

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5192**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 43502, 43505, 43517, 43520, 43523, 43525,
43525a, 43527, and 43553 (MCL 324.43502, 324.43505, 324.43517,
324.43520, 324.43523, 324.43525, 324.43525a, 324.43527, and
324.43553), sections 43502, 43505, 43523, 43525, and 43527 as
amended by 1996 PA 585, sections 43517 and 43520 as added by 1995
PA 57, section 43525a as added by 1998 PA 291, and section 43553
as amended by 2004 PA 587.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43502. (1) "ACCOMPANY" MEANS TO GO ALONG WITH ANOTHER
2 PERSON UNDER CIRCUMSTANCES THAT ALLOW ONE TO COME TO THE
3 IMMEDIATE AID OF THE OTHER PERSON AND WHILE STAYING WITHIN A

1 DISTANCE FROM THE PERSON THAT PERMITS UNINTERRUPTED, UNAIDED
2 VISUAL AND AUDITORY COMMUNICATION.

3 (2) ~~—(1)—~~ "Amphibian" means any frog, toad, salamander, or
4 any other member of the class amphibia.

5 (3) ~~—(2)—~~ "Aquatic species" means any fish, reptile,
6 amphibian, mollusk, aquatic insect, or crustacea or part thereof.

7 (4) ~~—(3)—~~ "Bow" means a device for propelling an arrow from
8 a string drawn, held, and released by hand ~~—where—~~ **IF** the force
9 used to hold the string in the drawn position is provided by the
10 archer's muscles.

11 (5) ~~—(4)—~~ "Crossbow" means a weapon consisting of a bow
12 mounted transversely on a stock or frame and designed to fire an
13 arrow, bolt, or quarrel by the release of a bow string that is
14 controlled by a mechanical or electric trigger and has a working
15 safety and a draw weight of 100 pounds or more.

16 (6) ~~—(5)—~~ "Crustacea" means any freshwater crayfish, shrimp,
17 or prawn of the order decapoda.

18 Sec. 43505. (1) "Hunt" and "hunting" mean to pursue,
19 capture, shoot, kill, chase, follow, harass, harm, rob, or trap a
20 wild animal, or to attempt to engage in such an activity.

21 (2) "Identification" means a driver license issued by
22 Michigan, another state, or a Canadian province as accepted by
23 the department, a state of Michigan identification card issued by
24 the secretary of state, or a sportcard issued by the department.

25 (3) "License" means a document or a tag, stamp, plastic
26 card, or other device that may include a stamp or a tag that
27 authorizes the licensee to hunt, fish, trap, or possess wild

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1 animals or aquatic species and other identification required by
2 the department.

3 (4) "Minor child" means a person less than 17 years ~~of age~~
4 OLD.

5 (5) "Nonresident" means **OR REFERS TO** a person who is not a
6 resident. ~~who is 17 years of age or older.~~

7 Sec. 43517. A parent or legal guardian of a minor child
8 shall not permit or allow the minor child to hunt under the
9 authority of a license issued pursuant to this part **EXCEPT UNDER**
10 **1 OF THE FOLLOWING CONDITIONS:**

11 (A) **THE MINOR CHILD HUNTS ONLY** on land upon which ~~the~~ A
12 parent or guardian is ~~not~~ regularly domiciled ~~without being~~
13 ~~accompanied by the~~ **OR A** parent or guardian, or another person
14 authorized by ~~the~~ A parent or guardian who is ~~17 years of age~~
15 ~~or older~~ **AT LEAST <<18>> YEARS OLD, ACCOMPANIES THE MINOR CHILD.**
16 **THIS SUBDIVISION DOES NOT APPLY IF THE MINOR CHILD IS LESS THAN**
17 **14 YEARS OLD AND THE LICENSE IS A LICENSE TO HUNT DEER, BEAR, OR**
18 **ELK WITH A FIREARM.**

19 (B) **IF THE MINOR CHILD IS LESS THAN 14 YEARS OLD AND THE**
20 **LICENSE IS A LICENSE TO HUNT DEER, BEAR, OR ELK WITH A FIREARM,**
21 **THE MINOR CHILD HUNTS ONLY ON PRIVATE PROPERTY AND A PARENT OR**
22 **GUARDIAN, OR ANOTHER PERSON AUTHORIZED BY A PARENT OR GUARDIAN**
23 **WHO IS AT LEAST <<18>> YEARS OLD, ACCOMPANIES THE MINOR CHILD.**

24 Sec. 43520. (1) Subject to other requirements of this part,
25 the department may issue a hunting license to a minor child
26 ~~subject to both of the following conditions:~~

27 ~~—— (a) On application of a~~ **IF ALL OF THE FOLLOWING**

1 **REQUIREMENTS ARE MET:**

2 (A) A parent or legal guardian of the minor child ~~—, if the~~
3 ~~minor child, when hunting on lands upon which the minor child's~~
4 ~~parents are not regularly domiciled, is accompanied by the parent~~
5 ~~or guardian or another person authorized by the parent or~~
6 ~~guardian who is 17 years of age or older~~ **APPLIES FOR THE LICENSE**
7 **ON BEHALF OF THE MINOR CHILD.**

8 ~~—— (b) Payment of the license fee.~~

9 ~~—— (2) A license to hunt deer, bear, or elk with a firearm~~
10 ~~shall not be issued to a person who is less than 14 years of age.~~

11 ~~—— (3) A license to hunt shall not be issued to a person who is~~
12 ~~less than 12 years of age.~~

13 (B) **THE PARENT OR LEGAL GUARDIAN REPRESENTS THAT THE**
14 **REQUIREMENTS OF SECTION 43517(A) OR (B), AS APPLICABLE, WILL BE**
15 **COMPLIED WITH.**

16 (C) **THE MINOR CHILD IS AT LEAST 10 YEARS OLD, OR, FOR A**
17 **LICENSE TO HUNT DEER, BEAR, OR ELK WITH A FIREARM, 12 YEARS OLD.**

18 (D) **THE LICENSE FEE IS PAID.**

19 (2) ~~—(4)—~~ A person authorized to sell hunting licenses shall
20 not issue a hunting license to a person born after January 1,
21 1960, unless the person presents proof of previous hunting
22 experience in the form of a hunting license issued by this state,
23 another state, a province of Canada, or another country or
24 **PRESENTS** a certification of completion of training in hunter
25 safety issued to the person by this state, another state, a
26 province of Canada, or another country. If an applicant for a
27 hunting license does not have proof of **SUCH** a previous license or

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1 a certification of completion of training in hunter safety, a
 2 person authorized to sell hunting licenses may issue a hunting
 3 license if the applicant submits a signed affidavit stating that
 4 ~~they have~~ **THE APPLICANT HAS** completed a course in hunter safety
 5 or that ~~they have~~ **THE APPLICANT** possessed **SUCH** a hunting
 6 license previously. The person selling a hunting license shall
 7 record as specified by the department the form of proof of the
 8 previous hunting experience or certification of completion of
 9 hunter safety training presented by the applicant.

10 (3) BY OCTOBER 1, 2008, THE DEPARTMENT SHALL SUBMIT TO THE
 11 <<STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH
 PRIMARY RESPONSIBILITY FOR CONSERVATION AND OUTDOOR RECREATION ISSUES>>
 A REPORT ON THE EFFECT OF THE REDUCTIONS IN MINIMUM
 12 HUNTING AGE ENACTED BY THE 2006 AMENDATORY ACT THAT ADDED THIS
 13 SUBSECTION ON RECRUITMENT OF NEW HUNTERS AND OTHER RELEVANT
 14 ISSUES, SUCH AS HUNTER SAFETY.

15 Sec. 43523. (1) Except as otherwise provided in this part, a
 16 person shall not hunt small game without a current small game
 17 license. Each small game license authorizes the person named in
 18 the license to hunt for small game except for animals or birds
 19 that require a special license. ~~The fee for a resident small~~
 20 ~~game license is \$13.00. Beginning in 1999, the fee for a resident~~
 21 ~~small game license is \$14.00. Beginning in 2001, the fee for a~~
 22 ~~resident small game license is \$15.00.~~ If authorized in an order
 23 issued under part 401, a resident possessing a current small game
 24 license may take specified fur-bearing animals by means other
 25 than trapping during the open season for hunting these fur-
 26 bearing animals. The fee for a ~~resident or nonresident who is 12~~
 27 ~~years of age through 16 years of age for a small game license is~~

1 ~~\$1.00. The fee for a nonresident small game license is \$60.00.~~
 2 ~~Beginning in 1999, the fee for a nonresident small game license~~
 3 ~~is \$65.00. Beginning in 2001, the fee for a nonresident small~~
 4 ~~game license is \$69.00.~~

5 ~~———(2) A~~ **SMALL GAME LICENSE IS AS FOLLOWS:**

6 (A) SUBJECT TO SUBDIVISION (B), FOR A RESIDENT, \$15.00.

7 (B) FOR A RESIDENT OR NONRESIDENT MINOR CHILD, \$1.00.

8 (C) SUBJECT TO SUBDIVISION (B), FOR A NONRESIDENT, \$69.00.

9 **HOWEVER, A** nonresident may purchase a limited nonresident small
 10 game license entitling that person to hunt for a 3-day period all
 11 species of small game that are available to hunt under a
 12 nonresident small game license. The ~~fee for a limited~~
 13 ~~nonresident small game license is \$26.00. Beginning in 1999, the~~
 14 ~~fee for a limited nonresident small game license is \$28.00.~~
 15 ~~Beginning in 2001, the~~ fee for a limited nonresident small game
 16 license is \$30.00. ~~Beginning in 2001, the fee for a limited~~
 17 ~~nonresident small game license is \$30.00.~~

18 (2) ~~—(3)—~~ A small game license is void between the hours of
 19 1/2 hour after sunset and 1/2 hour before sunrise.

20 Sec. 43525. (1) A person 16 years of age or older shall not
 21 hunt waterfowl without a current waterfowl hunting license issued
 22 by this state. The annual license **REQUIREMENT** is in addition to
 23 the requirements for a small game license and federal migratory
 24 bird hunting stamp. The fee for the waterfowl hunting license is
 25 \$5.00.

26 (2) If issued as a stamp, a waterfowl hunting license shall
 27 be affixed to the small game license of the person and signed

across the face of the stamp by the person to whom it is issued.

(3) A collector may purchase a waterfowl hunting license, if it is issued as a stamp, without being required to place it on a small game license, sign across its face, or provide proof of competency under section ~~43520(4)~~ **43520(2)**. However, a license described in this subsection is not valid for hunting waterfowl.

(4) A person shall not hunt waterfowl, or deer if deer hunting is regulated by permit in an area designated by the department as a managed waterfowl area, without an annual or daily managed waterfowl area permit and any other license or permit required by this part. The fee for a daily managed waterfowl area permit is \$4.00. The fee for an annual managed waterfowl area permit is \$13.00.

(5) Following a lottery among applicants for hunting privileges in managed waterfowl areas, only those successful applicants who accept the hunting privileges are required to purchase a daily or annual managed waterfowl area permit.

(6) From the ~~fees~~ **FEE** collected for ~~a~~ **EACH** waterfowl hunting license, \$3.50 ~~from each license sold~~ shall be used to acquire wetlands and other lands to be managed for the benefit of waterfowl.

(7) The following amounts from the ~~fees~~ **FEE** collected for each annual or daily managed waterfowl area permit sold shall be used to operate, maintain, and develop managed waterfowl areas in this state:

(a) Daily managed waterfowl area permit..... \$ 3.00.

(b) Annual managed waterfowl area permit..... \$10.00.

(8) The department shall charge a nonrefundable application fee not to exceed \$4.00 for each person who applies for a permit to hunt in a managed waterfowl area.

Sec. 43525a. (1) The department shall issue a combination deer license that authorizes a person to hunt deer both during the firearm deer seasons and the bow and arrow seasons, in compliance with the rules established for the respective deer hunting season. A combination deer license shall authorize the holder to take 2 deer in compliance with orders issued under part 401.

(2) The fee for a resident combination deer license is the total of the resident firearm deer license fee plus the resident bow and arrow deer license fee. The fee for a nonresident combination deer license is the total of the nonresident firearm deer license fee plus the nonresident bow and arrow deer license fee. ~~The~~ **HOWEVER, THE** fee for a combination deer license for a resident or nonresident ~~who is 12 years of age through 16 years of age~~ **MINOR CHILD** shall be discounted 50% from the cost of the resident combination deer license.

(3) ~~When~~ **IF** advisable in managing deer, an order under part 401 may designate the kind of deer that may be taken and the geographic area in which any license issued under this section is valid.

(4) The department may issue kill tags with or as part of each combination deer license. Each kill tag shall bear the

1 license number. A kill tag may also include space for other
 2 pertinent information required by the department. A kill tag, if
 3 issued, is part of the license and shall not be used more than 1
 4 time.

5 (5) The combination deer license shall count as 2 licenses
 6 for the purposes of license fees under section 43536a,
 7 discounting under subsection 43521(c), and transmittal, deposit,
 8 and use of fees under sections 43554 and 43555.

9 (6) A senior citizen may obtain a senior combination deer
 10 license. The fee for a senior combination deer license shall be
 11 discounted at the same rate as provided in section 43535.

12 (7) A combination deer license issued to a person less than
 13 ~~14~~ 12 years of age is valid only for taking deer with a bow and
 14 arrow, until the person is ~~14~~ 12 years of age or older.

15 (8) Notwithstanding any other provision of this part, except
 16 for replacing lost or destroyed licenses, a person shall not
 17 apply for, obtain, or purchase any combination of firearm deer
 18 licenses, bow and arrow deer licenses, and combination deer
 19 licenses that would authorize the taking of more than 2 deer.

20 Sec. 43527. (1) A person shall not hunt deer with a bow and
 21 arrow or crossbow during the bow and arrow deer season without a
 22 bow and arrow deer license. The fee for a ~~resident bow and arrow~~
 23 ~~deer license is \$13.00. Beginning in 1999, the fee for a resident~~
 24 ~~bow and arrow deer license is \$14.00. Beginning in 2001, the fee~~
 25 ~~for a~~ resident bow and arrow deer license is \$15.00. The fee for
 26 a resident or nonresident ~~who is 12 years of age through 16~~
 27 ~~years of age~~ **MINOR CHILD** for a bow and arrow deer license shall

1 be discounted 50% from the cost of the resident bow and arrow
2 deer license. The fee for a ~~nonresident bow and arrow deer~~
3 ~~license is \$120.00. Beginning in 1999, the fee for a nonresident~~
4 ~~bow and arrow deer license is \$129.00. Beginning in 2001, the fee~~
5 ~~for a~~ nonresident bow and arrow deer license is \$138.00.

6 (2) Where authorized by the department, a person may
7 purchase a second bow and arrow deer license in 1 season for the
8 fee assessed under ~~this~~ subsection (1) for the bow and arrow
9 deer license for which that person is eligible. However, a senior
10 license discount is not available for the purchase of a second
11 bow and arrow deer license. The department may issue orders under
12 part 401 designating the kind of deer ~~which~~ **THAT** may be taken
13 and the geographic area in which any license issued under this
14 section is valid, ~~when~~ **IF** advisable in managing deer.

15 (3) ~~—(2)—~~ The department may issue a kill tag with, or as a
16 part of, each bow and arrow deer license. Section 43526(2)
17 applies with respect to a bow and arrow deer license.

18 Sec. 43553. (1) The department shall transmit all money
19 received from the sale of licenses to the state treasurer,
20 together with a statement indicating the amount of money received
21 and the source of the money.

22 (2) **THE GAME AND FISH PROTECTION FUND FORMERLY CREATED BY**
23 **THIS SECTION AS A SEPARATE FUND IN THE STATE TREASURY SHALL**
24 **CONTINUE UNLESS ALL THE MONEY IN THAT FUND IS TRANSFERRED TO THE**
25 **GAME AND FISH PROTECTION ACCOUNT AS A RESULT OF HOUSE JOINT**
26 **RESOLUTION Z OF THE 92ND LEGISLATURE BECOMING PART OF THE STATE**
27 **CONSTITUTION OF 1963 AS PROVIDED IN SECTION 1 OF ARTICLE XII OF**

1 **THE STATE CONSTITUTION OF 1963 AND 2004 PA 587 TAKING EFFECT.**
2 Except as provided in section 43555 and subsection (5), the state
3 treasurer shall credit the money received from the sale of
4 passbooks and licenses to **THE GAME AND FISH PROTECTION FUND.**
5 **HOWEVER, IF HOUSE JOINT RESOLUTION Z OF THE 92ND LEGISLATURE**
6 **BECOMES A PART OF THE STATE CONSTITUTION OF 1963 AS PROVIDED IN**
7 **SECTION 1 OF ARTICLE XII OF THE STATE CONSTITUTION OF 1963, THE**
8 **STATE TREASURER SHALL CREDIT THAT MONEY TO** the game and fish
9 protection account.

10 (3) Except as provided in sections 43524, 43525, and 43554
11 and subsection (4), money credited to **THE GAME AND FISH**
12 **PROTECTION FUND OR** the game and fish protection account shall be
13 paid out by the state treasurer pursuant to the accounting laws
14 of this state for the following purposes:

15 (a) Services rendered by the department, together with the
16 expenses incurred in the enforcement and administration of the
17 wildlife and fisheries laws of the state, including the necessary
18 equipment and apparatus incident to the operation and enforcement
19 of the wildlife and fisheries laws, and the protection,
20 propagation, distribution, and control of wildlife and fish.

21 (b) The propagation and liberation of wildlife or fish and
22 for their increase at the time, place, and manner as the
23 department considers advisable.

24 (c) The purchase, lease, and management of lands, together
25 with the necessary equipment for the purpose of propagating and
26 rearing wildlife or fish, and for establishing and maintaining
27 game refuges, wildlife sanctuaries, and public shooting and

1 fishing grounds.

2 (d) Conducting investigations and compiling and publishing
3 information relative to the propagation, protection, and
4 conservation of wildlife.

5 (e) Delivering lectures, developing cooperation, and
6 carrying on appropriate educational activities relating to the
7 conservation of the wildlife of this state.

8 (4) The department may make direct grants to colleges and
9 universities in this state, out of funds appropriated from **THE**
10 **GAME AND FISH PROTECTION FUND OR** the game and fish protection
11 account, to conduct fish or wildlife research or both fish and
12 wildlife research.

13 (5) The youth hunting and fishing education and outreach
14 fund is created as a separate fund in the department of treasury.
15 The state treasurer shall credit to the youth hunting and fishing
16 education and outreach fund the money received from the sale of
17 small game licenses and all-species fishing licenses under
18 sections 43523 and 43532, respectively, to ~~persons who are under~~
19 ~~17 years of age~~ **MINOR CHILDREN**. Money in the youth hunting and
20 fishing education and outreach fund at the close of the fiscal
21 year shall remain in the fund and shall not lapse to the general
22 fund.

23 (6) Money credited to the youth hunting and fishing
24 education and outreach fund shall be paid out by the state
25 treasurer pursuant to the accounting laws of this state for
26 hunting and fishing education and outreach programs for ~~youth~~
27 ~~under 17 years of age~~ **MINOR CHILDREN**.

1 (7) The department and any other executive department of the
2 state that receives money from the **GAME AND FISH PROTECTION FUND**
3 **OR** game and fish protection account or the youth hunting and
4 fishing education and outreach fund shall submit an annual report
5 to the legislature showing the amount of money received by the
6 department or other executive department from the **GAME AND FISH**
7 **PROTECTION FUND OR** game and fish protection account or the youth
8 hunting and fishing education and outreach fund and how that
9 money was spent. An executive department required to submit a
10 report as provided in this subsection shall send a copy of the
11 report to the legislature and to the department.