



SENATE BILL No. 147

January 26, 1993, Introduced by Senators EHLERS, GAST, WARTNER and DINGELL and referred to the Committee on Natural Resources and Environmental Affairs.

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, 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, section 315 as amended by Act No. 95 of the Public Acts of 1992, 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,
6 316, 328, 502, 503, and 701 as amended and section 605 as added
7 by Act No. 63 of the Public Acts of 1986, section 208 as amended
8 by Act No. 259 of the Public Acts of 1988, section 303 as amended
9 by Act No. 183 of the Public Acts of 1986, section 305 as amended
10 by Act No. 76 of the Public Acts of 1989, section 306 as amended
11 by Act No. 272 of the Public Acts of 1989, section 308 as amended
12 by Act No. 108 of the Public Acts of 1990, section 309 as amended
13 by Act No. 210 of the Public Acts of 1989, section 311 as amended
14 by Act No. 126 of the Public Acts of 1984, section 315 as amended
15 by Act No. 95 of the Public Acts of 1992, sections 325 and 501 as

1 amended by Act No. 152 of the Public Acts of 1990, and
2 section 601 as amended by Act No. 270 of the Public Acts of 1987,
3 being sections 316.103, 316.104, 316.105, 316.106, 316.107,
4 316.108, 316.109, 316.201, 316.202, 316.205, 316.206, 316.208,
5 316.301, 316.302, 316.303, 316.304a, 316.305, 316.306, 316.307,
6 316.308, 316.309, 316.310, 316.311, 316.314, 316.315, 316.316,
7 316.324, 316.325, 316.326, 316.328, 316.501, 316.502, 316.503,
8 316.507, 316.601, 316.602, 316.605, 316.701, and 316.702 of the
9 Michigan Compiled Laws, are amended and section 304b is added to
10 read as follows:

11 TITLE

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

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

26 (2) ~~-(1)-~~ "Bow" means a device for propelling an arrow from
27 a string drawn, held, and released by hand where the force used

1 to hold the string in the drawn position is provided by the
2 archer's muscles.

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

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

7 (5) ~~-(3)-~~ "Department" means the department of natural
8 resources.

9 (6) ~~-(4)-~~ "Director" means the director of the department.
10 ~~of natural resources.~~

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

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

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

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

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

1 Sec. 105. ~~(1) "Game" includes game birds and game~~
2 ~~animals~~ MEANS ANY ANIMAL LISTED IN SECTION 4 OF THE WILDLIFE
3 CONSERVATION ACT, ACT NO. 256 OF THE PUBLIC ACTS OF 1988, BEING
4 SECTION 300.254 OF THE MICHIGAN COMPILED LAWS.

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

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

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

10 ~~(b) The gruiformes, commonly known as rails, coots, and~~
11 ~~gallinules.~~

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

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

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

18 ~~(f) The corvidae, commonly known as crows, ravens, and~~
19 ~~jays.~~

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

25 (2) "License" means a document, ~~which~~ OR A TAG, STAMP,
26 PLASTIC CARD, OR OTHER DEVICE THAT may include a stamp ~~which~~ OR

1 A TAG THAT authorizes the licensee to hunt, fish, ~~or~~ trap, or
2 possess wild animals ~~and~~ OR fish.

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

4 (4) "Nonresident" means a person who ~~does~~ IS not ~~qualify~~
5 ~~under the definition of~~ a resident.

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

10 (2) "Passbook" means a folder, DOCUMENT, PLASTIC CARD, OR
11 OTHER DEVICE ISSUED BY THE DEPARTMENT containing space for the
12 applicant's name, address, and vital statistics ~~and for hunting,~~
13 ~~trapping, and fishing license stamps~~ OR A MICHIGAN DRIVER'S
14 LICENSE WHEN AUTHORIZED BY THE DEPARTMENT.

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

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

19 (5) ~~(4)~~ "Resident" means ANY OF the following:

20 (a) A person who resides in a settled or permanent home or
21 domicile within the boundaries of this state with the intention
22 of remaining in this state.

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

25 (c) A PERSON REGULARLY ENLISTED OR COMMISSIONED AS AN OFFI-
26 CER IN THE ARMED FORCES OF THE UNITED STATES AND OFFICIALLY
27 STATIONED IN THIS STATE.

1 (D) A PERSON REGULARLY ENLISTED OR COMMISSIONED AS AN
2 OFFICER IN THE ARMED FORCES OF THE UNITED STATES WHO, AT THE TIME
3 OF ENLISTMENT, WAS A RESIDENT OF THIS STATE AND HAS MAINTAINED
4 HIS OR HER RESIDENCE IN THIS STATE FOR PURPOSES OF OBTAINING A
5 DRIVER'S LICENSE OR VOTER REGISTRATION, OR BOTH.

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

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

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

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

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

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

22 (3) "WATERFOWL" MEANS DUCKS, GEESE, GALLINULES, AND
23 MERGANSERS.

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

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

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

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

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

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

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

23 Sec. 205. A person may carry, transport, or possess a fire-
24 arm or a bow and arrow without a hunting license while at or
25 going to and from a recognized rifle or target range, trap or
26 skeet shooting ground, or archery range if the firearm or bow and
27 arrow, while being carried or transported, is UNLOADED OR

1 UNSTRUNG AND enclosed and securely fastened in a case or locked
2 in the trunk of a motor vehicle.

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

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

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

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

1 (3) ~~—(2) The holder of a firearm deer license—~~ A PERSON
2 shall not carry or possess afield a shotgun with buckshot, slug
3 loads, or ball loads; a bow and arrow; a muzzle-loading rifle or
4 black powder handgun; or a centerfire handgun or centerfire rifle
5 during firearm deer season unless that person has a valid firearm
6 deer license, with an unused kill tag, IF ISSUED, issued in his
7 or her name.

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

12 Sec. 301. (1) As used in this article, "director" includes
13 a person designated by the director to issue and sell licenses.
14 ~~—and stamps.—~~

15 (2) A LICENSE ISSUED UNDER THIS ACT IS NOT VALID UNLESS IT
16 IS SIGNED AS REQUIRED BY THE DIRECTOR.

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

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

22 (b) Provide the information required on the license
23 application.

24 (c) Pay the license fee.

25 (d) Possess a valid passbook.

26 (2) A person shall not ~~—be issued—~~ OBTAIN OR ATTEMPT TO
27 OBTAIN a hunting, ~~—trapping—~~ FUR HARVESTER, fishing, or

1 ~~sportsman's~~ SPORTSPERSON'S license if a court order prohibits
2 the person from obtaining SUCH a license.

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

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

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

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

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

~~1 of previous hunting experience by the applicant. This subsection
2 shall not apply after February 29, 1988.~~

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

6 (3) ~~-(4)-~~ A license to hunt shall not be issued to a person
7 who is less than 12 years of age.

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

~~1 number, the year of issue, and the state, province, or country of~~
~~2 issue.~~

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

6 (a) Resident firearm deer.

7 (b) Resident small game.

8 (c) Resident fish.

9 (d) Resident archery deer.

10 (e) Resident trout and salmon ~~stamp, beginning on April 1,~~
11 ~~1986~~ LICENSE.

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

15 (3) The fee for a sportsperson's license ~~shall be~~ IS
16 \$45.00. ~~\$31.00. Beginning on April 1, 1986, the fee for a~~
17 ~~sportsperson's license shall be \$36.00. Beginning on April 1,~~
18 ~~1987, the fee for a sportsperson's license shall be \$45.00.~~

19 SEC. 304B. IF A PERSON APPLYING FOR A LICENSE OR PERMIT
20 UNDER THIS ACT, OTHER THAN A LIMITED FISHING LICENSE UNDER
21 SECTION 316, DOES NOT POSSESS OR THE DIRECTOR DOES NOT AUTHORIZE
22 THE USE OF A MICHIGAN DRIVER'S LICENSE, THE DIRECTOR SHALL ISSUE
23 AN ALTERNATIVE FORM OF PASSBOOK. A PERSON AUTHORIZED BY THE
24 DIRECTOR TO ISSUE LICENSES SHALL CHARGE A \$1.00 FEE FOR EACH
25 PASSBOOK THAT THE PERSON ISSUES. THE AUTHORIZED PERSON SHALL
26 FORWARD THE FEE COLLECTED PURSUANT TO THIS SECTION TO THE
27 DEPARTMENT. THE DIRECTOR SHALL ISSUE A LICENSE AND A PASSBOOK

1 PROVIDED FOR IN THIS ARTICLE IF THE APPLICANT SATISFIES THE
2 LICENSE REQUIREMENTS AND PAYS THE LICENSE FEES. EACH LICENSE
3 SHALL BEAR THE NUMBER OF THE APPLICANT'S PASSBOOK AND SHALL
4 AUTHORIZE THE PERSON WHOSE PASSBOOK NUMBER IS PRINTED ON THE
5 LICENSE TO HUNT, FISH, TRAP, OR OTHERWISE EXERCISE THE PRIVILEGES
6 CONFERRED BY THE LICENSE IN A MANNER AND AT A TIME PRESCRIBED BY
7 LAW.

8 Sec. 305. (1) Except as otherwise provided in this act, a
9 person shall not hunt small game without a current small game
10 license. Each small game license ~~shall authorize~~ AUTHORIZES
11 the person named in the license to hunt for small game except for
12 animals or birds which require a special license. The fee for a
13 resident small game license ~~shall be~~ IS \$9.50. The fee for a
14 nonresident small game license ~~shall be~~ IS \$50.00. The resi-
15 dent small game license fee for a minor child ~~shall be 1/2 the~~
16 ~~amount prescribed in this subsection~~ IS \$4.75.

17 (2) A nonresident may purchase a limited small game license
18 entitling that person to hunt for a 3-day period all species of
19 small game that are available to hunt under the small game
20 license. The fee for the limited nonresident small game license
21 ~~shall be~~ IS \$20.00.

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

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

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

5 Sec. 306. (1) A person shall not hunt wild turkeys without
6 a wild turkey hunting license. The fee for a resident wild
7 turkey hunting license ~~shall be~~ IS \$9.50. The fee for a resi-
8 dent wild turkey hunting license for a senior citizen ~~shall be~~
9 IS \$1.00. The fee for a nonresident wild turkey hunting license
10 ~~shall be~~ IS \$50.00. ~~A person who is issued a small game~~
11 ~~license may make an application to the department for a wild~~
12 ~~turkey hunting license.~~ Applications for a license to hunt wild
13 turkeys shall be entered into a lottery designed and run by the
14 department. A person selected in the lottery shall upon meeting
15 the requirements of this act receive a wild turkey hunting
16 license. The license shall be issued for a specified hunting
17 period and shall confer upon the holder of the license the right
18 to hunt wild turkeys.

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

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

1 (2) ~~The~~ IF ISSUED AS A STAMP, A waterfowl hunting ~~stamp~~
2 LICENSE shall be affixed to the small game license ~~or passbook~~
3 of the person and ~~validated by the person's signature written~~
4 SIGNED across the face of the stamp BY THE PERSON TO WHOM IT IS
5 ISSUED.

6 (3) A COLLECTOR MAY PURCHASE A WATERFOWL HUNTING LICENSE, IF
7 IT IS ISSUED AS A STAMP, WITHOUT BEING REQUIRED TO PLACE IT ON A
8 SMALL GAME LICENSE, SIGN ACROSS ITS FACE, OR PROVIDE PROOF OF
9 COMPETENCY UNDER SECTION 303(4). HOWEVER, A LICENSE DESCRIBED IN
10 THIS SUBSECTION IS NOT VALID FOR HUNTING WATERFOWL.

11 (4) ~~(3)~~ A person shall not hunt waterfowl or deer ~~where~~
12 IF deer hunting is regulated by permit in an area designated by
13 the commission as a managed waterfowl area without an annual or
14 daily managed waterfowl area permit and any other license,
15 permit, or passbook required by this act. The fee for a daily
16 managed waterfowl area permit ~~shall be~~ IS \$3.00. The fee for
17 an annual managed waterfowl area permit ~~shall be~~ IS \$10.00.

18 (5) ~~(4)~~ Following a lottery among applicants for hunting
19 privileges in managed waterfowl areas, only those successful
20 applicants who ~~wish to~~ accept the permit privileges are
21 required to purchase a daily or annual managed waterfowl area
22 permit.

23 (6) ~~(5)~~ The fee collected for a waterfowl hunting ~~stamp~~
24 LICENSE shall be used to acquire ~~managed waterfowl areas~~
25 WETLANDS AND OTHER LANDS TO BE MANAGED FOR THE BENEFIT OF
26 WATERFOWL. The fee collected for an annual or daily managed

1 waterfowl area permit shall be used to operate, maintain, and
2 develop managed waterfowl areas in this state.

3 Sec. 308. (1) A person shall not hunt deer during the fire-
4 arm deer season without purchasing a firearm deer license. The
5 fee for a resident firearm deer license ~~shall be~~ IS \$12.50.
6 The fee for a nonresident firearm deer license ~~shall be~~ IS
7 \$100.00. Where authorized by the commission, a person may pur-
8 chase a second firearm deer license in 1 season. The fee for a
9 second resident firearm deer license ~~shall be~~ IS \$12.50. The
10 fee for a second nonresident firearm deer license ~~shall be~~ IS
11 \$100.00. The commission in exercising its powers to issue orders
12 under section 8 of the wildlife conservation act, Act No. 256 of
13 the Public Acts of 1988, being section 300.258 of the Michigan
14 Compiled Laws, may designate the kind of deer which may be taken,
15 and may limit the issuance of a second firearm deer license in
16 areas it considers advisable in managing deer.

17 (2) The director ~~shall~~ MAY issue a KILL tag with OR AS
18 PART OF each deer license. The KILL tag shall bear the license
19 number. ~~and may~~ THE KILL TAG SHALL ALSO include SPACE FOR
20 OTHER pertinent information including the date and month of kil-
21 ling the animal, the sex of the animal, and size of the antlers.
22 ~~which~~ THIS PERTINENT INFORMATION shall be ~~marked~~ COMPLETED by
23 the licensee upon the killing of a deer. The KILL tag, IF
24 ISSUED, ~~shall be a~~ IS part of the license.

25 ~~(3) A person who kills a deer shall immediately attach the~~
26 ~~tag that contains the number of the license held by that person~~
27 ~~to the antler, lower jaw, or gambrel of a deer in a secure and~~

~~1 permanent manner. A deer shall not be offered for shipment,~~
~~2 shipped, or received for shipment by a common carrier unless the~~
~~3 tag is attached to the animal when presented for shipment. The~~
~~4 tag shall remain attached to the deer until the carcass is dis-~~
~~5 posed of. A person, corporation, or common carrier shall not~~
~~6 receive for transportation or have in possession at the initial~~
~~7 billing station the carcass or dead body of a deer or elk more~~
~~8 than 48 hours immediately following the closing of the time when~~
~~9 the killing of deer is authorized by law.~~

~~10 (4) A person shall not have in the person's possession, or~~
~~11 transport, a deer or part of a deer unless the tag is attached to~~
~~12 the deer or part of the deer.~~

~~13 (5) A nonresident may possess and transport a deer outside~~
~~14 of this state if the tag is attached to the deer or part of the~~
~~15 deer as provided in this section.~~

16 Sec. 309. (1) A person shall not hunt deer with a bow and
17 arrow during the bow and arrow deer season without a bow and
18 arrow deer license. The fee for a resident bow and arrow deer
19 license ~~shall be~~ IS \$12.50. The fee for a nonresident bow and
20 arrow deer license ~~shall be~~ IS \$75.00. The resident bow and
21 arrow deer license fee for a minor child ~~shall be 1/2 the amount~~
22 ~~prescribed in this subsection~~ IS \$6.25. Where authorized by the
23 commission, a person may purchase a second bow and arrow deer
24 license in 1 season. The fee for a second resident bow and arrow
25 deer license ~~shall be~~ IS \$12.50. The fee for a second nonresi-
26 dent bow and arrow deer license ~~shall be~~ IS \$75.00. The
27 commission in exercising its powers to issue orders under

1 section 8 of the wildlife conservation act, Act No. 256 of the
 2 Public Acts of 1988, being section 300.258 of the Michigan
 3 Compiled Laws, may designate the kind of deer which may be taken,
 4 and may limit the issuance of a second bow and arrow deer license
 5 in areas it considers advisable in managing deer.

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

10 ~~(3) A person shall not affix any device to a bow which aids~~
 11 ~~in the cocking or holding of a bow string in a drawn position.~~
 12 ~~This subsection shall not prohibit the use of a hand held device~~
 13 ~~to release the bow string. This subsection shall not apply to a~~
 14 ~~permanently disabled person who holds a special permit provided~~
 15 ~~for in section 14 of the wildlife conservation act, Act No. 256~~
 16 ~~of the Public Acts of 1988, being section 300.264 of the Michigan~~
 17 ~~Compiled Laws.~~

18 Sec. 310. (1) A person shall not hunt bear without a bear
 19 hunting license. The fee for a resident bear hunting license IS
 20 \$14.00. ~~shall be \$11.00. Beginning on April 1, 1987, the fee~~
 21 ~~for a resident bear hunting license shall be \$14.00.~~ The fee for
 22 a nonresident bear hunting license IS \$150.00. ~~shall be~~
 23 ~~\$100.00. Beginning on April 1, 1986, the fee for a nonresident~~
 24 ~~bear hunting license shall be \$150.00.~~

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

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

6 (2) ~~There shall be issued with each elk hunting license a~~
7 ~~tag bearing the same number as the license. A person who kills~~
8 ~~an elk shall attach the tag to the elk immediately. The tag~~
9 ~~shall remain attached to the elk until the carcass is disposed~~
10 ~~of. A person shall not possess or transport an elk or part of an~~
11 ~~elk unless the tag is attached. THE DIRECTOR MAY ISSUE A TAG~~
12 ~~WITH, OR AS A PART OF, AN ELK LICENSE. SECTION 308(2) APPLIES~~
13 ~~WITH RESPECT TO AN ELK LICENSE.~~

14 Sec. 314. (1) A person shall not trap or hunt fur-bearing
15 animals without purchasing and possessing a fur harvester's
16 license. However, a fur harvester's license is not required to
17 hunt a fur-bearing animal if the hunting of that animal is not
18 restricted under this or any other act. The fee for a resident
19 fur harvester's license ~~shall be~~ IS \$15.00. The fee for a fur
20 harvester's license for a resident minor child ~~shall be~~ IS
21 \$7.50.

22 (2) A nonresident of this state may be issued a nonresident
23 fur harvester's license if the state, province, or country in
24 which the nonresident applicant resides allows residents of this
25 state to obtain equivalent hunting and trapping privileges in
26 that state, province, or country. The fee for an eligible
27 nonresident fur harvester's license ~~shall be~~ IS \$150.00.

1 Nonresident fur harvester's licenses shall not be sold or
2 purchased prior to November 15 of each year.

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

7 ~~(4) Ten percent of the license fee for each resident and~~
8 ~~nonresident fur harvester's license shall be used for fur~~
9 ~~harvesters' education and 8% shall be used for research pertain-~~
10 ~~ing to fur-bearing animals.~~

11 ~~(5) Subsection (4) shall not apply 5 years after the effec-~~
12 ~~tive date of the 1985 amendatory act that adds this subsection.~~
13 ~~At that time, the fees for fur harvester's licenses shall be~~
14 ~~credited to the game and fish protection fund as provided in~~
15 ~~section 601. However, programs initiated with funds provided~~
16 ~~under subsection (4) shall continue to receive adequate funding~~
17 ~~from the game and fish protection fund.~~

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

24 ~~(7) Notwithstanding section 805, a resident who holds a fur~~
25 ~~harvester's license may carry a .22 caliber rimfire firearm while~~
26 ~~hunting or checking a trap line during the open season for~~
27 ~~hunting or trapping fur-bearing animals.~~

1 Sec. 315. (1) A person 17 years of age or older shall not
2 fish in the waters over which this state has jurisdiction without
3 a license. The fee for a resident annual fishing
4 license ~~shall be~~ IS \$9.50. The fee for a nonresident annual
5 fishing license ~~shall be~~ IS \$20.00.

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

8 (3) The holder of an annual fishing license, upon payment of
9 an additional fee of \$9.50, may procure a trout and salmon ~~stamp~~
10 ~~which shall entitle~~ LICENSE THAT ENTITLES the holder to take
11 trout and salmon in a manner and at a time prescribed by law.

12 (4) The holder of an annual fishing license who purchases a
13 salmon snagging ~~stamp~~ LICENSE under section 11 of chapter III
14 of the Michigan sportsmen fishing law, Act No. 165 of the Public
15 Acts of 1929, being section 303.11 of the Michigan Compiled Laws,
16 is not required to purchase a trout and salmon ~~stamp~~ LICENSE to
17 snag salmon lawfully. However, after the 1993 open season, the
18 department shall not sell salmon snagging ~~stamps~~ LICENSES.

19 Sec. 316. A resident or nonresident may purchase a limited
20 fishing license entitling that person to fish for all species of
21 fish in all waters of this state. The fee for a limited fishing
22 license IS \$5.00 PER DAY. ~~shall be \$3.50 per day. Beginning on~~
23 ~~April 1, 1987, the fee for a limited fishing license shall be~~
24 ~~\$5.00 per day. A passbook shall not be issued with a limited~~
25 ~~fishing license.~~

26 Sec. 324. (1) An application for ~~a license~~ 1 OR MORE
27 LICENSES issued under this article may be made by mail OR

1 TELEPHONE to THE DEPARTMENT, OR a person ~~authorized to issue~~
2 ~~licenses~~ DESIGNATED BY THE DEPARTMENT, who shall forward the
3 license issued to the applicant at an address the applicant
4 directs. An applicant shall satisfy all the requirements of this
5 act for obtaining a license before a license is issued by mail OR
6 TELEPHONE. THE DEPARTMENT MAY CHARGE A FEE FOR AN APPLICATION
7 MADE BY MAIL OR TELEPHONE IN ADDITION TO THE FEE FOR THE LICENSE
8 OR LICENSES AND THE TRANSACTION FEE AUTHORIZED UNDER SECTION
9 325. TOTAL FEES COLLECTED BY THE DEPARTMENT UNDER THIS SUBSECTION
10 IN ANY LICENSE YEAR SHALL NOT EXCEED THE ADDITIONAL COST OF PRO-
11 VIDING MAIL OR TELEPHONE SERVICE IN THAT YEAR.

12 (2) IF A CHECK OR DRAFT OF A REQUIRED FEE IS NOT PAID ON ITS
13 FIRST PRESENTATION, THE FEE IS DELINQUENT AS OF THE DATE THE
14 CHECK OR DRAFT WAS TENDERED. THE PERSON TENDERING THE CHECK OR
15 DRAFT REMAINS LIABLE FOR THE PAYMENT OF EACH FEE AND ANY
16 PENALTY.

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

21 (4) IF A FEE IS STILL DELINQUENT 15 DAYS AFTER THE DIRECTOR
22 HAS GIVEN NOTICE TO A PERSON WHO TENDERED THE CHECK OR DRAFT, THE
23 DIRECTOR SHALL ASSESS AND COLLECT A \$15.00 PENALTY IN ADDITION TO
24 THE LICENSE AND TRANSACTION FEE AUTHORIZED UNDER SECTION 305.

25 (5) THE DIRECTOR MAY REFUSE TO ISSUE ADDITIONAL LICENSES
26 UNDER THIS ACT TO A PERSON WHO IS DELINQUENT IN PAYMENT OF FEES

1 OR PENALTIES PROVIDED IN SUBSECTION (4) AT THE TIME THE
2 APPLICATION IS SUBMITTED.

3 Sec. 325. (1) ~~A~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SEC-
4 TION, A person authorized by the director to issue licenses ~~and~~
5 ~~passbooks~~ may retain 8% of the ~~license fee and passbook fee for~~
6 ~~each license and passbook sold by that person and 8% of the~~
7 ~~amount of each conservation law enforcement stamp sold by that~~
8 ~~person~~ FEES FOR EACH PASSBOOK, LICENSE, DUPLICATE LICENSE,
9 APPLICATION, OR PERMIT THAT THE PERSON SELLS. BEGINNING ON THE
10 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (3), A
11 PERSON AUTHORIZED BY THE DIRECTOR TO ISSUE LICENSES, WHO HAS NOT
12 PREVIOUSLY BEEN AUTHORIZED BY THE DIRECTOR TO ISSUE LICENSES, MAY
13 RETAIN 5% OF THE FEES FOR EACH LICENSE, DUPLICATE LICENSE, APPLI-
14 CATION, OR PERMIT THAT THE PERSON SELLS.

15 (2) IN ADDITION TO THE FEES AUTHORIZED UNDER SUBSECTION (1),
16 THE DIRECTOR MAY ALSO AUTHORIZE A PERSON WHO SELLS LICENSES TO
17 CHARGE AND RETAIN A 50 CENT TRANSACTION FEE FOR 1 OR BOTH OF THE
18 FOLLOWING:

19 (A) INQUIRIES REGARDING THE STATUS OF A PREVIOUS PERMIT
20 APPLICATION PENDING WITH THE DEPARTMENT.

21 (B) COLLECTING MIGRATORY BIRD SURVEY RESPONSES.

22 (3) IN ADDITION TO THE LICENSE, APPLICATION, AND PERMIT FEES
23 PRESCRIBED IN ARTICLE 3, A PERSON AUTHORIZED BY THE DIRECTOR TO
24 ISSUE LICENSES SHALL ALSO CHARGE A 50 CENT TRANSACTION FEE WHICH
25 THE AUTHORIZED PERSON SHALL FORWARD TO THE DEPARTMENT.

26 Sec. 326. All licenses issued under this article ~~shall be~~
27 ARE valid from ~~April~~ MARCH 1 through ~~the following~~ March 31

1 OF THE FOLLOWING YEAR, except ~~the daily fishing license and the~~
 2 ~~wild turkey hunting permit which shall be~~ FOR LICENSES OR PER-
 3 MITS THAT ARE valid ~~for the period of~~ FOR A LIMITED SEASON DES-
 4 IGNATED IN the license OR PERMIT.

5 Sec. 328. (1) ~~Except as provided in subsection (5), if~~ IF
 6 a license or passbook ~~containing licenses~~ issued pursuant to
 7 this act or a deer kill tag or back tag is lost or destroyed, a
 8 licensee may procure a duplicate from the director. To obtain a
 9 duplicate license, passbook, deer kill tag, or back tag, the
 10 licensee shall file a certification of loss form with the direc-
 11 tor and shall pay the ~~full license~~ DUPLICATE fee AS PROVIDED IN
 12 SUBSECTION (2) for each duplicate requested. ~~There shall be no~~
 13 ~~charge for a duplicate of a back tag.~~

14 (2) If the licensee ~~has met~~ MEETS the requirements of sub-
 15 section (1) and all other requirements of this act for procuring
 16 a license, passbook, OR IF REQUIRED BY THIS ACT A deer kill tag,
 17 or back tag, the director shall ~~issue to~~ VERIFY the PURCHASE OF
 18 THE ORIGINAL AND ISSUE TO THE licensee the duplicates requested
 19 ~~. After verifying the purchase of the original license, pass-~~
 20 ~~book, or deer kill tag, the department shall refund to the~~
 21 ~~licensee the fees paid pursuant to subsection (1) less~~ AND
 22 COLLECT the following applicable duplicate fees:

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

25 (b) For a duplicate of a validated deer kill tag, ~~\$9.75~~
 26 \$12.85 FOR A RESIDENT AND \$100.35 FOR A NONRESIDENT.

1 (c) For a duplicate of a ~~deer or~~ sportsperson's license,
2 ~~including the deer kill tags, \$9.75, unless the validated deer~~
3 ~~kill tags issued with the original license are returned to the~~
4 ~~director. Beginning on April 1, 1987, a duplicate of a deer or~~
5 ~~sportsperson's license, including the deer kill tags, shall be~~
6 ~~\$12.85. Upon return \$12.85 FOR 1 DEER KILL TAG, AND \$25.70 FOR~~
7 THE ENTIRE LICENSE. WITHOUT REPLACEMENT of the deer kill tags,
8 the duplicate license fee for the license shall be included in
9 the \$3.00 fee established in subdivision (a).

10 (D) FOR A DUPLICATE OF A PASSBOOK, OTHER THAN A MICHIGAN
11 DRIVER LICENSE, \$1.00.

12 (3) The fee for the wildlife resource protection fund pro-
13 vided for in section 604 shall not be added to the duplicate fee
14 provided for in this section, but shall be deducted from the
15 duplicate fee and paid to the wildlife resource protection fund.

16 (4) If the total fees ORIGINALLY paid by the licensee are
17 less than the applicable duplicate fee, the ~~fees paid by the~~
18 ~~licensee shall constitute payment of the duplicate fee~~ FEE THAT
19 SHALL BE PAID FOR THE DUPLICATE LICENSE SHALL BE EQUAL TO THE
20 INITIAL LICENSE FEES.

21 ~~(5) This section shall not apply to the daily fishing~~
22 ~~license.~~

23 Sec. 501. (1) The director shall prepare the passbook and
24 licenses to comply with this act and may authorize persons to
25 issue passbooks, OTHER THAN MICHIGAN DRIVER LICENSES, and
26 licenses.

(2) A passbook shall provide the following information:

(a) The name of the applicant.

(b) The height and weight of the applicant.

(c) The address of the applicant.

(d) The birth date of the applicant.

(e) ~~The driver's license number of the applicant, if the~~

~~applicant has a driver's license.~~ THE APPLICANT'S SOCIAL SECUR-

ITY NUMBER.

(3) A LICENSE MAY PROVIDE THE FOLLOWING INFORMATION:

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

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

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

(D) THE PASSBOOK NUMBER.

(E) THE APPLICANT'S DATE OF BIRTH.

(4) BEGINNING ON MARCH 1, 1994, THE DIRECTOR MAY REQUIRE

PERSONS AUTHORIZED TO ISSUE LICENSES UNDER THIS ACT TO PURCHASE

OR RENT EQUIPMENT NECESSARY FOR THE ISSUANCE OF LICENSES. THE

PURCHASE OR LEASE CHARGE SHALL NOT EXCEED THE ACTUAL COST

INCURRED BY THE DEPARTMENT IN MAKING THE EQUIPMENT AVAILABLE FOR

PURCHASE OR LEASE. THE DIRECTOR SHALL ANNUALLY EXEMPT FROM THE

REQUIREMENT OF THIS SUBSECTION A PERSON WHO REQUESTS FROM THE

DIRECTOR AUTHORITY TO ISSUE ONLY LIMITED FISHING LICENSES UNDER

SECTION 316.

1 (5) BEGINNING ON MARCH 1, 1994, A PERSON WHO IS AUTHORIZED
2 AFTER SEPTEMBER 30, 1992 TO ISSUE LICENSES SHALL PAY THE FULL
3 ANNUAL RENTAL OR PURCHASE FEE FOR EQUIPMENT REQUIRED UNDER
4 SUBSECTION (4).

5 (6) A PERSON WHO ON SEPTEMBER 30, 1992 IS AUTHORIZED TO
6 ISSUE LICENSES WHO RENTS THE EQUIPMENT FOR THE ISSUANCE OF
7 LICENSES REQUIRED UNDER SUBSECTION (4) SHALL PAY RENT FOR THAT
8 EQUIPMENT NOT TO EXCEED 50% OF THE SUM OF THE PERSON'S ANNUAL
9 CUMULATIVE COMMISSION AUTHORIZED UNDER SECTION 325(1), OR THE
10 RENTAL CHARGE OTHERWISE DETERMINED BY THE DIRECTOR, WHICHEVER IS
11 LESS.

12 (7) ~~-(3)-~~ The department shall provide persons authorized to
13 issue licenses and passbooks under this act with conservation law
14 enforcement stamps to enable the purchaser of the stamps to con-
15 tribute to the wildlife resource protection fund created in
16 section 604. Conservation law enforcement stamps shall be issued
17 BY THE DEPARTMENT in the amounts of \$2.00 and \$5.00.

18 Sec. 502. (1) ~~The~~ UNTIL APRIL 1, 1994, THE director may
19 require a person authorized to issue passbooks and licenses to
20 file a bond with the department. The type and amount of the bond
21 shall be determined by the director.

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

1 ~~(3) A person authorized to issue licenses, before January 16~~
2 ~~of each year, shall file with the department a complete report of~~
3 ~~all the firearm deer, bow and arrow deer, and bear hunting~~
4 ~~licenses issued the previous year and other information required~~
5 ~~by the department.~~

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

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

14 (2) A PERSON ISSUING A PASSBOOK, LICENSE, OR PERMIT SHALL
15 DEPOSIT MONEY RECEIVED FROM THE SALE OF EACH PASSBOOK, LICENSE,
16 OR PERMIT AT A BANK AT THE FREQUENCY PRESCRIBED BY THE
17 DEPARTMENT.

18 (3) ~~-(6)-~~ A person shall not charge a fee for a passbook or
19 a license in an amount ~~greater than~~ THAT IS DIFFERENT FROM the
20 LICENSE AND TRANSACTION fee ~~stamped~~ PRINTED on the passbook or
21 license by the department.

22 (4) ALL FEES COLLECTED FROM THE SALE OF PASSBOOKS, LICENSES,
23 DUPLICATE LICENSES, APPLICATIONS, OR PERMITS, EXCEPT FOR THE FEES
24 AND COMMISSIONS PROVIDED IN SECTION 325(1) AND (2), ARE HELD IN
25 TRUST FOR THE STATE.

26 Sec. 503. A person who violates section 502, in addition to
27 other penalties provided by law, ~~shall forfeit~~ FORFEITS the

1 right to issue licenses and passbooks and ~~shall forfeit~~
2 FORFEITS the right to retain any percentage of the license or
3 passbook fees not received by the department within ~~20 days~~ 48
4 HOURS after the date AND TIME the license or passbook fees should
5 have been ~~tendered~~ DEPOSITED as ~~provided in section 502~~
6 REQUIRED BY THE DEPARTMENT.

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

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

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

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

1 game, fish, birds, fur-bearing animals, and other wildlife
2 forms.

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

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

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

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

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

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

1 subsection shall send a copy of their report to the legislature
2 and to the department.

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

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

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

20 (3) Participating landowners ~~shall~~ have authority to con-
21 trol hunter access according to the terms of the lease agreement
22 including terms requiring a hunter to obtain verbal or written
23 permission to hunt on the participating landowners' land.

24 (4) Pursuant to rules adopted under this section, partici-
25 pating landowners may cancel their lease agreement at any time
26 prior to the expiration of the lease. Cancellation of the
27 agreement prior to the expiration of the lease shall result in

1 the forfeiture of all lease payments that have been received by
2 the participating landowner for the year in which cancellation
3 occurs.

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

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

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

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

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

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

23 (c) Charges more than the passbook or license fees provided
24 for in this act or issues a passbook or a license without receiv-
25 ing the fee.

26 (d) Without a license, hunts, traps, or fishes, or has in
27 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~~ EXCEPT AS PROVIDED IN SUBSECTION (5), A person who
24 violates subsection (1) shall be punished by imprisonment for not
25 more than 90 days, or a fine of not less than \$25.00 ~~nor~~ OR
26 more than \$250.00 and the costs of prosecution, or both. In

1 addition, the person shall surrender any license and license tag
2 that was wrongfully obtained.

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

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

14 (5) A PERSON WHO VIOLATES SUBSECTION (1)(D), UPON A SHOWING
15 THAT THE PERSON WAS INELIGIBLE TO SECURE A LICENSE PURSUANT TO
16 COURT ORDER OR OTHER LAWFUL AUTHORITY, IS GUILTY OF A MISDEMEANOR
17 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 180 DAYS, OR A FINE
18 OF NOT LESS THAN \$500.00 AND NOT MORE THAN \$2,500.00, OR BOTH,
19 AND THE COSTS OF PROSECUTION.

20 Sec. 702. If a person is convicted of violating this act,
21 or another law relative to hunting, fishing, or trapping which
22 does not otherwise require the revocation of, or prohibit the
23 securing of, a hunting, fishing, or ~~trapping~~ FUR HARVESTER'S
24 license, the court may order the revocation of the person's hunt-
25 ing, fishing, or ~~trapping~~ FUR HARVESTER'S license, including a
26 ~~sportsman's~~ SPORTSPERSON'S license, and may by order provide
27 that the person shall not secure a hunting, fishing, or

1 ~~trapping~~ FUR HARVESTER'S license ~~during~~ FOR NOT LESS THAN the
2 remainder of the year in which convicted —, and during the next
3 succeeding year, OR LONGER IN THE DISCRETION OF THE COURT.

4 Section 2. Sections 304, 329, 332, 801, 802, 803, 804, 805,
5 806, 807, and 902 of Act No. 86 of the Public Acts of 1980, being
6 sections 316.304, 316.329, 316.332, 316.801, 316.802, 316.803,
7 316.804, 316.805, 316.806, 316.807, and 316.902 of the Michigan
8 Compiled Laws, are repealed.