

# SENATE BILL No. 521

September 26, 1991, Introduced by Senators EHLERS, GAST, WARTNER, MC MANUS, POLLACK and DINGELL and referred to the Committee on Agriculture, Forestry, and Wildlife.

A bill to amend the title and sections 103, 104, 105, 106, 107, 108, 109, 201, 202, 205, 206, 208, 301, 302, 303, 304a, 305, 306, 307, 308, 309, 310, 311, 314, 315, 316, 324, 325, 326, 328, 501, 502, 503, 507, 601, 602, 605, 701, and 702 of Act No. 86 of the Public Acts of 1980, entitled "The hunting and fishing license act," sections 103, 201, 206, 304a, 307, 310, 314, 315, 316, 328, 502, 503, and 701 as amended and section 605 as added by Act No. 63 of the Public Acts of 1986, section 208 as amended by Act No. 259 of the Public Acts of 1988, section 303 as amended by Act No. 183 of the Public Acts of 1986, section 305 as amended by Act No. 76 of the Public Acts of 1989, section 306 as amended by Act No. 272 of the Public Acts of 1989, section 308 as amended by Act No. 108 of the Public Acts of 1990, section 309 as amended by Act No. 210 of the Public Acts of 1989, section 311 as amended by Act No. 126 of

the Public Acts of 1984, sections 325 and 501 as amended by Act No. 152 of the Public Acts of 1990, and section 601 as amended by Act No. 270 of the Public Acts of 1987, being sections 316.103, 316.104, 316.105, 316.106, 316.107, 316.108, 316.109, 316.201, 316.202, 316.205, 316.206, 316.208, 316.301, 316.302, 316.303, 316.304a, 316.305, 316.306, 316.307, 316.308, 316.309, 316.310, 316.311, 316.314, 316.315, 316.316, 316.324, 316.325, 316.326, 316.328, 316.501, 316.502, 316.503, 316.507, 316.601, 316.602, 316.605, 316.701, and 316.702 of the Michigan Compiled Laws; to add section 304b; and to repeal certain parts of the act.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Section 1. The title and sections 103, 104, 105, 106, 107,  
2 108, 109, 201, 202, 205, 206, 208, 301, 302, 303, 304a, 305, 306,  
3 307, 308, 309, 310, 311, 314, 315, 316, 324, 325, 326, 328, 501,  
4 502, 503, 507, 601, 602, 605, 701, and 702 of Act No. 86 of the  
5 Public Acts of 1980, sections 103, 201, 206, 304a, 307, 310, 314,  
6 315, 316, 328, 502, 503, and 701 as amended and section 605 as  
7 added by Act No. 63 of the Public Acts of 1986, section 208 as  
8 amended by Act No. 259 of the Public Acts of 1988, section 303 as  
9 amended by Act No. 183 of the Public Acts of 1986, section 305 as  
10 amended by Act No. 76 of the Public Acts of 1989, section 306 as  
11 amended by Act No. 272 of the Public Acts of 1989, section 308 as  
12 amended by Act No. 108 of the Public Acts of 1990, section 309 as  
13 amended by Act No. 210 of the Public Acts of 1989, section 311 as  
14 amended by Act No. 126 of the Public Acts of 1984, sections 325  
15 and 501 as amended by Act No. 152 of the Public Acts of 1990, and  
16 section 601 as amended by Act No. 270 of the Public Acts of 1987,

1 being sections 316.103, 316.104, 316.105, 316.106, 316.107,  
2 316.108, 316.109, 316.201, 316.202, 316.205, 316.206, 316.208,  
3 316.301, 316.302, 316.303, 316.304a, 316.305, 316.306, 316.307,  
4 316.308, 316.309, 316.310, 316.311, 316.314, 316.315, 316.316,  
5 316.324, 316.325, 316.326, 316.328, 316.501, 316.502, 316.503,  
6 316.507, 316.601, 316.602, 316.605, 316.701, and 316.702 of the  
7 Michigan Compiled Laws, are amended and section 304b is added to  
8 read as follows:

9 TITLE

10 An act ~~to regulate the taking and subsequent transport of~~  
11 ~~game animals, game birds, fur-bearing animals, and fish,~~ to pro-  
12 vide for the issuing of licenses, permits, and stamps for the  
13 taking, catching, hunting, or killing, POSSESSION, AND REGULATION  
14 of game animals, game birds, fur-bearing animals, ~~and~~ fish,  
15 REPTILES, AMPHIBIANS, CRUSTACEANS, AND WIGGLERS TAKEN UNDER THE  
16 AUTHORITY OF A LICENSE OR PERMIT; to provide for the collection,  
17 disposition, and use of certain funds; to prescribe the powers  
18 and duties of certain state agencies; to provide for certain  
19 immunities from civil and criminal liability; to provide penal-  
20 ties for the violation of this act; and to repeal certain acts  
21 and parts of acts.

22 Sec. 103. (1) "AMPHIBIAN" MEANS ANY FROG, TOAD, SALAMANDER,  
23 OR ANY OTHER MEMBER OF THE CLASS AMPHIBIA.

24 (2) ~~-(1)-~~ "Bow" means a device for propelling an arrow from  
25 a string drawn, held, and released by hand where the force used  
26 to hold the string in the drawn position is provided by the  
27 archer's muscles.

1 (3) ~~-(2)-~~ "Commission" means the commission of natural  
2 resources.

3 (4) "CRUSTACEA" MEANS ANY FRESHWATER CRAYFISH, SHRIMP, OR  
4 PRAWN OF THE ORDER DECAPODA.

5 (5) ~~-(3)-~~ "Department" means the department of natural  
6 resources.

7 (6) ~~-(4)-~~ "Director" means the director of the department.  
8 ~~of natural resources.~~

9 Sec. 104. (1) "Fish" means all species of fish.

10 (2) "Fishing" means the pursuing, capturing, catching, kil-  
11 ling, or taking of fish, and includes attempting to PURSUE, CAP-  
12 TURE, CATCH, KILL, OR take fish.

13 (3) "Firearm" means a weapon from which a dangerous projec-  
14 tile may be propelled by using explosives, gas, or air as a means  
15 of propulsion. Firearm does not include a smooth bore rifle or  
16 handgun designed and manufactured exclusively for propelling BB's  
17 not exceeding .177 caliber by means of a spring, air, or gas.

18 (4) "Firearm deer season" means ~~that~~ ANY period in which  
19 deer may be LAWFULLY hunted with a firearm. ~~, including the~~  
20 ~~muzzle-loader's deer season in December as defined in section 11~~  
21 ~~of Chapter 2 of Act No. 286 of the Public Acts of 1929, as~~  
22 ~~amended, being section 312.11 of the Michigan Compiled Laws.~~

23 (5) "Fur-bearing animals" includes badger, beaver, bobcat,  
24 coyote, fisher, fox, lynx, marten, mink, muskrat, opossum, otter,  
25 raccoon, skunk, weasel, and wolf.

26 Sec. 105. ~~-(1)-~~ "Game" ~~includes game birds and game~~  
27 ~~animals~~ MEANS ANY ANIMAL LISTED IN SECTION 4 OF THE WILDLIFE

1 CONSERVATION ACT, ACT NO. 256 OF THE PUBLIC ACTS OF 1988, BEING  
2 SECTION 300.254 OF THE MICHIGAN COMPILED LAWS.

3 ~~(2) "Game animals" includes bear, deer, elk, hares, moose,~~  
4 ~~rabbits, fox squirrels, and black and gray squirrels.~~

5 ~~(3) "Game birds" includes all of the following:~~

6 ~~(a) The anseriformes, commonly known as geese, brant, and~~  
7 ~~wild ducks.~~

8 ~~(b) The gruiformes, commonly known as rails, coots, and~~  
9 ~~gallinules.~~

10 ~~(c) The charadriiformes, commonly known as shore birds,~~  
11 ~~snipe, woodcock, plovers, and sandpipers.~~

12 ~~(d) The galliformes, commonly known as pheasant, quail,~~  
13 ~~Hungarian partridge, grouse, prairie chicken, sharptailed grouse,~~  
14 ~~and wild turkey.~~

15 ~~(e) The columbiformes, commonly known as doves and pigeons.~~

16 ~~(f) The corvidae, commonly known as crows, ravens, and~~  
17 ~~jays.~~

18 Sec. 106. (1) "Hunt" and "hunting" ~~means the pursuing,~~  
19 ~~capturing, shooting, killing, or taking of wild animals, and~~  
20 ~~includes attempting to take a wild animal~~ MEAN TO PURSUE, CAP-  
21 TURE, SHOOT, KILL, CHASE, FOLLOW, HARASS, HARM, ROB, OR TRAP A  
22 WILD ANIMAL, OR TO ATTEMPT TO ENGAGE IN SUCH AN ACTIVITY.

23 (2) "License" means a document, ~~which~~ OR A TAG, STAMP,  
24 PLASTIC CARD, OR OTHER DEVICE THAT may include a stamp ~~which~~ OR  
25 A TAG THAT authorizes the licensee to hunt, fish, or trap or pos-  
26 sess wild animals and fish.

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

2 (4) "Nonresident" means a person who does not qualify under  
3 the definition of a resident.

4 Sec. 107. (1) "Open season" means the time during which  
5 game animals, game birds, fur-bearing animals, and fish may be  
6 legally taken or killed, and includes both the first and last day  
7 of the season or period.

8 (2) "Passbook" means a MICHIGAN DRIVERS LICENSE OR folder,  
9 DOCUMENT, PLASTIC CARD, OR OTHER DEVICE containing space for the  
10 applicant's name, address, and vital statistics. ~~and for hunt-~~  
11 ~~ing, trapping, and fishing license stamps.~~

12 (3) "Person" means an individual, sole proprietor, partner-  
13 ship, association, corporation, or other legal entity.

14 (4) "REPTILE" MEANS A TURTLE, SNAKE, LIZARD, OR ANY OTHER  
15 MEMBER OF THE CLASS REPTILIA.

16 (5) ~~(4)~~ "Resident" means ANY OF the following:

17 (a) A person who resides in a settled or permanent home or  
18 domicile within the boundaries of this state with the intention  
19 of remaining in this state.

20 (b) A student who is enrolled in a full-time course at a  
21 college or university within this state.

22 (C) A PERSON REGULARLY ENLISTED OR COMMISSIONED AS AN OFFI-  
23 CER IN THE ARMED FORCES OF THE UNITED STATES AND OFFICIALLY STA-  
24 TIONED IN THIS STATE.

25 (D) A PERSON REGULARLY ENLISTED OR COMMISSIONED AS AN OFFI-  
26 CER IN THE ARMED FORCES OF THE UNITED STATES WHO, AT THE TIME OF  
27 ENLISTMENT, WAS A RESIDENT OF THIS STATE AND HAS MAINTAINED HIS

1 OR HER RESIDENCE IN THIS STATE FOR PURPOSES OF OBTAINING A  
2 DRIVER'S LICENSE OR VOTER REGISTRATION, OR BOTH.

3       Sec. 108. (1) "Senior citizen" means a resident 65 years of  
4 age or older.

5       (2) "Slingshot" means a Y-shaped device with an elastic  
6 strip attached between the prongs used for projecting a stone or  
7 other object.

8       (3) "Small game" includes all species of protected game  
9 birds and game animals except bear, deer, elk, ~~and~~ moose, WILD  
10 TURKEY, AND FUR-BEARING ANIMALS.

11       (4) "Small game season" means that period between September  
12 15 and March 31.

13       Sec. 109. (1) "Take" means fishing, hunting, ~~and~~  
14 trapping, CATCHING, CAPTURING, KILLING, OR THE ATTEMPT TO ENGAGE  
15 IN SUCH AN ACTIVITY.

16       (2) "Trap" and "trapping" ~~means~~ MEAN the ~~pursuing, cap-~~  
17 ~~turing, catching, killing, and~~ taking of wild animals ~~, includ-~~  
18 ~~ing the attempt to take~~ by means of a trap.

19       (3) "WATERFOWL" MEANS DUCKS, GEESE, GALLINULES, AND  
20 MERGANSERS.

21       (4) ~~-(3)-~~ "Wild animal" means a mammal, bird, ~~or~~ fish,  
22 REPTILE, AMPHIBIAN, OR CRUSTACEA of a wild nature INDIGENOUS TO  
23 THIS STATE OR INTRODUCED TO THIS STATE BY THE DEPARTMENT OR A  
24 SPECIES DETERMINED BY THE COMMISSION TO BE OF PUBLIC BENEFIT.

25       (5) "WIGGLER" MEANS A MAYFLY NYMPH OR OTHER AQUATIC INSECT  
26 NYMPHS OR LARVAE.

1       Sec. 201. (1) A person 17 years of age or older shall not  
2 fish in any waters over which this state has jurisdiction, or  
3 possess fish without having in the person's possession a valid  
4 license as provided in this act.

5       (2) A person shall not hunt, trap, or possess a wild animal  
6 ~~or wild bird~~ without having in the person's possession a valid  
7 license as provided in this act.

8       (3) A person 17 YEARS OF AGE OR OLDER shall not ~~buy,~~  
9 ~~attempt to buy, sell, or attempt to sell an otter or bobcat pelt~~  
10 ~~without an official department seal attached to the pelt~~ TAKE OR  
11 ATTEMPT TO TAKE WIGGLERS OR CRUSTACEA FOR THEIR PERSONAL USE  
12 WITHOUT A FISHING LICENSE AS PROVIDED IN THIS ACT.

13       (4) A PERSON 17 YEARS OF AGE OR OLDER SHALL NOT TAKE OR  
14 ATTEMPT TO TAKE REPTILES OR AMPHIBIANS FOR THEIR PERSONAL USE  
15 WITHOUT A FISHING LICENSE AS PROVIDED IN THIS ACT.

16       Sec. 202. A person shall not carry or transport a firearm,  
17 slingshot, ~~or a~~ bow and arrow, OR A TRAP while in any area fre-  
18 quented by wild animals ~~or wild birds~~ unless that person has in  
19 the person's possession a license ~~to hunt~~ AS REQUIRED UNDER  
20 THIS ACT.

21       Sec. 205. A person may carry, transport, or possess a fire-  
22 arm or a bow and arrow without a hunting license while at or  
23 going to and from a recognized rifle or target range, trap or  
24 skeet shooting ground, or archery range if the firearm or bow and  
25 arrow, while being carried or transported, is UNLOADED OR  
26 UNSTRUNG AND enclosed and securely fastened in a case or locked  
27 in the trunk of a motor vehicle.

1        Sec. 206. (1) A resident, the resident's spouse, and the  
2 resident's children may hunt small game without a license upon  
3 the enclosed farmlands upon which they are regularly domiciled,  
4 at a time and in a manner permitted by law; except that they  
5 shall obtain a waterfowl hunting ~~stamp~~ LICENSE for hunting  
6 ~~geese, ducks, or mergansers~~ WATERFOWL and a federal migratory  
7 bird hunting stamp as required by law.

8        (2) A resident, the resident's spouse, and the resident's  
9 children may fish without a license in water wholly within the  
10 limits of their enclosed farmlands or other enclosed lands upon  
11 which they are regularly domiciled, at a time and in a manner  
12 permitted by law.

13       Sec. 208. (1) A person who has been issued a hunting, fish-  
14 ing, or fur harvester's license when hunting, fishing, or  
15 trapping, or in the possession of firearms or other hunting,  
16 fishing, or trapping apparatus in an area frequented by wild ani-  
17 mals ~~, wild birds, and~~ OR fish, shall carry the license and  
18 shall exhibit the license upon the demand of a conservation offi-  
19 cer, a law enforcement officer, or the owner or occupant of the  
20 land upon which the person is hunting, fishing, or trapping.

21       (2) A person who is hunting shall wear a backtag IF A BACK-  
22 TAG IS issued by the department ~~which displays the number of the~~  
23 ~~license or passbook~~ ON THE OUTSIDE OF THE BACK OF A PERSON'S  
24 OUTERMOST GARMENT IN A MANNER THAT IS CLEARLY VISIBLE.

25       (3) ~~-(2) The holder of a firearm deer license~~ A PERSON  
26 shall not carry or possess afield a shotgun with buckshot, slug  
27 loads, or ball loads; a bow and arrow; a muzzle-loading rifle or

1 black powder handgun; or a centerfire handgun or centerfire rifle  
2 during firearm deer season unless that person has a valid firearm  
3 deer license, with an unused kill tag, IF ISSUED, issued in his  
4 or her name.

5 (4) The unused kill tag, IF ISSUED, shall be exhibited upon  
6 the request of a conservation officer, a law enforcement officer,  
7 or the owner or occupant of the land upon which the person is  
8 hunting.

9 Sec. 301. (1) As used in this article, "director" includes  
10 a person designated by the director to issue and sell licenses.  
11 ~~and stamps.~~

12 (2) A LICENSE ISSUED UNDER THIS ACT IS NOT VALID UNLESS IT  
13 IS SIGNED.

14 Sec. 302. (1) To obtain a hunting, ~~trapping~~ FUR  
15 HARVESTER, fishing, or ~~sportsman's~~ SPORTSPERSON'S license, an  
16 applicant shall do all of the following:

17 (a) Submit to the director proof of residency OR SIGN AN  
18 AFFIDAVIT OF MICHIGAN RESIDENCY.

19 (b) Provide the information required on the license  
20 application.

21 (c) Pay the license fee.

22 (d) Possess a valid passbook.

23 (2) A person shall not ~~be issued~~ OBTAIN OR ATTEMPT TO  
24 OBTAIN a hunting, ~~trapping~~ FUR HARVESTER, fishing, or  
25 ~~sportsman's~~ SPORTSPERSON'S license if a court order prohibits  
26 the person from obtaining SUCH a license.

1       Sec. 303. (1) Subject to other requirements of this act,  
2 the director may issue a hunting license to a minor child ~~on~~  
3 SUBJECT TO BOTH OF the following conditions:

4       (a) On application of a parent or legal guardian of the  
5 minor child, if the minor child, when hunting on lands upon which  
6 the minor child's parents are not regularly domiciled, is accom-  
7 panied by the parent, guardian, or other person authorized by the  
8 parent or guardian who is 17 years of age or older.

9       ~~(b) Proof of previous hunting experience in the form of a~~  
10 ~~prior hunting license issued to the minor child by this state,~~  
11 ~~another state, or a province of Canada or a certification of com-~~  
12 ~~petency in hunter safety issued to the minor child by a hunter~~  
13 ~~safety examiner as a result of passing a hunter safety examina-~~  
14 ~~tion in this state, another state, or a province of Canada. This~~  
15 ~~subdivision shall not apply after February 29, 1988.~~

16       (B) ~~(c)~~ Payment of the license fee.

17       ~~(2) A person authorized to sell hunting licenses shall not~~  
18 ~~issue a hunting license to a minor child unless the minor child~~  
19 ~~presents a certification of competency or other form of proof as~~  
20 ~~required in subsection (1). The issuing agent shall record in~~  
21 ~~the passbook or on the license the form of proof presented by the~~  
22 ~~applicant in compliance with subsection (1), the license number~~  
23 ~~and year of issue, and the state of issue, if other than this~~  
24 ~~state, of a license previously issued which is presented as proof~~  
25 ~~of previous hunting experience by the applicant. This subsection~~  
26 ~~shall not apply after February 29, 1988.~~

1       (2) ~~-(3)-~~ A license to hunt deer, bear, or elk with a  
2 firearm shall not be issued to a person who is less than 14 years  
3 of age.

4       (3) ~~-(4)-~~ A license to hunt shall not be issued to a person  
5 who is less than 12 years of age.

6       (4) ~~-(5)- Beginning March 1, 1988, a-~~ A person authorized to  
7 sell hunting licenses shall not issue a hunting license to a  
8 person born after January 1, 1960, unless the person presents  
9 proof of previous hunting experience in the form of a hunting  
10 license issued by this state, another state, a province of  
11 Canada, or another country or a certification of completion of  
12 training in hunter safety issued to the person by this state,  
13 another state, a province of Canada, or another country. If an  
14 applicant for a hunting license does not have proof of a previous  
15 license or a certification of completion of training in hunter  
16 safety, a person authorized to sell hunting licenses may issue a  
17 hunting license if the applicant submits a signed affidavit stat-  
18 ing that they have completed a course in hunter safety or that  
19 they have possessed a hunting license previously. The person  
20 selling a hunting license shall record on the license the  
21 applicant's date of birth and the form of proof of the previous  
22 hunting experience presented by the applicant, listing the  
23 license number or certification number, the year of issue, and  
24 the state, province, or country of issue.

25       Sec. 304a. (1) The director may issue ~~a person~~ a  
26 sportsperson's license TO A RESIDENT OF THIS STATE which ~~shall~~  
27 ~~include~~ INCLUDES all of the following:

1 (a) Resident firearm deer.

2 (b) Resident small game.

3 (c) Resident fish.

4 (d) Resident archery deer.

5 (e) Resident trout and salmon ~~stamp, beginning on April 1,~~  
6 ~~1986~~ LICENSE.

7 (2) The sportsperson's license shall be issued instead of  
8 the individual licenses enumerated in subsection (1) and shall  
9 confer the combined rights and privileges of those licenses.

10 (3) The fee for a sportsperson's license shall be \$45.00.  
11 ~~\$31.00. Beginning on April 1, 1986, the fee for a~~  
12 ~~sportsperson's license shall be \$36.00. Beginning on April 1,~~  
13 ~~1987, the fee for a sportsperson's license shall be \$45.00.~~

14 SEC. 304B. IF A PERSON APPLYING FOR A LICENSE OR PERMIT  
15 UNDER THIS ACT DOES NOT POSSESS A MICHIGAN DRIVERS LICENSE, THE  
16 DIRECTOR SHALL ISSUE AN ALTERNATIVE FORM OF PASSBOOK. THE DIREC-  
17 TOR SHALL ISSUE A LICENSE AND A PASSBOOK PROVIDED FOR IN THIS  
18 ARTICLE IF THE APPLICANT SATISFIES THE LICENSE REQUIREMENTS AND  
19 PAYS THE LICENSE FEES. EACH LICENSE SHALL BEAR THE NUMBER OF THE  
20 APPLICANT'S PASSBOOK AND SHALL AUTHORIZE THE PERSON WHOSE PASS-  
21 BOOK NUMBER IS PRINTED ON THE LICENSE TO HUNT, FISH, TRAP, OR  
22 OTHERWISE EXERCISE THE PRIVILEGES CONFERRED BY THE LICENSE IN A  
23 MANNER AND AT A TIME PRESCRIBED BY LAW.

24 Sec. 305. (1) Except as otherwise provided in this act, a  
25 person shall not hunt small game without a current small game  
26 license. Each small game license ~~shall authorize~~ AUTHORIZES  
27 the person named in the license to hunt for small game except for

1 animals or birds which require a special license. The fee for a  
2 resident small game license ~~shall be~~ IS \$9.50. The fee for a  
3 nonresident small game license ~~shall be~~ IS \$50.00. The resi-  
4 dent small game license fee for a minor child ~~shall be~~ IS 1/2  
5 the amount prescribed in this subsection.

6 (2) A nonresident may purchase a limited small game license  
7 entitling that person to hunt for a 3-day period all species of  
8 small game that are available to hunt under the small game  
9 license. The fee for the limited nonresident small game license  
10 ~~shall be~~ IS \$20.00.

11 (3) A small game license ~~shall be~~ IS void between the  
12 hours of 1/2 HOUR AFTER sunset and 1/2 HOUR BEFORE sunrise.

13 (4) A nonresident hunter who legally possesses a nonresident  
14 hunting license may take from this state as open hand baggage the  
15 number of birds and animals which are permitted to be taken and  
16 in the person's possession at any 1 time.

17 ~~(5) Wild turkey may be taken during the open season for~~  
18 ~~wild turkey with a valid wild turkey hunting license issued under~~  
19 ~~section 306. A small game license issued under this section is~~  
20 ~~not required to take wild turkey.~~

21 Sec. 306. (1) A person shall not hunt wild turkeys without  
22 a wild turkey hunting license. The fee for a resident wild  
23 turkey hunting license ~~shall be~~ IS \$9.50. The fee for a resi-  
24 dent wild turkey hunting license for a senior citizen ~~shall be~~  
25 IS \$1.00. The fee for a nonresident wild turkey hunting license  
26 ~~shall be~~ IS \$50.00. ~~A person who is issued a small game~~  
27 ~~license may make an application to the department for a wild~~

1 ~~turkey hunting license.~~ Applications for a license to hunt wild  
2 turkeys shall be entered into a lottery designed and run by the  
3 department. A person selected in the lottery shall upon meeting  
4 the requirements of this act receive a wild turkey hunting  
5 license. The license shall be issued for a specified hunting  
6 period and shall confer upon the holder of the license the right  
7 to hunt wild turkeys.

8 (2) The fees collected for wild turkey hunting licenses  
9 shall be used for scientific research, biological survey work on  
10 wild turkeys, and wild turkey management in this state.

11 Sec. 307. (1) A person 16 years of age or older shall not  
12 hunt ~~wild geese, ducks, or mergansers~~ WATERFOWL without a cur-  
13 rent waterfowl hunting ~~stamp~~ LICENSE issued by this state. The  
14 annual ~~stamp~~ LICENSE is in addition to the requirements for a  
15 small game license and federal migratory bird hunting stamp. The  
16 fee for the waterfowl hunting ~~stamp shall be~~ LICENSE IS \$3.50.

17 (2) ~~The~~ IF ISSUED SEPARATELY, A waterfowl hunting ~~stamp~~  
18 LICENSE shall be affixed to the small game license ~~or passbook~~  
19 of the person and validated by the person's signature written  
20 across the face of the stamp.

21 (3) A COLLECTOR MAY PURCHASE A WATERFOWL HUNTING LICENSE, IF  
22 IT IS ISSUED SEPARATELY, WITHOUT BEING REQUIRED TO PLACE IT ON A  
23 SMALL GAME LICENSE, SIGN ACROSS ITS FACE, OR PROVIDE PROOF OF  
24 COMPETENCY UNDER SECTION 303(5). HOWEVER, A LICENSE DESCRIBED IN  
25 THIS SUBSECTION IS NOT VALID FOR HUNTING WATERFOWL.

26 (4) ~~(3)~~ A person shall not hunt waterfowl or deer where  
27 deer hunting is regulated by permit in an area designated by the

1 commission as a managed waterfowl area without an annual or daily  
2 managed waterfowl area permit and any other license, permit, or  
3 passbook required by this act. The fee for a daily managed  
4 waterfowl area permit ~~shall be~~ IS \$3.00. The fee for an annual  
5 managed waterfowl area permit ~~shall be~~ IS \$10.00.

6 (5) ~~(4)~~ Following a lottery among applicants for hunting  
7 privileges in managed waterfowl areas, only those successful  
8 applicants who wish to accept the permit privileges are required  
9 to purchase a daily or annual managed waterfowl area permit.

10 (6) ~~(5)~~ The fee collected for a waterfowl hunting ~~stamp~~  
11 LICENSE shall be used to acquire ~~managed waterfowl areas~~  
12 WETLANDS AND OTHER LANDS TO BE MANAGED FOR THE BENEFIT OF  
13 WATERFOWL. The fee collected for an annual or daily managed  
14 waterfowl area permit shall be used to operate, maintain, and  
15 develop managed waterfowl areas in this state.

16 Sec. 308. (1) A person shall not hunt deer during the fire-  
17 arm deer season without purchasing a firearm deer license. The  
18 fee for a resident firearm deer license ~~shall be~~ IS \$12.50.  
19 The fee for a nonresident firearm deer license ~~shall be~~ IS  
20 \$100.00. Where authorized by the commission, a person may pur-  
21 chase a second firearm deer license in 1 season. The fee for a  
22 second resident firearm deer license ~~shall be~~ IS \$12.50. The  
23 fee for a second nonresident firearm deer license ~~shall be~~ IS  
24 \$100.00. The commission in exercising its powers to issue orders  
25 under section 8 of the wildlife conservation act, Act No. 256 of  
26 the Public Acts of 1988, being section 300.258 of the Michigan  
27 Compiled Laws, may designate the kind of deer which may be taken,

1 and may limit the issuance of a second firearm deer license in  
2 areas it considers advisable in managing deer.

3       (2) The director ~~shall~~ MAY issue a tag with OR AS PART OF  
4 each deer license. The KILL tag shall bear the license number  
5 and may include pertinent information including the date and  
6 month of killing the animal, the sex of the animal, and size of  
7 the antlers which shall be marked by the licensee upon the kil-  
8 ling of a deer. The KILL tag, IF ISSUED, shall be a part of the  
9 license.

10       ~~(3) A person who kills a deer shall immediately attach the~~  
11 ~~tag that contains the number of the license held by that person~~  
12 ~~to the antler, lower jaw, or gambrel of a deer in a secure and~~  
13 ~~permanent manner. A deer shall not be offered for shipment,~~  
14 ~~shipped, or received for shipment by a common carrier unless the~~  
15 ~~tag is attached to the animal when presented for shipment. The~~  
16 ~~tag shall remain attached to the deer until the carcass is dis-~~  
17 ~~posed of. A person, corporation, or common carrier shall not~~  
18 ~~receive for transportation or have in possession at the initial~~  
19 ~~billing station the carcass or dead body of a deer or elk more~~  
20 ~~than 48 hours immediately following the closing of the time when~~  
21 ~~the killing of deer is authorized by law.~~

22       ~~(4) A person shall not have in the person's possession, or~~  
23 ~~transport, a deer or part of a deer unless the tag is attached to~~  
24 ~~the deer or part of the deer.~~

25       ~~(5) A nonresident may possess and transport a deer outside~~  
26 ~~of this state if the tag is attached to the deer or part of the~~  
27 ~~deer as provided in this section.~~

1       Sec. 309. (1) A person shall not hunt deer with a bow and  
 2 arrow during the bow and arrow deer season without a bow and  
 3 arrow deer license. The fee for a resident bow and arrow deer  
 4 license ~~shall be~~ IS \$12.50. The fee for a nonresident bow and  
 5 arrow deer license ~~shall be~~ IS \$75.00. The resident bow and  
 6 arrow deer license fee for a minor child shall be 1/2 the amount  
 7 prescribed in this subsection. Where authorized by the commis-  
 8 sion, a person may purchase a second bow and arrow deer license  
 9 in 1 season. The fee for a second resident bow and arrow deer  
 10 license ~~shall be~~ IS \$12.50. The fee for a second nonresident  
 11 bow and arrow deer license ~~shall be~~ IS \$75.00. The commission  
 12 in exercising its powers to issue orders under section 8 of the  
 13 wildlife conservation act, Act No. 256 of the Public Acts of  
 14 1988, being section 300.258 of the Michigan Compiled Laws, may  
 15 designate the kind of deer which may be taken, and may limit the  
 16 issuance of a second bow and arrow deer license in areas it con-  
 17 siders advisable in managing deer.

18       (2) The director ~~shall~~ MAY issue a KILL tag with, OR AS A  
 19 PART OF, each bow and arrow deer license. Section 308(2) ~~, (3),~~  
 20 ~~(4), and (5) shall apply~~ APPLIES with respect to a bow and arrow  
 21 deer license.

22       ~~(3) A person shall not affix any device to a bow which aids~~  
 23 ~~in the cocking or holding of a bow string in a drawn position.~~  
 24 ~~This subsection shall not prohibit the use of a hand held device~~  
 25 ~~to release the bow string. This subsection shall not apply to a~~  
 26 ~~permanently disabled person who holds a special permit provided~~  
 27 ~~for in section 14 of the wildlife conservation act, Act No. 256~~

~~1 of the Public Acts of 1988, being section 300.264 of the Michigan  
2 Compiled Laws.~~

3       Sec. 310. (1) A person shall not hunt bear without a bear  
4 hunting license. The fee for a resident bear hunting license IS  
5 \$14.00. ~~shall be \$11.00. Beginning on April 1, 1987, the fee~~  
6 ~~for a resident bear hunting license shall be \$14.00.~~ The fee for  
7 a nonresident bear hunting license IS \$150.00. ~~shall be~~  
8 ~~\$100.00. Beginning on April 1, 1986, the fee for a nonresident~~  
9 ~~bear hunting license shall be \$150.00.~~

10       (2) ~~A person shall not trap or poison a bear.~~ THE DIRECTOR  
11 MAY ISSUE A TAG WITH, OR AS A PART OF, A BEAR LICENSE.  
12 SECTION 308(2) APPLIES WITH RESPECT TO A BEAR LICENSE.

13       Sec. 311. (1) A resident shall not hunt elk during the elk  
14 season without an elk hunting license. The fee for an elk hunt-  
15 ing license ~~shall be~~ IS \$100.00. The commission may establish  
16 a nonrefundable application fee not to exceed \$4.00 for each  
17 person who applies for an elk hunting license.

18       (2) ~~There shall be issued with each elk hunting license a~~  
19 ~~tag bearing the same number as the license. A person who kills~~  
20 ~~an elk shall attach the tag to the elk immediately. The tag~~  
21 ~~shall remain attached to the elk until the carcass is disposed~~  
22 ~~of. A person shall not possess or transport an elk or part of an~~  
23 ~~elk unless the tag is attached.~~ THE DIRECTOR MAY ISSUE A TAG  
24 WITH, OR AS A PART OF, AN ELK LICENSE. SECTION 308(2) APPLIES  
25 WITH RESPECT TO AN ELK LICENSE.

26       Sec. 314. (1) A person shall not trap or hunt fur-bearing  
27 animals without purchasing and possessing a fur harvester's

1 license. However, a fur harvester's license is not required to  
2 hunt a fur-bearing animal if the hunting of that animal is not  
3 restricted under this or any other act. The fee for a resident  
4 fur harvester's license ~~shall be~~ IS \$15.00. The fee for a fur  
5 harvester's license for a resident minor child ~~shall be~~ IS  
6 \$7.50.

7 (2) A nonresident of this state may be issued a nonresident  
8 fur harvester's license if the state, province, or country in  
9 which the nonresident applicant resides allows residents of this  
10 state to obtain equivalent hunting and trapping privileges in  
11 that state, province, or country. The fee for an eligible non-  
12 resident fur harvester's license ~~shall be~~ IS \$150.00.  
13 Nonresident fur harvester's licenses shall not be sold or pur-  
14 chased prior to November 15 of each year.

15 (3) A person who holds a fur harvester's license may hunt  
16 fur-bearing animals during the season open to taking fur-bearing  
17 animals with firearms and may trap fur-bearing animals during the  
18 season open to trapping fur-bearing animals.

19 (4) ~~Ten percent~~ UNTIL MARCH 27, 1991, 10% of the license  
20 fee for each resident and nonresident fur harvester's license  
21 shall be used for fur harvesters' education and 8% shall be used  
22 for research pertaining to fur-bearing animals.

23 (5) ~~Subsection (4) shall not apply 5 years after the effec-~~  
24 ~~tive date of the 1985 amendatory act that adds this subsection.~~  
25 ~~At that time, the~~ THE fees for fur harvester's licenses shall be  
26 credited to the game and fish protection fund as provided in  
27 section 601. However, programs initiated with funds provided

1 under subsection (4) shall continue to receive adequate funding  
2 from the game and fish protection fund.

3 ~~(6) Subsection (2) shall not apply 3 years after the effec-~~  
4 ~~tive date of the 1985 amendatory act that adds this subsection.~~  
5 ~~At that time, a nonresident shall not be issued a nonresident fur~~  
6 ~~harvester's license enabling that person to trap fur-bearing ani-~~  
7 ~~mals but may be issued a nonresident fur harvester's license ena-~~  
8 ~~bling that person to hunt fur-bearing animals.~~

9 (6) ~~(7)~~ Notwithstanding ~~section 805~~ A CONTRARY ORDER OF  
10 THE COMMISSION UNDER THE WILDLIFE CONSERVATION ACT, ACT NO. 256  
11 OF THE PUBLIC ACTS OF 1988, BEING SECTIONS 300.251 TO 300.270 OF  
12 THE MICHIGAN COMPILED LAWS, a resident who holds a fur  
13 harvester's license may carry a .22 caliber rimfire firearm while  
14 hunting or checking a trap line during the open season for hunt-  
15 ing or trapping fur-bearing animals.

16 Sec. 315. (1) A person 17 years of age or older shall not  
17 fish in the waters over which this state has jurisdiction without  
18 a license. The fee for a resident annual fishing license IS  
19 \$9.50. ~~shall be \$7.00. Beginning on April 1, 1987, the fee for~~  
20 ~~a resident annual fishing license shall be \$9.50.~~ The fee for a  
21 nonresident annual fishing license IS \$20.00. ~~shall be \$15.00.~~  
22 ~~Beginning on April 1, 1986, a nonresident annual fishing license~~  
23 ~~shall be \$20.00.~~

24 (2) The annual fishing license ~~shall entitle~~ ENTITLES the  
25 licensee to take fish other than trout or salmon.

26 (3) The holder of an annual fishing license, upon payment of  
27 an additional fee of ~~\$7.00~~ \$9.50, may procure a trout and

1 salmon ~~stamp which shall entitle~~ LICENSE THAT ENTITLES the  
2 holder to take trout and salmon in a manner and at a time pre-  
3 scribed by law. ~~Beginning on April 1, 1987, the fee for a trout~~  
4 ~~and salmon stamp shall be \$9.50.~~

5 (4) The holder of an annual fishing license who purchases a  
6 salmon snagging ~~stamp~~ LICENSE under section 11 of chapter III  
7 of the Michigan sportsmen fishing law, Act No. 165 of the Public  
8 Acts of 1929, being section 303.11 of the Michigan Compiled Laws,  
9 is not required to purchase a trout and salmon ~~stamp~~ LICENSE to  
10 snag salmon lawfully.

11 Sec. 316. A resident or nonresident may purchase a limited  
12 fishing license entitling that person to fish for all species of  
13 fish in all waters of this state. The fee for a limited fishing  
14 license IS \$5.00 PER DAY. ~~shall be \$3.50 per day. Beginning on~~  
15 ~~April 1, 1987, the fee for a limited fishing license shall be~~  
16 ~~\$5.00 per day. A passbook shall not be issued with a limited~~  
17 ~~fishing license.~~

18 Sec. 324. (1) An application for a license issued under  
19 this article may be made by mail OR TELEPHONE to a person autho-  
20 rized to issue licenses who shall forward the license issued to  
21 the applicant at an address the applicant directs. An applicant  
22 shall satisfy all the requirements of this act for obtaining a  
23 license before a license is issued by mail. THE FEE FOR AN  
24 APPLICATION MADE BY MAIL OR TELEPHONE IS \$1.00 IN ADDITION TO THE  
25 LICENSE AND TRANSACTION FEE.

26 (2) IF A CHECK OR DRAFT OF A REQUIRED FEE IS NOT PAID ON ITS  
27 FIRST PRESENTATION, THE FEE IS DELINQUENT AS OF THE DATE THE

1 CHECK OR DRAFT WAS TENDERED. THE PERSON TENDERING THE CHECK OR  
2 DRAFT REMAINS LIABLE FOR THE PAYMENT OF EACH FEE AND ANY  
3 PENALTY.

4 (3) THE DIRECTOR MAY REVOKE A LICENSE, DUPLICATE LICENSE,  
5 APPLICATION, OR PERMIT IF THE DIRECTOR HAS DETERMINED THAT A FEE  
6 PRESCRIBED IN THIS ACT HAS NOT BEEN PAID AND REMAINS UNPAID AFTER  
7 REASONABLE NOTICE OR DEMAND.

8 (4) IF A FEE IS STILL DELINQUENT 15 DAYS AFTER THE DIRECTOR  
9 HAS GIVEN NOTICE TO A PERSON WHO TENDERED THE CHECK OR DRAFT, THE  
10 DIRECTOR SHALL ASSESS AND COLLECT A \$15.00 PENALTY IN ADDITION TO  
11 THE LICENSE AND TRANSACTION FEE.

12 Sec. 325. A person authorized by the director to issue  
13 licenses ~~and passbooks~~ may CHARGE AND retain ~~8% of the~~ A 40  
14 CENT license AND TRANSACTION fee ~~and passbook fee~~ for each  
15 license, ~~and passbook~~ DUPLICATE LICENSE, APPLICATION, OR PERMIT  
16 sold. ~~by that person and 8% of the amount of each conservation~~  
17 ~~law enforcement stamp sold by that person.~~ THE DIRECTOR MAY ALSO  
18 AUTHORIZE A PERSON WHO SELLS LICENSES TO CHARGE AND RETAIN A 40  
19 CENT TRANSACTION FEE FOR PERMIT APPLICATION INQUIRIES.

20 Sec. 326. All licenses issued under this article ~~shall be~~  
21 ARE valid from ~~April~~ MARCH 1 through ~~the following~~ March 31  
22 OF THE FOLLOWING YEAR, except the daily fishing license and the  
23 wild turkey hunting permit ~~which shall be~~ THAT IS valid for the  
24 period of the ~~license~~ STAMP.

25 Sec. 328. (1) Except as provided in subsection (5), if a  
26 license or passbook ~~containing licenses~~ issued pursuant to this  
27 act or a deer kill tag or back tag is lost or destroyed, a

1 licensee may procure a duplicate from the director. To obtain a  
 2 duplicate license, passbook, deer kill tag, or back tag, the  
 3 licensee shall file a certification of loss form with the direc-  
 4 tor and shall pay the full license fee for each duplicate  
 5 requested. There shall be no charge for a duplicate of a ~~back~~  
 6 ~~tag~~ PASSBOOK ISSUED PURSUANT TO THIS ACT.

7 (2) If the licensee has met the requirements of subsection  
 8 (1) and all other requirements of this act for procuring a  
 9 license, passbook, OR IF REQUIRED BY THIS ACT A deer kill tag, or  
 10 back tag, the director shall ~~issue to~~ VERIFY the PURCHASE OF  
 11 THE ORIGINAL AND ISSUE TO THE licensee the duplicates requested  
 12 ~~After verifying the purchase of the original license, pass-~~  
 13 ~~book, or deer kill tag, the department shall refund to the~~  
 14 ~~licensee the fees paid pursuant to subsection (1) less~~ AND  
 15 COLLECT the following applicable duplicate fees:

16 (a) Except as provided in subdivisions (b) and (c), \$3.00  
 17 for all licenses included in a certification of loss.

18 (b) For a duplicate of a validated deer kill tag, ~~\$9.75~~  
 19 \$12.50.

20 (c) For a duplicate of a deer or sportsperson's license,  
 21 including the deer kill tags, ~~\$9.75~~ \$12.75, unless the vali-  
 22 dated deer kill tags issued with the original license are  
 23 returned to the director. ~~Beginning on April 1, 1987, a dupli-~~  
 24 ~~cate of a deer or sportsperson's license, including the deer kill~~  
 25 ~~tags, shall be \$12.85.~~ Upon return of the deer kill tags, the  
 26 duplicate license fee for the license shall be included in the  
 27 \$3.00 fee established in subdivision (a).

1 (3) The fee for the wildlife resource protection fund  
2 provided for in section 604 shall not be added to the duplicate  
3 fee provided for in this section, but shall be deducted from the  
4 duplicate fee and paid to the wildlife resource protection fund.

5 (4) If the total fees paid by the licensee are less than the  
6 applicable duplicate fee, the fees paid by the licensee shall  
7 constitute payment of the duplicate fee.

8 (5) This section ~~shall~~ DOES not apply to the daily fishing  
9 license.

10 Sec. 501. (1) The director shall prepare the passbook and  
11 licenses to comply with this act and may authorize persons to  
12 issue passbooks, OTHER THAN MICHIGAN DRIVER LICENSES, and  
13 licenses.

14 (2) A passbook shall provide the following information:

15 (a) The name of the applicant.

16 (b) The height and weight of the applicant.

17 (c) The address of the applicant.

18 (d) The birth date of the applicant.

19 (e) ~~The driver's license number of the applicant, if the~~  
20 ~~applicant has a driver's license.~~ THE APPLICANT'S SOCIAL SECUR-  
21 ITY NUMBER.

22 (3) A LICENSE MAY PROVIDE THE FOLLOWING INFORMATION:

23 (A) ~~-(f)-~~ The date and time of issuance of the ~~passbook or~~  
24 license.

25 (B) ~~-(g)-~~ The identification code of the person issuing the  
26 ~~passbook~~ LICENSE.

1 (C) ~~-(h)-~~ The form of proof of eligibility to receive a  
2 ~~passbook~~ LICENSE by the applicant as required.

3 (D) THE PASSBOOK NUMBER.

4 (E) THE APPLICANT'S DATE OF BIRTH.

5 (4) THE DIRECTOR MAY REQUIRE PERSONS AUTHORIZED TO ISSUE  
6 LICENSES UNDER THIS ACT TO PURCHASE OR LEASE EQUIPMENT NECESSARY  
7 FOR THE ISSUANCE OF LICENSES.

8 (5) ~~-(3)-~~ The department shall provide persons authorized to  
9 issue licenses and passbooks under this act with conservation law  
10 enforcement stamps to enable the purchaser of the stamps to con-  
11 tribute to the wildlife resource protection fund created in  
12 section 604. Conservation law enforcement stamps shall be issued  
13 BY THE DEPARTMENT in the amounts of \$2.00 and \$5.00.

14 Sec. 502. (1) ~~The~~ UNTIL APRIL 1, 1993, THE director may  
15 require a person authorized to issue passbooks and licenses to  
16 file a bond with the department. The type and amount of the bond  
17 shall be determined by the director.

18 ~~-(2) A person issuing a passbook or license shall before the~~  
19 ~~twenty fifth day of each month tender the money received from the~~  
20 ~~fifteenth day of the preceding month to the fifteenth day of the~~  
21 ~~month in which payment is tendered for the passbooks and the~~  
22 ~~licenses sold during that period to the director, along with a~~  
23 ~~carbon copy of those passbooks and licenses.~~

24 ~~-(3) A person authorized to issue licenses, before January 16~~  
25 ~~of each year, shall file with the department a complete report of~~  
26 ~~all the firearm deer, bow and arrow deer, and bear hunting~~

1 ~~licenses issued the previous year and other information required~~  
2 ~~by the department.~~

3 ~~(4) A license shall be effective from April 1 to March 31,~~  
4 ~~except as otherwise provided in this act.~~

5 ~~(5) A person authorized to issue passbooks and licenses,~~  
6 ~~before April 15 of each year, shall file with the department a~~  
7 ~~complete report of the passbooks and licenses issued the previous~~  
8 ~~license year. All carbon copies of passbooks and licenses sold,~~  
9 ~~unsold passbooks and licenses, and remaining money shall be~~  
10 ~~returned to the department.~~

11 (2) A PERSON ISSUING A LICENSE OR PERMIT SHALL DEPOSIT MONEY  
12 RECEIVED FROM THE SALE OF EACH LICENSE OR PERMIT AT A BANK AND AT  
13 THE FREQUENCY PRESCRIBED BY THE DEPARTMENT.

14 (3) ~~-(6)-~~ A person shall not charge a fee for a passbook or  
15 a license in an amount greater than the fee stamped on the pass-  
16 book or license by the department.

17 (4) ALL FEES COLLECTED FROM THE SALE OF LICENSES, DUPLICATE  
18 LICENSES, APPLICATIONS, OR PERMITS, EXCEPT FOR THE FEES PROVIDED  
19 IN SECTIONS 324 AND 325, ARE HELD IN TRUST FOR THE STATE. A  
20 PERSON WHO COLLECTS, POSSESSES, OR MANAGES FEES FROM THE SALE OF  
21 LICENSES, DUPLICATE LICENSES, APPLICATIONS, OR PERMITS DOES SO AS  
22 A FIDUCIARY FOR THE STATE.

23 Sec. 503. A person who violates section 502, in addition to  
24 other penalties provided by law, shall forfeit the right to issue  
25 licenses and passbooks and shall forfeit the right to retain any  
26 ~~percentage of the license or passbook~~ LICENSE TRANSACTION fees  
27 FOR LICENSE FEES not received by the department within ~~20 days~~

1 48 HOURS after the date AND TIME the license or passbook fees  
2 should have been ~~tendered~~ DEPOSITED as ~~provided in~~  
3 ~~section 502~~ REQUIRED BY THE DEPARTMENT.

4 Sec. 507. The ~~director~~ COMMISSION may REQUIRE THE DIREC-  
5 TOR TO establish a quota on the number of each kind of license  
6 that may be issued.

7 Sec. 601. (1) Except as provided in sections 604 and 605,  
8 the director shall transmit all money received from the sale of  
9 ~~passbooks and~~ licenses to the state treasurer, together with a  
10 statement indicating the amount of money received and the source  
11 of the money. The game and fish protection fund is created as a  
12 separate fund in the department of treasury and the state trea-  
13 surer shall credit the money received from the sale of ~~passbooks~~  
14 ~~and~~ licenses to the game and fish protection fund.

15 (2) Except as provided in sections 306, 307, 314, 602, 605,  
16 and subsection (3), money credited to the game and fish protec-  
17 tion fund shall be paid out by the state treasurer pursuant to  
18 the accounting laws of this state for the following purposes:

19 (a) Services rendered by the director and the director's  
20 assistants, together with the expenses incurred in the enforce-  
21 ment and administration of the game, fish, and fur laws of the  
22 state, including the necessary equipment and apparatus incident  
23 to the operation and enforcement of the game, fish, and fur laws,  
24 and the protection, propagation, distribution, and control of  
25 game, fish, birds, fur-bearing animals, and other wildlife  
26 forms.

1       (b) The propagation and liberation of game, fur-bearing  
2 animals, birds, or fish and for their increase at the time,  
3 place, and manner as the director considers advisable.

4       (c) The purchase, ~~and~~ lease, AND MANAGEMENT of lands,  
5 together with the necessary equipment for the purpose of propa-  
6 gating and rearing game, fur-bearing animals, birds, or fish, and  
7 for establishing and maintaining game refuges, wildlife sanctu-  
8 aries, public shooting, and fishing grounds.

9       (d) Conducting investigations and compiling and publishing  
10 information relative to the propagation, protection, and conser-  
11 vation of wildlife.

12       (e) Delivering lectures, developing cooperation, and carry-  
13 ing on appropriate educational activities relating to the conser-  
14 vation of the wildlife of this state.

15       (3) The director may make direct grants to colleges and uni-  
16 versities in this state, out of funds appropriated from the game  
17 and fish protection fund, to conduct fish or wildlife research,  
18 or both.

19       (4) The department and any other executive department of the  
20 state that receives money from the game and fish protection fund  
21 shall submit an annual report to the legislature showing the  
22 amount of money received by the department from the game and fish  
23 protection fund and how that money was spent. The executive  
24 departments required to submit a report as provided in this sub-  
25 section shall send a copy of their report to the legislature and  
26 to the department.

1       Sec. 602. One dollar and fifty cents of the license fee for  
2 each firearm deer, bow and arrow deer, and resident ~~sportsman's~~  
3 SPORTSPERSON'S hunting license shall be used for improving and  
4 maintaining a habitat for deer and for the acquisition of lands  
5 for an effective program of deer habitat management.

6       Sec. 605. (1) Thirty-five cents of the fee for each hunting  
7 license sold ~~in~~ TO A RESIDENT OF zone III shall be used for the  
8 purpose of acquiring and administering hunter access leases on  
9 private land and for habitat development on the leased land.

10       (2) The commission may determine and provide lease payments  
11 in amounts which are related to the benefits the leased land pro-  
12 vides for public use if for a designated lease period a partici-  
13 pating landowner agrees to allow public access to certain lands  
14 for the purpose of hunting. Department field personnel shall  
15 inspect the lands and determine their value to the program.  
16 Final approval of lease proposals shall be made by the  
17 department.

18       (3) Participating landowners shall have authority to control  
19 hunter access according to the terms of the lease agreement  
20 including terms requiring a hunter to obtain verbal or written  
21 permission to hunt on the participating landowners' land.

22       (4) Pursuant to rules adopted under this section, partici-  
23 pating landowners may cancel their lease agreement at any time  
24 prior to the expiration of the lease. Cancellation of the agree-  
25 ment prior to the expiration of the lease shall result in the  
26 forfeiture of all lease payments that have been received by the

1 participating landowner for the year in which cancellation  
2 occurs.

3 (5) Participating landowners shall post, with signs provided  
4 by the department, the boundaries of land leased under this  
5 section.

6 (6) A cause of action shall not arise for injuries to per-  
7 sons hunting on lands leased under this section unless the inju-  
8 ries were caused by the gross negligence or willful and wanton  
9 misconduct of the owner, tenant, or lessee.

10 (7) The ~~department~~ COMMISSION may ~~promulgate rules~~ ISSUE  
11 ORDERS PURSUANT TO SECTION 8 OF THE WILDLIFE CONSERVATION ACT,  
12 ACT NO. 256 OF THE PUBLIC ACTS OF 1988, BEING SECTION 300.258 OF  
13 THE MICHIGAN COMPILED LAWS, governing the administration and  
14 operation of a hunting access program.

15 Sec. 701. (1) A person is guilty of a misdemeanor if the  
16 person does any of the following:

17 (a) Makes a false statement as to material facts for the  
18 purpose of obtaining a license, or uses or attempts to use a  
19 license obtained by making a false statement.

20 (b) Affixes to ~~a passbook or~~ a license a date or time  
21 other than the date or time issued.

22 (c) Charges more than the ~~passbook or~~ license fees pro-  
23 vided for in this act or issues ~~a passbook or~~ a license without  
24 receiving the fee.

25 (d) Without a license, hunts, traps, or fishes, or has in  
26 the person's possession, a wild animal, wild bird, or fish OR

1 POSSESSES OR TAKES REPTILES, AMPHIBIANS, MOLLUSKS, CRUSTACEA, OR  
2 WIGGLERS.

3 (e) Sells, loans, or permits in any manner another person to  
4 use the person's license or uses or attempts to use another  
5 person's license.

6 (f) Falsely makes, alters, forges, or counterfeits a pass-  
7 book or a hunting, fishing, or ~~trapping~~ FUR HARVESTER'S license  
8 or possesses an altered, forged, or counterfeited ~~passbook or~~  
9 hunting, fishing, or ~~trapping~~ FUR HARVESTER'S license.

10 (g) Uses a tag furnished with a firearm deer license, bow  
11 and arrow deer license, bear hunting license, ELK LICENSE, OR  
12 TURKEY PERMIT more than 1 time, or attaches or allows a tag to be  
13 attached to a deer, ~~or~~ bear, ELK, OR TURKEY other than a deer,  
14 ~~or~~ bear, ELK, OR TURKEY lawfully killed by the person.

15 (h) Makes an application for, obtains, or purchases more  
16 than 1 license for a hunting, fishing, or trapping season, not  
17 including a daily fishing license, SECOND BOW AND ARROW LICENSE,  
18 SECOND FIREARM DEER LICENSE, or other license specifically autho-  
19 rized by law, or if the applicant's license has been lost or  
20 destroyed.

21 (i) Makes application for, obtains, or purchases a license  
22 during a time that the person is ineligible to secure a license.

23 (2) A person who violates subsection (1) shall be punished  
24 by imprisonment for not more than 90 days, or a fine of not less  
25 than \$25.00 ~~nor~~ OR more than \$250.00 and the costs of prosecu-  
26 tion, or both. In addition, the person shall surrender any  
27 license and license tag that was wrongfully obtained.

1 (3) A person licensed to carry a firearm under this act —  
 2 ~~shall be~~ IS prohibited from doing so while under the influence  
 3 of a controlled substance or alcohol or a combination thereof. A  
 4 person ~~that~~ WHO violates this subsection is guilty of a misde-  
 5 meanor, punishable by a fine of \$500.00 ~~and/or~~ OR 90 days in  
 6 jail, OR BOTH.

7 (4) An applicant for a license under this act who has previ-  
 8 ously been convicted of a violation of the game and fish laws of  
 9 this state, may be required to file an application with the  
 10 director together with other information as the director consid-  
 11 ers expedient. The license may be issued by the director.

12 Sec. 702. If a person is convicted of violating this act,  
 13 or another law relative to hunting, fishing, or trapping which  
 14 does not otherwise require the revocation of, or prohibit the  
 15 securing of, a hunting, fishing, or ~~trapping~~ FUR HARVESTER'S  
 16 license, the court may order the revocation of the person's hunt-  
 17 ing, fishing, or ~~trapping~~ FUR HARVESTER'S license, including a  
 18 ~~sportsman's~~ SPORTSPERSON'S license, and may by order provide  
 19 that the person shall not secure a hunting, fishing, or  
 20 ~~trapping~~ FUR HARVESTER'S license ~~during~~ FOR NOT LESS THAN the  
 21 remainder of the year in which convicted — and during the next  
 22 succeeding year, OR LONGER IN THE DISCRETION OF THE COURT.

23 Section 2. Sections 304, 329, 332, 801, 802, 803, 804, 805,  
 24 806, 807, and 902 of Act No. 86 of the Public Acts of 1980, being  
 25 sections 316.304, 316.329, 316.332, 316.801, 316.802, 316.803,  
 26 316.804, 316.805, 316.806, 316.807, and 316.902 of the Michigan  
 27 Compiled Laws, are repealed.