Division

Kevin H. Studebaker, Director

CERTIFICATE OF APPROVAL

On behalf of the Legislative Service Bureau, and as required by section 45 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.245, I have examined the proposed rules of the Department of Natural Resources dated January 17, 2023, rescinding R 299.701, R 299.702, R 299.703, R 299.704, and R 299.705 of the Department's rules entitled "Use of Trawls." I approve the rules as to form, classification, and arrangement.

Pursuant to section 44(1) of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.244(1), these rules are being processed without a public hearing.

Dated: April 17, 2023

LEGISLATIVE SERVICE BUREAU

By _____

Rachel M. Hughart,
Legal Counsel

Michigan Legislature

124 W. Allegan Street, 3rd Floor • P.O. Box 30036 • Lansing, MI 48909-7536 • (517) 373-9425 • Fax: (517) 373-5642

DEPARTMENT OF NATURAL RESOURCES

FISHERIES DIVISION

USE OF TRAWLS

Filed with the secretary of state on May 4, 2023

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of natural resources by section 47305 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.47305)

R 299.701, R 299.702, R 299.703, R 299.704, and R 299.705 of the Michigan Administrative Code are rescinded, as follows:

R 299.701 Rescinded.

R 299.702 Rescinded.

R 299.703 Rescinded.

R 299.704 Rescinded.

R 299.705 Rescinded.

FILED WITH SECRETARY OF STATE

ON 5/4/2023 AT 11:55 AM