

# HOUSE BILL No. 5954

April 19, 2006, Introduced by Reps. Hummel, Vander Veen, Sheen, Baxter and Hansen and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 40103 and 43505 (MCL 324.40103 and 324.43505),  
section 40103 as amended by 2004 PA 160 and section 43505 as  
amended by 1996 PA 585.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 40103. (1) "Game" means any of the following animals but  
2       does not include privately owned cervidae species located on a  
3       registered cervidae livestock facility ~~as that term is defined in~~  
4       **REGISTERED UNDER** the privately owned cervidae producers marketing  
5       act, 2000 PA 190, MCL 287.951 TO 287.969:

6       (a) Badger.

7       (b) Bear.

8       (c) Beaver.

- 1 (d) Bobcat.
- 2 (e) Brant.
- 3 (f) Coot.
- 4 (g) Coyote.
- 5 (h) Crow.
- 6 (i) Deer.
- 7 (j) Duck.
- 8 (k) Elk.
- 9 (l) Fisher.
- 10 (m) Florida gallinule.
- 11 (n) Fox.
- 12 (o) Geese.
- 13 (p) Hare.
- 14 (q) Hungarian partridge.
- 15 (r) Marten.
- 16 (s) Mink.
- 17 (t) Moose.
- 18 (u) Mourning dove.
- 19 (v) Muskrat.
- 20 (w) Opossum.
- 21 (x) Otter.
- 22 (y) Pheasant.
- 23 (z) Quail.
- 24 (aa) Rabbit.
- 25 (bb) Raccoon.
- 26 (cc) Ruffed grouse.
- 27 (dd) Sharptailed grouse.

1 (ee) Skunk.

2 (ff) Snipe.

3 (gg) Sora rail.

4 (hh) Squirrel.

5 (ii) Weasel.

6 (jj) Wild turkey.

7 (kk) Woodchuck.

8 (ll) Woodcock.

9 (mm) Virginia rail.

10 (2) "Interim order of the department" means an order of the  
11 department issued under section 40108.

12 (3) "Kind" means an animal's sex, age, or physical  
13 characteristics.

14 (4) **"MUZZLE-LOADING", FOR THE PURPOSES OF THIS PART AND RULES**  
15 **PROMULGATED OR ORDERS ISSUED UNDER THIS PART, USED IN REFERENCE TO**  
16 **A FIREARM, MEANS THAT THE FIREARM IS DESIGNED TO USE BLACK POWDER**  
17 **OR A BLACK POWDER SUBSTITUTE AND CANNOT USE FIXED AMMUNITION,**  
18 **WHETHER OR NOT THE FIREARM IS LOADED AT THE MUZZLE.**

19 (5) ~~-(4)-~~ "Normal agricultural practices" means generally  
20 accepted agricultural and management practices as defined by the  
21 commission of agriculture.

22 (6) ~~-(5)-~~ "Open season" means the dates during which game may  
23 be legally taken.

24 (7) ~~-(6)-~~ "Parts" means any or all portions of an animal,  
25 including the skin, plumage, hide, fur, entire body, or egg of an  
26 animal.

27 (8) ~~-(7)-~~ "Protected" or "protected animal" **REFERS TO OR** means

1 an animal or kind of animal that is designated by the department as  
2 an animal that shall not be taken.

3 (9) ~~—(8)—~~ "Residence" means a permanent building serving as a  
4 temporary or permanent home. Residence may include a cottage,  
5 cabin, or mobile home, but does not include a structure designed  
6 primarily for taking game, a tree blind, a tent, a recreational or  
7 other vehicle, or a camper.

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

11 (2) "Identification" means a driver license issued by  
12 ~~Michigan~~ **THIS STATE**, another state, or a Canadian province as  
13 accepted by the department; ~~—~~ a state of Michigan identification  
14 card issued by the secretary of state; ~~—~~ or a sportcard issued by  
15 the department.

16 (3) "License" means a document or a tag, stamp, plastic card,  
17 or other device that may include a stamp or a tag that authorizes  
18 the licensee to hunt, fish, trap, or possess wild animals or  
19 aquatic species, and other identification required by the  
20 department.

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

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27 (6) ~~—(5)—~~ "Nonresident" means a person who is not a resident

1   **AND** who is 17 years of age or older.