

Act No. 234
Public Act of 1989
December 28, 1989
Filed by the Secretary of State
December 28, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Reps. Bartnik, Alley, DeMars, Stacey, Hoekman, Pridnia, DeBeaussaert, Hart, Hickner, Middaugh, Dolan and Gnodtke

ENROLLED HOUSE BILL No. 4992

AN ACT to amend sections 3, 4, and 6 of Act No. 94 of the Public Acts of 1988, entitled "An act to provide for game and fish lifetime licenses; to prescribe fees; to provide for the powers and duties of certain departments and officials; to create a trust fund; to provide for the receipt of all revenues and assets conveyed or otherwise transferred to the fund; and to prescribe the purposes of the trust fund," being sections 316.1003, 316.1004, and 316.1006 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 3, 4, and 6 of Act No. 94 of the Public Acts of 1988, being sections 316.1003, 316.1004, and 316.1006 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 3. (1) From March 1, 1989 to February 28, 1990, certain lifetime hunting or fishing licenses may be purchased by a resident of this state as provided in this act, for the following fees:

(a) The fee for a lifetime small game license, equivalent to the license available annually pursuant to section 305 of the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being section 316.305 of the Michigan Compiled Laws, shall be \$220.00.

(b) The fee for a lifetime firearm deer license, equivalent to the license available annually to take 1 deer in a season pursuant to section 308 of the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being section 316.308 of the Michigan Compiled Laws, shall be \$285.00.

(c) The fee for a lifetime bow and arrow license, equivalent to the license available annually to take 1 deer in a season pursuant to section 309 of the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being section 316.309 of the Michigan Compiled Laws, shall be \$285.00.

(d) The fee for a lifetime sportsperson license, equivalent to the license available pursuant to section 304a of the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being section 316.304a of the Michigan Compiled Laws, shall be \$1,000.00.

(e) The fee for a comprehensive lifetime hunting and fishing license is \$1,025.00 and shall include all of the following:

- (i) Resident small game license.
- (ii) Resident firearm deer license.
- (iii) Resident bow and arrow deer license.
- (iv) Resident fish license.
- (v) Resident trout and salmon stamp.
- (vi) Resident bear license.
- (vii) Waterfowl hunting stamp.

(viii) Resident fur harvester's license.

(f) The fee for a lifetime fishing license, equivalent to the resident annual fishing license issued pursuant to section 315 of the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being section 316.315 of the Michigan Compiled Laws, shall be \$220.00.

(g) The fee for a lifetime trout and salmon license, equivalent to the annual trout and salmon stamp issued pursuant to section 315 of the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being section 316.315 of the Michigan Compiled Laws, shall be \$220.00.

(2) A lifetime license issued pursuant to this section shall allow the holder of that license, throughout his or her lifetime, the same privileges, responsibilities, and duties as would the equivalent annual license or stamp issued pursuant to the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being sections 316.101 to 316.902 of the Michigan Compiled Laws. However, a lifetime license issued under this act does not guarantee the holder of that license the right to take game except in compliance with harvest regulations and license and permit conditions established for that species by the commission of natural resources.

(3) A lifetime license issued to a person who is a resident of this state at the time the license is purchased shall continue to be valid even if the holder of that license becomes a nonresident.

(4) A person who holds a lifetime sportsperson license may purchase a comprehensive lifetime hunting and fishing license for \$25.00.

Sec. 4. (1) A resident of this state may purchase a lifetime license by submitting a completed application accompanied by the fee required in section 3 to a person authorized by the director to sell lifetime licenses between March 1, 1989 and February 28, 1990. The application shall provide information required by the department including:

- (a) The name of the applicant.
- (b) The age of the applicant.
- (c) The height, weight, and eye color of the applicant.
- (d) The address of the applicant.
- (e) If the applicant has a driver's license, the driver's license number of the applicant.
- (f) The social security number of the applicant.

(2) The holder of a lifetime license shall notify the department if he or she has a name or address change.

(3) A person may purchase a lifetime license for another person, and upon receipt of full payment, the department shall issue a certificate entitling the designated person to apply for a license as provided for in this act. If a lifetime license is purchased and a certificate issued in the name of a minor child who is under the lawful age to utilize the license, the completed application shall be submitted at a district or regional office of the department when the child is of lawful age to utilize the license. The holder of a certificate shall not be eligible to hunt or fish pursuant to the lifetime license until he or she completes the application process and receives a license from the department.

(4) Upon receipt of the completed application from the person authorized to sell lifetime licenses, and the fee, the department shall review the application and mail the lifetime license to the applicant within 7 days. However, if the department determines that the applicant is not eligible for the equivalent license or stamp under the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being sections 316.101 to 316.902 of the Michigan Compiled Laws, the department shall return the fee to the applicant, minus the amount retained by the person authorized by the director to sell lifetime licenses, with notification of the denial of the application for a lifetime license.

(5) A person authorized by the director to sell lifetime licenses may retain the following amount:

- (a) Six dollars from each lifetime fishing license, small game license, and trout and salmon license.
- (b) Eight dollars from each lifetime firearm and bow and arrow deer license.
- (c) Fifteen dollars from each lifetime sportsperson license and each comprehensive lifetime hunting and fishing license.

(6) A person authorized to sell lifetime licenses shall, before the twenty-fifth day of each month, tender the money received from the fifteenth day of the preceding month to the fifteenth day of the month in which payment is tendered for the lifetime licenses sold during that period to the director, along with any other relevant information required by the director.

(7) A person authorized to sell lifetime licenses, before March 31, 1990, shall file with the department a complete report of all lifetime licenses sold between March 1, 1989 and February 28, 1990. All information required in section 4 (1), unsold lifetime licenses, and remaining money, not previously sent to the department, shall be returned to the department.

(8) If a license issued under this act is lost, damaged, or destroyed, the licensee may apply to the department for a replacement lifetime license by filing an affidavit and meeting the requirements of this act for procuring a lifetime license. However, the fee for a lifetime license shall be waived if the licensee presents the department with the damaged license, or the facts presented regarding the destruction or loss of the lifetime license are verified by a police report or other verification approved by the department. The director of the department or a conservation officer may require the holder of a lifetime license to obtain a replacement license from the department if the license is mutilated or illegible.

(9) The director shall forward the proceeds of the sale of lifetime licenses to the state treasurer.

Sec. 6. (1) Except as otherwise provided in subsections (2) and (3), the corpus of the trust fund and the interest and earnings of the trust fund shall be maintained and invested by the state treasurer as provided in section 5.

(2) Beginning on March 1, 1989 until February 28, 1990, for each lifetime license issued under this act, the state treasurer shall credit to the game and fish protection fund that amount of money that the department would have received had the holder of the lifetime license purchased the equivalent annual license during the license year.

(3) Beginning on March 1, 1990, and for each year thereafter, for each lifetime license issued under this act, the state treasurer shall credit annually to the game and fish protection fund from the accumulated interest and earnings of the trust fund, and from the corpus of the trust fund if the accumulated interest and earnings of the trust fund are insufficient, that amount of money that the department would have received had the holder of the lifetime license purchased the equivalent annual license during the license year. For a comprehensive lifetime hunting and fishing license the equivalent annual license for purposes of calculations required by this section shall be the annual sportsperson license available pursuant to section 304a of the hunting and fishing license act, Act No. 86 of the Public Acts of 1980, being section 316.304a of the Michigan Compiled Laws.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.