

HOUSE BILL No. 4008

January 11, 1989, Introduced by Rep. Pridnia and referred to the Committee on Tourism, Fisheries and Wildlife.

A bill to amend sections 1, 2, 3, 9, 10, and 12 of Act No. 134 of the Public Acts of 1957, entitled

"An act to establish and regulate the operation of shooting preserves; to provide for the issuing of licenses pertaining thereto and the disposition of the moneys derived therefrom; to provide penalties for the violation of the provisions of this act; and to repeal certain acts and parts of acts,"

being sections 317.301, 317.302, 317.303, 317.309, 317.310, and 317.312 of the Michigan Compiled Laws; and to add section 12a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1, 2, 3, 9, 10, and 12 of Act No. 134
2 of the Public Acts of 1957, being sections 317.301, 317.302,
3 317.303, 317.309, 317.310, and 317.312 of the Michigan Compiled
4 Laws, are amended and section 12a is added to read as follows:

5 Sec. 1. The director of ~~conservation~~ THE DEPARTMENT may
6 issue licenses authorizing the establishment and operation of
7 private shooting preserves. The fee for ~~each such~~ THE license

1 shall be \$35.00 for a shooting preserve of 320 acres or less and
2 \$60.00 for a shooting preserve in excess of 320 acres. Unless
3 ~~sooner~~ revoked ~~, all such~~ AS PROVIDED BY LAW, licenses ISSUED
4 UNDER THIS SECTION shall be valid from July 1 through June 30.
5 ~~Said private~~ PRIVATE shooting preserves LICENSED UNDER THIS
6 SECTION may allow hunting on Sundays, ~~local regulations to the~~
7 ~~contrary~~ notwithstanding THE PROVISIONS OF LOCAL ORDINANCES OR
8 REGULATIONS.

9 Sec. 2. (1) Each shooting preserve shall contain not less
10 than 80 acres nor more than 640 acres of leased or owned land,
11 except that those preserves whose operations are confined only to
12 ducks may contain a minimum of 50 acres. The exterior boundaries
13 of each preserve shall be clearly defined with signs erected at
14 intervals of 150 feet or less.

15 (2) SHOOTING PRESERVES WITH OPERATIONS INVOLVING ANIMALS NOT
16 NATIVE OR COMMONLY FOUND IN THE WILD IN THIS STATE SHALL BE ADE-
17 QUATELY FENCED AND MAINTAINED TO KEEP THE ANIMALS IN COMPLETE AND
18 CONTINUOUS CAPTIVITY AS APPROVED BY THE DIRECTOR.

19 Sec. 3. (1) Birds ~~which~~ THAT may be hunted under
20 ~~authority of~~ a shooting preserve license shall be limited to
21 ~~such~~ artificially propagated species as PRESCRIBED BY the
22 director. ~~of conservation may prescribe.~~ A ~~licensee~~ LICENSE
23 HOLDER may propagate and sell ~~such~~ THE PRESCRIBED birds, car-
24 casses, or products, in addition to releasing THE birds for hunt-
25 ing purposes, by adhering to all requirements, except breeder's
26 license fee requirements, of Act No. 191 of the Public Acts of
27 1929, being sections 317.71 to 317.84 of the MICHIGAN Compiled

1 Laws, ~~of 1948,~~ and rules promulgated by the commission of
2 ~~conservation~~ NATURAL RESOURCES under authority of that act.
3 Not less than 100 birds of any species to be so hunted shall be
4 released on the licensed premises during the shooting preserve
5 season in any 1 year.

6 (2) WILD TURKEY OR WILD TURKEY HYBRIDS AUTHORIZED UNDER A
7 LICENSE SHALL HAVE 1 WING PINIONED AND SHALL BE FENCED AND
8 RELEASED IN COMPLIANCE WITH REGULATIONS ESTABLISHED BY THE
9 DEPARTMENT.

10 Sec. 9. ~~Any~~ A person ~~desiring~~ APPLYING FOR a license
11 under ~~the provisions of~~ this act shall ~~make~~ SUBMIT AN appli-
12 cation ~~therefor~~ to the director ~~of conservation~~ on forms fur-
13 nished by ~~him~~ THE DIRECTOR, stating ~~his~~ THE name ~~,~~ AND
14 address OF THE APPLICANT, THE legal description of the premises
15 to be licensed, the kind of birds to be covered by the license,
16 and ~~such~~ other information ~~as~~ REQUIRED BY the director. ~~of~~
17 ~~conservation may require.~~ The director shall prepare and dis-
18 tribute suitable forms necessary to carry out the provisions of
19 this act.

20 Sec. 10. The director, ~~of conservation,~~ subject to the
21 approval of the ~~conservation~~ commission ~~, is hereby authorized~~
22 ~~to~~ OF NATURAL RESOURCES, MAY establish ~~the~~ AN open season for
23 shooting preserves ~~which~~ THAT shall be not less than 120 days,
24 ~~promulgate~~ AND MAY ESTABLISH and enforce ~~such~~ rules and regu-
25 lations ~~, not inconsistent with law,~~ governing the administra-
26 tion of this act as ~~he may deem~~ THE DIRECTOR CONSIDERS
27 expedient. ~~, in accordance with Act No. 88 of the Public Acts~~

1 of 1943, as amended, being sections 24.71 to 24.82 of the
2 Compiled Laws of 1948, and subject to Act No. 197 of the Public
3 Acts of 1952, as amended, being sections 24.101 to 24.110 of the
4 Compiled Laws of 1948.

5 Sec. 12. (1) ~~Any~~ A person ~~violating any of the provi-~~
6 ~~sions of~~ WHO VIOLATES this act or the rules OR REGULATIONS
7 adopted ~~hereunder shall be~~ UNDER THIS ACT IS guilty of a misde-
8 meanor ~~and upon conviction thereof shall be punished~~ PUNISHABLE
9 by a fine of not more than \$100.00, ~~together with~~ AND THE costs
10 of prosecution, or imprisonment ~~in the county jail~~ for not more
11 than 90 days, or by both.

12 (2) In addition to the penalty ~~herein~~ provided IN THIS
13 SECTION, any license issued under this act may be suspended or
14 revoked, after a hearing ~~upon proper notice~~ AS PROVIDED BY LAW,
15 when ~~any operations under it fail~~ THE LICENSE HOLDER FAILS to
16 comply with the requirements of this act, when a licensee fails
17 to maintain or submit accurate reports and records as required by
18 the director, or when ~~any~~ A licensee ~~shall be~~ IS convicted of
19 a violation of this act. Birds AND ANIMALS held under ~~such~~ A
20 license THAT IS SUSPENDED OR REVOKED shall then be disposed of
21 only in a manner approved by the director.

22 SEC. 12A. AS USED IN THIS ACT:

23 (A) "DEPARTMENT" MEANS THE DEPARTMENT OF NATURAL RESOURCES.

24 (B) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT.

25 (C) "LICENSE" MEANS A LICENSE ISSUED BY THE DEPARTMENT TO
26 OPERATE A PRIVATE SHOOTING PRESERVE.