

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1105

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 43502, 43505, 43506, 43517, 43520, and 43525
(MCL 324.43502, 324.43505, 324.43506, 324.43517, 324.43520, and
324.43525), sections 43502, 43505, 43506, and 43525 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
3 IMMEDIATE AID OF THE OTHER PERSON AND WHILE STAYING WITHIN A
4 DISTANCE FROM THE PERSON THAT PERMITS UNINTERRUPTED, UNAIDED
5 VISUAL AND AUDITORY COMMUNICATION.

6 (2) ~~(1)~~ "Amphibian" means ~~any~~ A frog, toad, salamander,

1 or ~~any~~ other member of the class amphibia.

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

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

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

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

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

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

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

25 (3) "License" means a document or a tag, stamp, plastic
26 card, or other device that may include a stamp or a tag that
27 authorizes the licensee to hunt, fish, trap, or possess wild

1 animals or aquatic species and other identification required by
2 the department.

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

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

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

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

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

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

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

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

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

1 Sec. 43517. A parent or legal guardian of a minor child
 2 shall not permit or allow the minor child to hunt **GAME** under the
 3 authority of a license issued pursuant to this part **EXCEPT UNDER**
 4 **1 OF THE FOLLOWING CONDITIONS:**

5 **(A) THE MINOR CHILD HUNTS** on land upon which ~~the~~ **A** parent
 6 or guardian is ~~not~~ regularly domiciled ~~without being~~
 7 ~~accompanied by the~~ **OR A** parent or guardian, or another person **AT**
 8 **LEAST 18 YEARS OLD** authorized by ~~the~~ **A** parent or guardian, ~~who~~
 9 ~~is 17 years of age or older~~ **ACCOMPANIES THE MINOR CHILD. THIS**
 10 **SUBDIVISION DOES NOT APPLY IF THE LICENSE IS AN APPRENTICE**
 11 **LICENSE.**

12 **(B) IF THE LICENSE IS AN APPRENTICE LICENSE, A PARENT OR**
 13 **GUARDIAN, OR ANOTHER PERSON AT LEAST 21 YEARS OLD AUTHORIZED BY A**
 14 **PARENT OR GUARDIAN, WHO IS LICENSED TO HUNT THAT GAME UNDER A**
 15 **LICENSE OTHER THAN AN APPRENTICE LICENSE ACCOMPANIES THE MINOR**
 16 **CHILD.**

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

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

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

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

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

2 (B) THE PARENT OR GUARDIAN REPRESENTS THAT THE REQUIREMENTS
3 OF SECTION 43517(A) OR (B), AS APPLICABLE, WILL BE COMPLIED WITH.

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

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

10 (D) THE LICENSE FEE IS PAID.

11 (2) ~~—(4)—~~ A person authorized to sell hunting licenses shall
12 not issue a hunting license to a person born after January 1,
13 1960, unless the person presents proof of previous hunting
14 experience in the form of a hunting license issued by this state,
15 another state, a province of Canada, or another country or
16 PRESENTS a certification of completion of training in hunter
17 safety issued to the person by this state, another state, a
18 province of Canada, or another country. If an applicant for a
19 hunting license does not have proof of a previous license or a
20 certification of completion of training in hunter safety, a
21 person authorized to sell hunting licenses may issue a hunting
22 license if the applicant submits a signed affidavit stating that
23 ~~they have~~ THE APPLICANT HAS completed a course in hunter safety
24 or that ~~they have~~ THE APPLICANT possessed a hunting license
25 previously. The person selling a hunting license shall record as
26 specified by the department the form of proof of the previous
27 hunting experience or certification of completion of hunter

1 safety training presented by the applicant. THIS SUBSECTION DOES
2 NOT APPLY TO THE ISSUANCE OF AN APPRENTICE LICENSE. AN APPRENTICE
3 LICENSE OR THE EQUIVALENT DOES NOT SATISFY THE REQUIREMENTS OF
4 THIS SUBSECTION CONCERNING PROOF OF PREVIOUS HUNTING EXPERIENCE.

5 (3) A PERSON WHO DOES NOT MEET THE REQUIREMENTS OF
6 SUBSECTION (2) MAY OBTAIN AN APPRENTICE LICENSE FOR THE SAME
7 PRICE AS THE CORRESPONDING REGULAR LICENSE THAT THE PERSON WOULD
8 OTHERWISE BE QUALIFIED TO OBTAIN. A PERSON 17 YEARS OLD OR OLDER
9 SHALL NOT HUNT GAME UNDER AN APPRENTICE LICENSE UNLESS ANOTHER
10 PERSON AT LEAST 21 YEARS OLD WHO POSSESSES A LICENSE, OTHER THAN
11 AN APPRENTICE LICENSE, TO HUNT THAT GAME ACCOMPANIES THAT
12 APPRENTICE LICENSEE AND DOES NOT ACCOMPANY MORE THAN 1 OTHER
13 APPRENTICE LICENSEE. FOR THE PURPOSES OF THIS SUBSECTION AND
14 SECTION 43517(B), A PERSON SHALL NOT GO ALONG WITH MORE THAN 2
15 APPRENTICE LICENSEES OF ANY AGE FOR THE PURPOSE OF ACCOMPANYING
16 THOSE APPRENTICE LICENSEES WHILE THOSE APPRENTICE LICENSEES ARE
17 HUNTING. IF A PERSON HAS REPRESENTED TO AN APPRENTICE LICENSEE
18 OR, IF THE APPRENTICE LICENSEE IS A MINOR CHILD, TO THE
19 APPRENTICE LICENSEE'S PARENT OR LEGAL GUARDIAN THAT HE OR SHE
20 WOULD ACCOMPANY THE APPRENTICE LICENSEE FOR THE PURPOSES OF THIS
21 SUBSECTION, THE PERSON SHALL NOT GO ALONG WITH THE APPRENTICE
22 LICENSEE WHILE THE APPRENTICE LICENSEE IS HUNTING UNLESS THE
23 PERSON ACTUALLY ACCOMPANIES THE APPRENTICE LICENSEE AND POSSESSES
24 A LICENSE, OTHER THAN AN APPRENTICE LICENSE, TO HUNT THE SAME
25 GAME AS THE APPRENTICE LICENSEE. A PERSON IS NOT ELIGIBLE TO
26 OBTAIN A SPECIFIC TYPE OF APPRENTICE LICENSE, SUCH AS A FIREARM
27 DEER LICENSE, AN ARCHERY DEER LICENSE, A COMBINATION DEER

1 LICENSE, A SMALL GAME LICENSE, OR A TURKEY LICENSE, FOR MORE THAN
2 2 LICENSE YEARS. AN APPRENTICE LICENSE SHALL BE DISTINGUISHED
3 FROM A LICENSE OTHER THAN AN APPRENTICE LICENSE BY A NOTATION OR
4 OTHER MEANS.

5 (4) BY OCTOBER 1, 2008, THE DEPARTMENT SHALL SUBMIT TO THE
6 STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES
7 WITH PRIMARY RESPONSIBILITY FOR CONSERVATION AND OUTDOOR
8 RECREATION ISSUES A REPORT ON THE EFFECT OF THE APPRENTICE HUNTER
9 PROGRAM ON RECRUITMENT OF NEW HUNTERS AND OTHER RELEVANT ISSUES,
10 SUCH AS HUNTER SAFETY.

11 Sec. 43525. (1) A person 16 years of age or older shall not
12 hunt waterfowl without a current waterfowl hunting license issued
13 by this state. The annual license **REQUIREMENT** is in addition to
14 the requirements for a small game license and federal migratory
15 bird hunting stamp. The fee for the waterfowl hunting license is
16 \$5.00.

17 (2) If issued as a stamp, a waterfowl hunting license shall
18 be affixed to the small game license of the person and signed
19 across the face of the stamp by the person to whom it is issued.

20 (3) A collector may purchase a waterfowl hunting license, if
21 it is issued as a stamp, without being required to place it on a
22 small game license, sign across its face, or provide proof of
23 competency under section ~~43520(4)~~ **43520(2)**. However, a license
24 described in this subsection is not valid for hunting waterfowl.

25 (4) A person shall not hunt waterfowl, or deer if deer
26 hunting is regulated by permit in an area designated by the
27 department as a managed waterfowl area, without an annual or

1 daily managed waterfowl area permit and any other license or
 2 permit required by this part. The fee for a daily managed
 3 waterfowl area permit is \$4.00. The fee for an annual managed
 4 waterfowl area permit is \$13.00.

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

9 (6) From the ~~fees~~ **FEE** collected for ~~a~~ **EACH** waterfowl
 10 hunting license, \$3.50 ~~from each license sold~~ shall be used to
 11 acquire wetlands and other lands to be managed for the benefit of
 12 waterfowl.

13 (7) The following amounts from the ~~fees~~ **FEE** collected for
 14 each annual or daily managed waterfowl area permit sold shall be
 15 used to operate, maintain, and develop managed waterfowl areas in
 16 this state:

- 17 (a) Daily managed waterfowl area permit..... \$ 3.00.
 18 (b) Annual managed waterfowl area permit..... \$10.00.

19 (8) The department shall charge a nonrefundable application
 20 fee not to exceed \$4.00 for each person who applies for a permit
 21 to hunt in a managed waterfowl area.