



SENATE BILL No. 834

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September 21, 1993, Introduced by Senator GOUGEON and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend section 17 of Act No. 256 of the Public Acts of 1988, entitled
"Wildlife conservation act,"
being section 300.267 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 17 of Act No. 256 of the Public Acts of
2 1988, being section 300.267 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 17. (1) A person who violates this act, a commission
5 order authorized under section 8, an interim order of the direc-
6 tor, or a condition of a permit issued under this act, except for
7 a violation specified in subsections (2) to (12), is guilty of a
8 misdemeanor, and shall be punished by imprisonment for not more
9 than 90 days, or a fine of not less than \$50.00 ~~—, nor~~ OR more
10 than \$500.00, or both, and the costs of prosecution. In

1 addition, a permit issued by the director under this act shall be
2 revoked pursuant to the administrative procedures act of 1969,
3 Act No. 306 of the Public Acts of 1969, being sections 24.201 to
4 24.328 of the Michigan Compiled Laws.

5 (2) A person who violates this act, a commission order
6 authorized under section 8, or an interim order of the director
7 regarding the possession or taking of all game, except deer,
8 bear, wild turkey, moose, or elk, is guilty of a misdemeanor, and
9 shall be punished by imprisonment for not more than 90 days, or a
10 fine of not less than \$100.00 ~~—, nor~~ OR more than \$1,000.00, or
11 both, and the costs of prosecution.

12 (3) ~~—A—~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A
13 person who violates this act or a commission order authorized
14 under section 8 or an interim order of the director regarding the
15 possession or taking of deer, bear, or wild turkey is guilty of a
16 misdemeanor, and shall be punished by imprisonment for not less
17 than 5 days, ~~—nor~~ OR more than 90 days, and a fine of not less
18 than \$200.00 ~~—, nor~~ OR more than \$1,000.00, and the costs of
19 prosecution. NOTWITHSTANDING SUBSECTION (2), A PERSON WHO POS-
20 SESSES OR HARBORS A DEER FOR PURPOSES OF ASSISTING OR REHABILI-
21 TATING THE DEER SHALL BE PUNISHED AS PROVIDED IN SUBSECTION (2)
22 AND NOT UNDER THIS SUBSECTION.

23 (4) A person who violates this act, a commission order
24 authorized under section 8, or an interim order of the director
25 regarding the possession of or taking of elk is guilty of a mis-
26 demeanor, and shall be punished by imprisonment for not less than
27 30 days, ~~—nor~~ OR more than 180 days, or a fine of not less than

1 \$500.00 ~~—, nor~~ OR more than \$2,000.00, or both, and the costs of
2 prosecution.

3 (5) A person who violates this act, a commission order
4 authorized under section 8, or an interim order of the director
5 regarding the possession of or the taking of moose is guilty of a
6 misdemeanor, and shall be punished by imprisonment for not less
7 than 90 days ~~—, nor~~ OR more than 1 year and a fine of not less
8 than \$1,000.00 ~~—, nor~~ OR more than \$5,000.00, and the costs of
9 prosecution.

10 (6) A person sentenced pursuant to subsections (3), (4),
11 (5), (10), and (11) shall not secure or possess a license of any
12 kind to hunt during the remainder of the year in which convicted
13 and the next 3 succeeding calendar years. A person sentenced
14 pursuant to subsection (7) shall not secure or possess a license
15 to hunt during the remainder of the year in which convicted and
16 the next succeeding calendar year.

17 (7) A person who violates section 13(1) is guilty of a mis-
18 demeanor, and shall be punished by imprisonment for not less than
19 5 days ~~—, nor~~ OR more than 90 days or a fine of not less than
20 \$100.00 ~~—, nor~~ OR more than \$500.00, or both, and the costs of
21 prosecution.

22 (8) A person who violates section 13(2) is guilty of a mis-
23 demeanor, and shall be punished by imprisonment for not more than
24 90 days or a fine of not less than \$50.00 ~~—, nor~~ OR more than
25 \$500.00, or both, and the costs of prosecution.

26 (9) A person who violates section 13(3) is guilty of a
27 misdemeanor and shall be punished by imprisonment for not less

1 than 5 days ~~nor~~ OR more than 90 days and a fine of not less
2 than \$100.00 ~~nor~~ OR more than \$500.00, and the costs of
3 prosecution.

4 (10) A person who violates a provision of this act or a com-
5 mission order authorized under section 8 or an interim order of
6 the director regarding the taking or possession of an animal that
7 has been designated by the commission to be a protected animal,
8 other than an animal that appears on a list prepared pursuant to
9 section 6 of the endangered species act of 1974, Act No. 203 of
10 the Public Acts of 1974, being section 299.226 of the Michigan
11 Compiled Laws, is guilty of a misdemeanor, and shall be punished
12 by imprisonment for not more than 90 days or a fine of not less
13 than \$100.00 ~~nor~~ OR more than \$1,000.00, or both, and the costs
14 of prosecution.

15 (11) A person who buys or sells game or a protected animal
16 in violation of this act is guilty of a misdemeanor, punishable
17 by imprisonment for not more than 90 days or a fine of not more
18 than \$1,000.00, or both, for the first offense, and is guilty of
19 a felony for each subsequent offense.

20 (12) When a person is convicted of a violation of this act,
21 or a commission order authorized under section 8, or an interim
22 order of the director and it is alleged in the complaint and
23 proved or admitted at trial or ascertained by the court after
24 conviction that the person had been previously convicted 2 times
25 within the preceding 5 years for a violation of this act or a
26 commission order authorized under section 8, or an interim order
27 of the director, the person is guilty of a misdemeanor, and shall

1 be punished by imprisonment for not less than 10 days ~~nor~~ OR
2 more than 180 days, and a fine of not less than \$500.00 ~~, nor~~
3 OR more than \$2,000.00, and costs of prosecution.