

SENATE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1105

(As amended, June 27, 2006)

<<A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 43502, 43505, 43506, 43517, and 43520 (MCL
324.43502, 324.43505, 324.43506, 324.43517, and 324.43520),
sections 43502, 43505, and 43506 as amended by 1996 PA 585 and
sections 43517 and 43520 as added by 1995 PA 57.>>

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43502. (1) "ACCOMPANY" MEANS TO GO ALONG WITH ANOTHER
2 PERSON UNDER CIRCUMSTANCES THAT ALLOW ONE TO COME TO THE IMMEDIATE
3 AID OF THE OTHER PERSON AND WHILE STAYING WITHIN A DISTANCE FROM
4 THE PERSON THAT PERMITS UNINTERRUPTED, UNAIDED VISUAL AND AUDITORY
5 COMMUNICATION.

6 (2) ~~(1)~~ "Amphibian" means ~~any~~ A frog, toad, salamander, or
7 ~~any~~ other member of the class amphibia.

1 (3) "APPRENTICE LICENSE" MEANS A LICENSE ISSUED UNDER SECTION
2 43520(3).

3 (4) ~~—(2)—~~ "Aquatic species" means ~~—any—~~ A fish, reptile,
4 amphibian, mollusk, aquatic insect, or crustacea or part thereof.

5 (5) ~~—(3)—~~ "Bow" means a device for propelling an arrow from a
6 string drawn, held, and released by hand ~~—where—~~ IF the force used
7 to hold the string in the drawn position is provided by the
8 archer's muscles.

9 (6) ~~—(4)—~~ "Crossbow" means a weapon consisting of a bow, **WITH**
10 **A DRAW WEIGHT OF 100 POUNDS OR MORE**, mounted transversely on a
11 stock or frame and designed to fire an arrow, bolt, or quarrel by
12 the release of a bow string ~~—that is—~~ controlled by a mechanical or
13 electric trigger ~~—and has—~~ **WITH** a working safety. ~~—and a draw~~
14 ~~weight of 100 pounds or more.~~

15 (7) ~~—(5)—~~ "Crustacea" means ~~—any—~~ A freshwater crayfish,
16 shrimp, or prawn of the order decapoda.

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

20 (2) "Identification" means a driver license issued by
21 Michigan, another state, or a Canadian province as accepted by the
22 department, a state of Michigan identification card issued by the
23 secretary of state, or a sportcard issued by the department.

24 (3) "License" means a document or a tag, stamp, plastic card,
25 or other device that may include a stamp or a tag that authorizes
26 the licensee to hunt, fish, trap, or possess wild animals or
27 aquatic species and other identification required by the

1 department.

2 (4) "Minor child" means a person less than 17 years ~~of age~~
3 **OLD**.

4 (5) "Nonresident" means **OR REFERS TO** a person who is not a
5 resident. ~~who is 17 years of age or older.~~

6 Sec. 43506. (1) "Open season" means the time during which game
7 animals, game birds, fur-bearing animals, and aquatic species may
8 be legally taken or killed. Open season includes both the first and
9 last day of the season or period.

10 (2) "Reptile" means a turtle, snake, lizard, or any other
11 member of the class reptilia.

12 (3) "Resident" means **OR REFERS TO** any of the following:

13 (a) A person who resides in a settled or permanent home or
14 domicile within the boundaries of this state with the intention of
15 remaining in this state.

16 (b) A student who is enrolled in a full-time course at a
17 college or university within this state and who resides in the
18 state during the school year.

19 (c) A person regularly enlisted or commissioned as an officer
20 in the armed forces of the United States and officially stationed
21 in this state.

22 (d) A person regularly enlisted or commissioned as an officer
23 in the armed forces of the United States who, at the time of
24 enlistment, was a resident of this state and has maintained his or
25 her residence in this state for purposes of obtaining a driver
26 license or voter registration, or both.

27 Sec. 43517. A parent or legal guardian of a minor child shall

1 not permit or allow the minor child to hunt **GAME** under the
2 authority of a license issued pursuant to this part **EXCEPT UNDER 1**
3 **OF THE FOLLOWING CONDITIONS:**

4 (A) **THE MINOR CHILD HUNTS ONLY** on land upon which ~~the~~ A
5 parent or guardian is ~~not~~ regularly domiciled ~~without being~~
6 ~~accompanied by the~~ **OR A** parent or guardian, or another person **AT**
7 **LEAST 18 YEARS OLD** authorized by ~~the~~ A parent or guardian, ~~who~~
8 ~~is 17 years of age or older~~ **ACCOMPANIES THE MINOR CHILD. THIS**
9 **SUBDIVISION DOES NOT APPLY UNDER EITHER OF THE FOLLOWING**
10 **CIRCUMSTANCES:**

11 (i) **THE LICENSE IS AN APPRENTICE LICENSE.**

12 (ii) **THE MINOR CHILD IS LESS THAN 14 YEARS OLD AND THE LICENSE**
13 **IS A LICENSE TO HUNT DEER, BEAR, OR ELK WITH A FIREARM.**

14 (B) **IF THE LICENSE IS AN APPRENTICE LICENSE, A PARENT OR**
15 **GUARDIAN, OR ANOTHER PERSON AT LEAST 21 YEARS OLD AUTHORIZED BY A**
16 **PARENT OR GUARDIAN, WHO IS LICENSED TO HUNT THAT GAME UNDER A**
17 **LICENSE OTHER THAN AN APPRENTICE LICENSE ACCOMPANIES THE MINOR**
18 **CHILD. IN ADDITION, IF THE MINOR CHILD IS LESS THAN 14 YEARS OLD**
19 **AND THE APPRENTICE LICENSE IS A LICENSE TO HUNT DEER, BEAR, OR ELK**
20 **WITH A FIREARM, THE MINOR CHILD SHALL HUNT ONLY ON PRIVATE**
21 **PROPERTY.**

22 (C) **IF THE MINOR CHILD IS LESS THAN 14 YEARS OLD AND THE**
23 **LICENSE IS A LICENSE TO HUNT DEER, BEAR, OR ELK WITH A FIREARM, THE**
24 **MINOR CHILD HUNTS ONLY ON PRIVATE PROPERTY AND A PARENT OR**
25 **GUARDIAN, OR ANOTHER PERSON AUTHORIZED BY A PARENT OR GUARDIAN WHO**
26 **IS AT LEAST 18 YEARS OLD, ACCOMPANIES THE MINOR CHILD. THIS**
27 **SUBDIVISION DOES NOT APPLY IF THE LICENSE IS AN APPRENTICE LICENSE.**

1 Sec. 43520. (1) Subject to other requirements of this part,
2 the department may issue a hunting license to a minor child
3 ~~subject to both of the following conditions:~~

4 ~~—— (a) On application of a~~ **IF ALL OF THE FOLLOWING REQUIREMENTS**
5 **ARE MET:**

6 **(A) A** parent or legal guardian of the minor child ~~, if the~~
7 ~~minor child, when hunting on lands upon which the minor child's~~
8 ~~parents are not regularly domiciled, is accompanied by the parent~~
9 ~~or guardian or another person authorized by the parent or guardian~~
10 ~~who is 17 years of age or older.~~

11 ~~—— (b) Payment of the license fee.~~

12 ~~—— (2) A~~ **APPLIES FOR THE LICENSE ON BEHALF OF THE MINOR CHILD.**

13 **(B) THE PARENT OR GUARDIAN REPRESENTS THAT THE REQUIREMENTS OF**
14 **SECTION 43517 (A), (B), OR (C), AS APPLICABLE, WILL BE COMPLIED**
15 **WITH.**

16 **(C) THE MINOR CHILD IS AT LEAST 10 YEARS OLD OR, IF THE**
17 **LICENSE IS A** license to hunt deer, bear, or elk with a firearm,
18 ~~shall not be issued to a person who is less than 14 years of age~~
19 **AT LEAST 12 YEARS OLD.**

20 ~~—— (3) A license to hunt shall not be issued to a person who is~~
21 ~~less than 12 years of age.~~

22 **(D) THE LICENSE FEE IS PAID.**

23 **(2) —(4)—** A person authorized to sell hunting licenses shall
24 not issue a hunting license to a person born after January 1, 1960,
25 unless the person presents proof of previous hunting experience in
26 the form of a hunting license issued by this state, another state,
27 a province of Canada, or another country or **PRESENTS a**

1 certification of completion of training in hunter safety issued to
2 the person by this state, another state, a province of Canada, or
3 another country. If an applicant for a hunting license does not
4 have proof of **SUCH** a previous license or a certification of
5 completion of training in hunter safety, a person authorized to
6 sell hunting licenses may issue a hunting license if the applicant
7 submits a signed affidavit stating that ~~they have~~ **THE APPLICANT**
8 **HAS** completed a course in hunter safety or that ~~they have~~ **THE**
9 **APPLICANT** possessed **SUCH** a hunting license previously. The person
10 selling a hunting license shall record as specified by the
11 department the form of proof of the previous hunting experience or
12 certification of completion of hunter safety training presented by
13 the applicant. **THIS SUBSECTION DOES NOT APPLY TO THE ISSUANCE OF AN**
14 **APPRENTICE LICENSE. AN APPRENTICE LICENSE OR THE EQUIVALENT DOES**
15 **NOT SATISFY THE REQUIREMENTS OF THIS SUBSECTION CONCERNING PROOF OF**
16 **PREVIOUS HUNTING EXPERIENCE.**

17 (3) A PERSON WHO DOES NOT MEET THE REQUIREMENTS OF SUBSECTION
18 (2) MAY OBTAIN AN APPRENTICE LICENSE FOR THE SAME PRICE AS THE
19 CORRESPONDING REGULAR LICENSE THAT THE PERSON WOULD OTHERWISE BE
20 QUALIFIED TO OBTAIN. A PERSON 17 YEARS OLD OR OLDER SHALL NOT HUNT
21 GAME UNDER AN APPRENTICE LICENSE UNLESS ANOTHER PERSON AT LEAST 21
22 YEARS OLD WHO POSSESSES A LICENSE, OTHER THAN AN APPRENTICE
23 LICENSE, TO HUNT THAT GAME ACCOMPANIES THAT APPRENTICE LICENSEE AND
24 DOES NOT ACCOMPANY MORE THAN 1 OTHER APPRENTICE LICENSEE. FOR THE
25 PURPOSES OF THIS SUBSECTION AND SECTION 43517(B), A PERSON SHALL
26 NOT GO ALONG WITH MORE THAN 2 APPRENTICE LICENSEES OF ANY AGE FOR
27 THE PURPOSE OF ACCOMPANYING THOSE APPRENTICE LICENSEES WHILE THOSE

1 APPRENTICE LICENSEES ARE HUNTING. IF A PERSON HAS REPRESENTED TO AN
2 APPRENTICE LICENSEE OR, IF THE APPRENTICE LICENSEE IS A MINOR
3 CHILD, TO THE APPRENTICE LICENSEE'S PARENT OR LEGAL GUARDIAN THAT
4 THE PERSON WOULD ACCOMPANY THE APPRENTICE LICENSEE FOR THE PURPOSES
5 OF THIS SUBSECTION, THE PERSON SHALL NOT GO ALONG WITH THE
6 APPRENTICE LICENSEE WHILE THE APPRENTICE LICENSEE IS HUNTING UNLESS
7 THE PERSON ACTUALLY ACCOMPANIES THE APPRENTICE LICENSEE AND
8 POSSESSES A LICENSE, OTHER THAN AN APPRENTICE LICENSE, TO HUNT THE
9 SAME GAME AS THE APPRENTICE LICENSEE. A PERSON IS NOT ELIGIBLE TO
10 OBTAIN A SPECIFIC TYPE OF APPRENTICE LICENSE, SUCH AS A FIREARM
11 DEER LICENSE, AN ARCHERY DEER LICENSE, A COMBINATION DEER LICENSE,
12 A SMALL GAME LICENSE, OR A TURKEY LICENSE, FOR MORE THAN 2 LICENSE
13 YEARS. AN APPRENTICE LICENSE SHALL BE DISTINGUISHED FROM A LICENSE
14 OTHER THAN AN APPRENTICE LICENSE BY A NOTATION OR OTHER MEANS.

15 (4) BY OCTOBER 1, 2008, THE DEPARTMENT SHALL SUBMIT TO THE
16 STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH
17 PRIMARY RESPONSIBILITY FOR CONSERVATION AND OUTDOOR RECREATION
18 ISSUES A REPORT ON THE EFFECT OF THE APPRENTICE HUNTER PROGRAM AND
19 THE REDUCTIONS IN MINIMUM HUNTING AGE ENACTED BY THE 2006
20 AMENDATORY ACT THAT AMENDED THIS SECTION ON RECRUITMENT OF NEW
21 HUNTERS AND OTHER RELEVANT ISSUES, SUCH AS HUNTER SAFETY.