

SENATE BILL No. 1430

November 13, 2000, Introduced by Senator JAYE and referred to the Committee on Hunting, Fishing and Forestry.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 40103 and 40110 (MCL 324.40103 and
324.40110), section 40103 as amended by 1999 PA 66 and section
40110 as added by 1995 PA 57; and to repeal acts and parts of
acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 40103. (1) "Game" means any of the following animals:
- 2 (a) Badger.
- 3 (b) Bear.
- 4 (c) Beaver.
- 5 (d) Bobcat.
- 6 (e) Brant.
- 7 (f) Coot.

- 1 (g) Coyote.
- 2 (h) Crow.
- 3 (i) Deer.
- 4 (j) Duck.
- 5 (k) Elk.
- 6 (l) Fisher.
- 7 (m) Florida gallinule.
- 8 (n) Fox.
- 9 (o) Geese.
- 10 (p) Hare.
- 11 (q) Hungarian partridge.
- 12 (r) Marten.
- 13 (s) Mink.
- 14 (t) Moose.
- 15 (U) MOURNING DOVE.
- 16 (V) ~~-(u)-~~ Muskrat.
- 17 (W) ~~-(v)-~~ Opossum.
- 18 (X) ~~-(w)-~~ Otter.
- 19 (Y) ~~-(x)-~~ Pheasant.
- 20 (Z) ~~-(y)-~~ Quail.
- 21 (AA) ~~-(z)-~~ Rabbit.
- 22 (BB) ~~-(aa)-~~ Raccoon.
- 23 (CC) ~~-(bb)-~~ Ruffed grouse.
- 24 (DD) ~~-(cc)-~~ Sharptailed grouse.
- 25 (EE) ~~-(dd)-~~ Skunk.
- 26 (FF) ~~-(ee)-~~ Snipe.

1 (GG) ~~(ff)~~ Sora rail.

2 (HH) ~~(gg)~~ Squirrel.

3 (II) ~~(hh)~~ Weasel.

4 (JJ) ~~(ii)~~ Wild turkey.

5 (KK) ~~(jj)~~ Woodchuck.

6 (LL) ~~(kk)~~ Woodcock.

7 (MM) ~~(ll)~~ Virginia rail.

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

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

12 (4) "Normal agricultural practices" means generally accepted
13 agricultural and management practices as defined by the commis-
14 sion of agriculture.

15 (5) "Open season" means the dates during which game may be
16 legally taken.

17 (6) "Parts" means any or all portions of an animal, includ-
18 ing the skin, plumage, hide, fur, entire body, or egg of an
19 animal.

20 (7) "Protected" or "protected animal" means an animal or
21 kind of animal that is designated by the department as an animal
22 that shall not be taken.

23 (8) "Residence" means a permanent building serving as a tem-
24 porary or permanent home. Residence may include a cottage,
25 cabin, or mobile home, but does not include a structure designed
26 primarily for taking game, a tree blind, a tent, a recreational
27 or other vehicle, or a camper.

1 Sec. 40110. (1) Only the legislature may designate a
2 species as game. If an animal is designated under this section
3 by the legislature as game, then only the legislature may autho-
4 rize the establishment of the first open season for that animal.
5 HOWEVER, THE FIRST OPEN SEASON FOR THE TAKING OF MOURNING DOVES
6 SHALL BE ESTABLISHED BY THE DEPARTMENT.

7 (2) After ~~the legislature authorizes the establishment of~~
8 the first open season for game IS ESTABLISHED pursuant to this
9 section, the department may issue orders pertaining to that
10 ~~animal~~ GAME for each of the purposes listed in section 40107
11 EXCEPT TO THE EXTENT THAT SUCH AUTHORITY IS VESTED IN THE COMMIS-
12 SION UNDER SECTION 40113A.

13 Enacting section 1. Enacting section 1 of 1999 PA 66 is
14 repealed.

15 Enacting section 2. Section 40111a of the natural resources
16 and environmental protection act, 1994 PA 451, MCL 324.40111a, is
17 repealed effective December 31, 2004.