

Act No. 108
Public Acts of 2013
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**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Rep. Bumstead

ENROLLED HOUSE BILL No. 4668

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 43502, 43510, 43513, 43514, 43516, 43520, 43524, 43528, 43528a, 43528b, 43529, 43531, 43532, 43533, 43535, 43536, 43536a, 43537, 43541, 43544, 43547, 43553, 43554, and 43558 (MCL 324.43502, 324.43510, 324.43513, 324.43514, 324.43516, 324.43520, 324.43524, 324.43528, 324.43528a, 324.43528b, 324.43529, 324.43531, 324.43532, 324.43533, 324.43535, 324.43536, 324.43536a, 324.43537, 324.43541, 324.43544, 324.43547, 324.43553, 324.43554, and 324.43558), section 43502 as amended by 2006 PA 282, sections 43510, 43513, and 43516 as amended by 2006 PA 433, sections 43514 and 43554 as added by 1995 PA 57, sections 43520 and 43531 as amended by 2011 PA 120, section 43524 as amended by 2012 PA 81, section 43528 as amended by 2009 PA 70, section 43528a as added by 2010 PA 366, section 43528b as added by 2012 PA 520, sections 43529, 43535, 43536, 43541, 43544, 43547, and 43558 as amended by 1996 PA 585, sections 43532 and 43533 as amended by 2010 PA 29, section 43536a as amended by 2013 PA 21, section 43537 as amended by 2012 PA 339, and section 43553 as amended by 2006 PA 280, and by adding sections 43523a, 43523b, 43525b, 43527a, 43527b, 43531b, 43532a, and 43545; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 43502. (1) "Accompany" means to go along with another person under circumstances that allow one to come to the immediate aid of the other person and while staying within a distance from the person that permits uninterrupted, unaided visual and auditory communication.

(2) "Amphibian" means a frog, toad, salamander, or other member of the class amphibia.

(3) "Apprentice license" means a license issued under section 43520(3) or (4).

(4) "Aquatic species" means a fish, reptile, amphibian, mollusk, aquatic insect, or crustacea or part thereof.

(5) "Base license" means a license issued under section 43523a.

(6) "Bow" means a device for propelling an arrow from a string drawn, held, and released by hand if the force used to hold the string in the drawn position is provided by the archer's muscles.

(7) "Crossbow" means a weapon consisting of a bow, with a draw weight of 100 pounds or more, mounted transversely on a stock or frame and designed to fire an arrow, bolt, or quarrel by the release of a bow string controlled by a mechanical or electric trigger with a working safety.

(8) "Crustacea" means a freshwater crayfish, shrimp, or prawn of the order decapoda.

Sec. 43510. (1) Subject to subsection (2), except as provided in section 43513, and except for an individual hunting on a game bird hunting preserve licensed under part 417, an individual shall not carry or transport a firearm, slingshot, bow and arrow, crossbow, or a trap while in any area frequented by wild animals unless that individual has in his or her possession a license as required under this part.

(2) This act or a rule promulgated or order issued by the department or the commission under this act shall not be construed to prohibit an individual from transporting a pistol or carrying a loaded pistol, whether concealed or not, if either of the following applies:

(a) The individual has in his or her possession a license to carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435.

(b) The individual is authorized under the circumstances to carry a concealed pistol without obtaining a license to carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435, as provided for under any of the following:

(i) Section 12a of 1927 PA 372, MCL 28.432a.

(ii) Section 227, 227a, 231, or 231a of the Michigan penal code, 1931 PA 328, MCL 750.227, 750.227a, 750.231, and 750.231a.

(3) Subsection (2) does not authorize an individual to take or attempt to take a wild animal except as provided by law.

Sec. 43513. (1) An individual may carry, transport, or possess a firearm without a hunting license if the firearm is unloaded in both barrel and magazine and either enclosed in a case or carried in a vehicle in a location that is not readily accessible to any occupant of the vehicle. An individual may carry, transport, or possess a slingshot, bow and arrow, or crossbow without a hunting license if the slingshot, bow, or crossbow is unstrung, enclosed in a case, or carried in a vehicle in a location that is not readily accessible to any occupant of the vehicle.

(2) Regardless of whether the individual has a license or it is open season for the taking of game, an individual may carry, transport, possess or discharge a firearm, a bow and arrow, or a crossbow if all of the following apply:

(a) The individual is not taking or attempting to take game but is engaged in 1 or more of the following activities:

(i) Target practice using an identifiable, artificially constructed target or targets.

(ii) Practice with silhouettes, plinking, skeet, or trap.

(iii) Sighting-in the firearm, bow and arrow, or crossbow.

(b) The individual is, or is accompanied by or has the permission of, either of the following:

(i) The owner of the property on which the activity under subdivision (a) is taking place.

(ii) The lessee of that property for a term of not less than 1 year.

(c) The owner or lessee of the property does not receive remuneration for the activity under subdivision (a).

(3) An individual may carry, transport, or possess a firearm, slingshot, bow and arrow, or crossbow without a hunting license if the individual is hunting on a game bird hunting preserve licensed under part 417.

(4) An individual may carry or possess an unloaded weapon at any time if the individual is traveling to or from or participating in a historical reenactment.

Sec. 43514. (1) Until March 1, 2014, a resident, the resident's spouse, and the resident's children may hunt small game without a license upon the enclosed farmlands upon which they are regularly domiciled, at a time and in a manner permitted by law; except that they shall obtain a waterfowl hunting license for hunting waterfowl and a federal migratory bird hunting stamp as required by law.

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

Sec. 43516. (1) An individual who has been issued a hunting, fur harvester's, or fishing license shall carry the license and shall exhibit the license upon the demand of a conservation officer, a law enforcement officer, or the owner or occupant of the land if either or both of the following apply:

(a) The person is hunting, trapping, or fishing.

(b) Subject to section 43510(2) and except as provided in section 43513, the individual is in possession of a firearm or other hunting or trapping apparatus or fishing apparatus in an area frequented by wild animals or fish, respectively.

(2) Subject to section 43510(2) and except as provided in section 43513, an individual shall not carry or possess afield a shotgun with buckshot, slug loads, or ball loads; a bow and arrow; a muzzle-loading rifle or black powder handgun; or a centerfire handgun or centerfire rifle during firearm deer season unless that individual has a valid deer license, with an unused kill tag, if issued, issued in his or her name. The individual shall exhibit an unused kill tag, if issued, upon the request of a conservation officer, a law enforcement officer, or the owner or occupant of the land.

Sec. 43520. (1) Subject to other requirements of this part, the department may issue a hunting license to a minor child if all of the following requirements are met:

- (a) A parent or legal guardian of the minor child applies for the license on behalf of the minor child.
- (b) The parent or guardian represents that the requirements of section 43517, as applicable, will be complied with.
- (c) The license fee is paid.

(2) A person authorized to sell hunting licenses shall not issue a hunting license to an individual born after January 1, 1960, unless the individual presents proof of previous hunting experience in the form of a hunting license issued by this state, another state, a province of Canada, or another country or presents a certification of completion of training in hunter safety issued to the individual by this state, another state, a province of Canada, or another country. If an applicant for a hunting license does not have proof of such a previous license or a certification of completion of training in hunter safety, a person authorized to sell hunting licenses may issue a hunting license if the applicant submits a signed affidavit stating that the applicant has completed a course in hunter safety or that the applicant possessed such a hunting license previously. The person selling a hunting license shall record as specified by the department the form of proof of the previous hunting experience or certification of completion of hunter safety training presented by the applicant. This subsection does not apply to the issuance of an apprentice license. An apprentice license or the equivalent does not satisfy the requirements of this subsection concerning proof of previous hunting experience.

(3) An individual who does not meet the requirements of subsection (2) may obtain an apprentice license for the same price as the corresponding regular license that the individual would otherwise be qualified to obtain. An individual 17 years old or older shall not hunt game under an apprentice license unless another individual at least 21 years old who possesses a license, other than an apprentice license, to hunt that game accompanies that apprentice licensee and does not accompany more than 1 other apprentice licensee. For the purposes of this subsection and section 43517(1)(b), an individual shall not go along with more than 2 apprentice licensees of any age for the purpose of accompanying those apprentice licensees while those apprentice licensees are hunting. If an individual has represented to an apprentice licensee or, if the apprentice licensee is a minor child, to the apprentice licensee's parent or legal guardian that the individual would accompany the apprentice licensee for the purposes of this subsection, the individual shall not go along with the apprentice licensee while the apprentice licensee is hunting unless the individual actually accompanies the apprentice licensee and possesses a license, other than an apprentice license, to hunt the same game as the apprentice licensee. An individual is not eligible to obtain a specific type of apprentice license, such as a firearm deer license, an archery deer license, a combination deer license, a small game license, or a turkey license, for more than 2 license years. An apprentice license shall be distinguished from a license other than an apprentice license by a notation or other means.

(4) Beginning March 1, 2014, an individual who does not meet the requirements of subsection (2) may obtain an apprentice license for the same price as the corresponding regular license that the individual would otherwise be qualified to obtain. An individual 17 years old or older shall not hunt game under an apprentice license unless another individual at least 21 years old who possesses a license, other than an apprentice license, to hunt that game accompanies that apprentice licensee and does not accompany more than 1 other apprentice licensee. For the purposes of this subsection and section 43517(1)(b), an individual shall not go along with more than 2 apprentice licensees of any age for the purpose of accompanying those apprentice licensees while those apprentice licensees are hunting. If an individual has represented to an apprentice licensee or, if the apprentice licensee is a minor child, to the apprentice licensee's parent or legal guardian that the individual would accompany the apprentice licensee for the purposes of this subsection, the individual shall not go along with the apprentice licensee while the apprentice licensee is hunting unless the individual actually accompanies the apprentice licensee and possesses a license, other than an apprentice license, to hunt the same game as the apprentice licensee. An individual is not eligible to obtain a specific type of apprentice license, such as a deer license, a base license, or a turkey license, for more than 2 license years. An apprentice license shall be distinguished from a license other than an apprentice license by a notation or other means.

(5) Only a minor who is less than 10 years old may obtain a mentored youth hunting license. A minor who is less than 10 years old shall not hunt game under a mentored youth hunting license unless that minor complies with all requirements of the mentored youth hunting program established by the commission under section 43517. The fee for a mentored youth hunting license is \$7.50 and shall include all of the privileges conferred by all of the following:

- (a) Resident small game license.
- (b) Combination deer license.
- (c) All species fishing license.
- (d) Spring turkey hunting license and fall turkey hunting license.
- (e) Resident fur harvester's license.

(6) Beginning March 1, 2014, the fee for a mentored youth hunting license is \$7.50 and shall include all of the privileges conferred by all of the following:

- (a) Base license.
- (b) Deer license.

- (c) All-species fishing license.
- (d) Spring wild turkey hunting license and fall wild turkey hunting license.
- (e) Fur harvester's license.

(7) By September 1, 2015 and every 4 years after that date, the department shall submit a report to the standing committees of the senate and house of representatives with primary responsibility for conservation and outdoor recreation issues evaluating whether the fee revenue received by the department from mentored youth hunting licenses under subsection (6) is adequate to administer the mentored youth hunting program.

Sec. 43523a. (1) Except as otherwise provided in this part, an individual shall not hunt small game, unless the individual possesses a current base license. A base license authorizes the individual named in the license to hunt for small game, except for animals or birds that require a special license.

(2) If authorized in an order issued under part 401, an individual that possesses a current base license may take specified fur-bearing animals by means other than trapping during the open season for hunting these fur-bearing animals. However, an individual who goes on a bobcat hunt with a licensed hunter is not required to possess a base license if the individual does not carry a firearm, bow, or crossbow and does not own dogs used to chase or locate a bobcat during the hunt.

(3) Beginning March 1, 2014, the fee for a base license is as follows:

- (a) Subject to subdivision (b), for a resident, \$10.00.
- (b) For a resident minor child or nonresident minor child, \$5.00.
- (c) Subject to subdivision (b), for a nonresident, \$150.00.

(4) A base license is void between the hours of 1/2 hour after sunset and 1/2 hour before sunrise with the exception of coyote hunting.

(5) Beginning March 1, 2014, a nonresident may purchase a limited nonresident small game license entitling that individual to hunt for a 7-day period all species of small game that are available to hunt under a nonresident base license. The fee for a limited nonresident small game license is \$80.00. The purchase of a 7-day limited nonresident small game license does not entitle the holder to purchase any additional licenses.

Sec. 43523b. (1) Beginning March 1, 2014, the fee for a resident combination hunt and fish license is \$75.00 and shall include all of the privileges conferred by all of the following:

- (a) Resident base license.
- (b) Two deer licenses.
- (c) All-species fishing license.

(2) Beginning March 1, 2014, the fee for a nonresident combination hunt and fish license is \$265.00 and shall include all of the privileges conferred by all of the following:

- (a) Nonresident base license.
- (b) Two deer licenses.
- (c) All-species fishing license.

Sec. 43524. (1) An individual shall not hunt wild turkey without a wild turkey hunting license. The fee for a resident wild turkey hunting license is \$15.00. The fee for a nonresident wild turkey hunting license is \$69.00. Subject to the requirements of section 40113a, the commission may issue an order requiring that all applications for wild turkey hunting licenses, or applications for wild turkey hunting licenses for certain geographic areas, be entered into a lottery designed and run by the department. An individual selected in a lottery, upon meeting the requirements of this part, is authorized to purchase a wild turkey hunting license. The license shall be issued for a specified hunting period and confers upon the holder of the license the right to hunt wild turkeys.

(2) The department may charge a nonrefundable application fee not to exceed \$4.00 for each application for a wild turkey hunting license that is entered into a lottery under subsection (1).

(3) From fees collected under subsection (1) or (2), the following amounts shall be used for scientific research, biological survey work on wild turkeys, creation and management of wild turkey habitat on state land, national forestland, and private land, annual wild turkey hunter surveys, disease testing for wild turkeys suspected of having a disease and voluntarily submitted to the department of natural resources, and other wild turkey management in this state:

- (a) Resident wild turkey hunting license..... \$ 9.50
- (b) Nonresident wild turkey hunting license..... \$50.00
- (c) Senior wild turkey hunting license..... \$ 1.00
- (d) Wild turkey hunting application..... amount of application fee, if any, but not more than \$ 3.00.

(4) The department shall, to the extent possible, use the money from subsection (3) to create and manage wild turkey habitat on state forestland, state game areas, national forestland, and private land, where appropriate. The department shall, before January 1 of each year, provide to the standing committees in the senate and house of representatives that primarily consider issues relating to natural resources a report detailing the expenditures for the prior year under subsection (3).

(5) Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a wild turkey hunting license, pursuant to current regulations. The fee for a wild turkey hunting license is \$15.00.

(6) Beginning March 1, 2014, the department may charge a nonrefundable application fee not to exceed \$5.00 for each application for a wild turkey hunting license that is entered into a lottery under subsection (1).

(7) Beginning March 1, 2014, from fees collected under subsection (5) or (6), the following amounts shall be used for scientific research, biological survey work on wild turkeys, creation and management of wild turkey habitat on state land, national forestland, and private land, annual wild turkey hunter surveys, disease testing for wild turkeys suspected of having a disease and voluntarily submitted to the department of natural resources, and other wild turkey management in this state:

- (a) Wild turkey hunting license..... \$ 9.50
- (b) Senior wild turkey hunting license \$ 1.00
- (c) Wild turkey hunting application amount of application fee, if any, but not more than \$ 3.00.

Sec. 43525b. (1) Except as otherwise provided in this part, beginning March 1, 2014, an individual 16 years of age or older shall not hunt waterfowl without a current waterfowl hunting license issued by this state. The annual license requirement is in addition to the requirements for a base license and federal migratory bird hunting stamp. The fee for the waterfowl hunting license is \$12.00.

(2) If issued as a stamp, a waterfowl hunting license shall be affixed to the base license of the individual and signed across the face of the stamp by the individual to whom it is issued.

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

(4) Beginning March 1, 2014, from the fee collected for each waterfowl hunting license, the department shall use the following amounts:

(a) \$9.00 shall be used to acquire, restore, or enhance wetlands and other lands to be managed for the benefit of waterfowl. Except as otherwise provided in this subdivision, not more than 0.25% of the money under this subdivision shall be used to acquire lands. However, if all of the money appropriated from the natural resources trust fund for eco-region acquisition carried over from previous fiscal years is spent, then the 0.25% limitation under this subdivision does not apply. The department shall not acquire land under this subdivision until that acquisition is approved by the joint capital outlay subcommittee.

(b) \$1.93 shall be used to operate, maintain, and develop managed waterfowl areas in this state.

(c) The remaining amount shall be retained under section 43541 or used for administration of this part.

Sec. 43527a. (1) Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a deer license or an antlerless deer license, pursuant to current regulations. The fee for a deer license or an antlerless deer license is \$20.00.

(2) Beginning March 1, 2014, the department shall charge a nonrefundable application fee not to exceed \$5.00 for each individual who applies for an antlerless deer license.

(3) The department may issue a kill tag with or as part of each deer license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

(4) Where authorized by the department, a resident may purchase a second deer license for the fee assessed under this subsection for the deer license for which that individual is eligible. However, a senior license discount is not available for the purchase of a second deer license. Where authorized by the department, a nonresident may purchase an additional deer license or antlerless deer license under this section for \$170.00. The department may issue orders under part 401 designating the kind of deer that may be taken and the geographic area in which any license issued under this section is valid, when advisable in managing deer.

Sec. 43527b. The department may issue deer management assistance permits pursuant to current regulations.

Sec. 43528. (1) An individual shall not hunt bear unless the individual possesses a bear hunting license. However, an individual who goes on a bear hunt with a licensed hunter is not required to possess a bear hunting license if the individual does not carry a firearm, bow, or crossbow and does not own dogs used to chase or locate bear during the

hunt. Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a bear hunting license, pursuant to current regulations.

(2) The fee for a resident bear hunting license is \$15.00. The fee for a nonresident bear hunting license is \$150.00. Beginning March 1, 2014, the fee for a bear hunting license is \$25.00.

(3) The department may issue a kill tag with, or as a part of, a bear hunting license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

(4) In addition to the license fees in subsection (2), the department shall charge a nonrefundable application fee not to exceed \$4.00 for each individual who applies for a bear hunting license. Beginning March 1, 2014, in addition to the license fees in subsection (2), the department shall charge a nonrefundable application fee not to exceed \$5.00 for each individual who applies for a bear hunting license.

(5) Beginning March 1, 2014, the following individuals chasing or locating bear with dogs during the open season for that game and who hold a valid base license are eligible for the purchase of a bear participation license for a fee of \$15.00:

- (a) Any individual possessing a firearm, crossbow, or bow and arrow.
- (b) The owner, when present, of any dog chasing or locating bear.

Sec. 43528a. (1) A resident shall not hunt moose without a moose hunting license. Beginning March 1, 2014, only a resident holding a valid base license is eligible to purchase a moose hunting license, pursuant to current regulations. The fee for a moose hunting license is \$100.00. The department may establish a nonrefundable application fee not to exceed \$4.00 for each individual who applies for a moose hunting license. Beginning March 1, 2014, the department may establish a nonrefundable application fee not to exceed \$5.00 for each individual who applies for a moose hunting license.

(2) The department may issue a kill tag with, or as part of, a moose hunting license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

Sec. 43528b. (1) An individual shall not hunt wolf without a wolf hunting license. Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a wolf hunting license. The fee for a resident wolf hunting license is \$100.00. The fee for a nonresident wolf hunting license is \$500.00. The department may establish a nonrefundable application fee not to exceed \$4.00 for each individual who applies for a wolf hunting license. Beginning March 1, 2014, the department may establish a nonrefundable application fee not to exceed \$5.00 for each individual who applies for a wolf hunting license.

(2) The department may issue a kill tag with, or as part of, a wolf hunting license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

Sec. 43529. (1) A resident shall not hunt elk during the elk season without an elk hunting license. Beginning March 1, 2014, only a resident holding a valid base license is eligible to purchase an elk hunting license, pursuant to current regulations. The fee for an elk hunting license is \$100.00. The department may establish a nonrefundable application fee not to exceed \$4.00 for each individual who applies for an elk hunting license. Beginning March 1, 2014, the department may establish a nonrefundable application fee not to exceed \$5.00 for each individual who applies for an elk hunting license.

(2) The department may issue a kill tag with, or as a part of, an elk hunting license. The kill tag shall bear the license number. The kill tag may also include space for other pertinent information required by the department. The kill tag, if issued, is part of the license.

Sec. 43531. (1) Except as otherwise provided in section 43523(2) or section 43523a(2), an individual shall not trap or hunt fur-bearing animals unless the individual possesses a fur harvester's license. However, an individual who goes on a bobcat hunt with a licensed hunter is not required to possess a fur harvester's license if the individual does not carry a firearm, bow, or crossbow and does not own dogs used to chase or locate a bobcat during the hunt.

(2) The fee for a resident fur harvester's license is \$15.00. The fee for a fur harvester's license for a resident or nonresident minor child 10 years old or older shall be discounted 50% from the cost of the resident fur harvester's license.

(3) Until March 1, 2014, the department may issue a nonresident fur harvester's license to a nonresident of this state if the state, province, or country in which the nonresident applicant resides allows residents of this state to obtain equivalent hunting and trapping privileges in that state, province, or country. The fee for an eligible nonresident fur harvester's license is \$150.00. Nonresident fur harvester's licenses shall not be sold or purchased before November 15 of each year.

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

(5) Beginning March 1, 2014, only an individual holding a valid base license is eligible to purchase a fur harvester's license, pursuant to current regulations. The fee for a fur harvester's license is \$15.00.

(6) Beginning March 1, 2014, for a nonresident holding a valid base license and a valid fur harvester's license, the fur harvester's license is not valid for fur-bearing species for which a bag limit has been established.

Sec. 43531b. Pursuant to current regulations, the department may issue free tags for survey purposes or for the enforcement of harvest limits.

Sec. 43532. (1) An individual 17 years of age or older shall not take or possess an aquatic species, except aquatic insects, in the waters over which this state has jurisdiction without a license. The fee for a resident restricted fishing license is \$15.00. The fee for a nonresident restricted fishing license is \$34.00.

(2) A restricted fishing license entitles the licensee to take and possess aquatic species as prescribed by law, other than trout, salmon, lake sturgeon, lake herring, amphibians, reptiles, or crustaceans.

(3) An individual under 17 years of age may take aquatic species in the waters over which this state has jurisdiction without a license. However, an individual under 17 years of age may obtain an all-species fishing license. The fee for a resident or nonresident who is under 17 years of age for an all-species fishing license is \$2.00. The department shall not sell or vendor the list of licensees under this subsection.

(4) The fee for a resident all-species fishing license is \$28.00. The fee for a nonresident all-species fishing license is \$42.00.

(5) An all-species fishing license entitles the licensee to take and possess all aquatic species as prescribed by law.

(6) An individual to whom a valid restricted fishing license has been issued may return the restricted license to the department or its authorized agent and receive an all-species fishing license by paying a fee equal to the difference in cost between the all-species fishing license and the restricted fishing license for which that individual is eligible.

(7) Beginning March 1, 2014, an individual 17 years of age or older shall not take or possess an aquatic species, except aquatic insects, in the waters over which this state has jurisdiction without a license. The fee for a resident all-species fishing license is \$25.00. The fee for a nonresident all-species fishing license is \$75.00. Beginning March 1, 2014, the restricted fishing license, license for an individual under 17 years of age, and all-species upgrades under subsections (1), (3), and (6) are no longer available.

Sec. 43532a. Beginning March 1, 2014, the department shall charge an additional \$1.00 per base license under sections 43523a(3) and 43535(2), combination hunt and fish license under section 43523b, and all-species fishing license under sections 43532(7) and 43536(2). The department shall use money generated under this section for marketing, education, and outreach activities.

Sec. 43533. (1) A resident or nonresident may purchase a 24-hour or 72-hour fishing license entitling that individual to take, for a designated 24-hour or 72-hour period, respectively, and possess all aquatic species as prescribed by law. Except as provided in this section, the fee for a 24-hour fishing license is \$7.00 per designated consecutive 24-hour period. Notwithstanding any other provision of this section, the fee for a 24-hour fishing license for a senior citizen is \$3.00.

(2) The fee for a 72-hour fishing license, to be issued beginning in 2010, is as follows:

(a) Except for a senior citizen, \$21.00.

(b) For a senior citizen, \$9.00.

(3) Beginning March 1, 2014, a resident or nonresident may purchase a 24-hour fishing license entitling that individual to take, for a designated 24-hour period, and possess all aquatic species as prescribed by law. The fee for a 24-hour fishing license is \$10.00 per designated consecutive 24-hour period.

(4) Beginning March 1, 2014, a resident or nonresident may purchase a 72-hour fishing license entitling that person to take, for a designated 72-hour period, and possess all aquatic species as prescribed by law. The fee for a 72-hour fishing license is \$30.00 per designated consecutive 72-hour period.

Sec. 43535. (1) Until March 1, 2014, a resident of this state who is 65 years of age or older may obtain a senior small game license, a senior firearm deer license, a senior bow and arrow deer license, a senior bear hunting license, a senior wild turkey hunting license, or a senior fur harvester's license. The fee for each senior license shall be discounted 60% from the fee for the resident license.

(2) Beginning March 1, 2014, a resident of this state who is 65 years of age or older may obtain a senior base license, a senior deer license, a senior wild turkey hunting license, or a senior fur harvester's license. The fee for each senior license shall be discounted 60% from the fee for the resident license.

Sec. 43536. (1) Until March 1, 2014, a resident of this state who is 65 years of age or older may obtain a senior restricted fishing license. The fee for a senior restricted fishing license is discounted 60% from the fee for a resident restricted fishing license.

(2) A resident of this state who is 65 years of age or older may obtain a senior all-species fishing license. The fee for a senior all-species fishing license is discounted 60% from the fee for a resident all-species fishing license.

Sec. 43536a. (1) Beginning March 1, 2014, a member of the military may obtain any license under this part for which a lottery is not required at no cost upon presentation to a licensing agent of leave papers, duty papers, military orders, or other evidence acceptable to the department verifying that he or she is stationed outside of this state. The license is valid during the season in which that license would otherwise be valid.

(2) As used in this section, "member of the military" means either of the following:

(a) An individual described by section 43506(3)(d).

(b) An individual who meets all of the following requirements:

(i) The individual is a reserve component soldier, sailor, airman, or marine or member of the Michigan national guard and is called to federal active duty.

(ii) At the time the individual was called to federal active duty, he or she was a resident of this state.

(iii) The individual has maintained his or her residence in this state for the purpose of obtaining a driver license or voter registration, or both.

Sec. 43537. (1) Until March 1, 2014, a resident who is declared legally blind is eligible to purchase a senior restricted or senior all-species fishing license. Beginning March 1, 2014, a resident who is declared legally blind is eligible to purchase a senior all-species fishing license.

(2) A disabled veteran is eligible to obtain any resident license under this part for which a lottery is not required free of charge.

(3) The department may demand proof of eligibility under subsection (1), (2), or (4). The licensee, when taking aquatic species or hunting, shall possess proof of his or her eligibility under subsection (1), (2), or (4), as applicable, and shall furnish the proof upon the request of a peace officer.

(4) The department shall process licenses issued under this section in the same manner as licenses issued to senior citizens for purposes of receiving appropriations from the legislature under section 43546.

(5) As used in this section, "disabled veteran" means either of the following:

(a) A resident who has been determined by the United States department of veterans affairs to be permanently and totally disabled as a result of military service and entitled to veterans' benefits at the 100% rate, for a disability other than blindness.

(b) A resident rated by the United States department of veterans affairs as individually unemployable.

Sec. 43541. (1) A person authorized by the department to issue licenses on March 15, 1993, may retain 7.5% of the fees for each sportcard, license, duplicate license, application, or permit that the person sells. A person authorized by the department after March 15, 1993 to issue licenses may retain 5% of the fees for each sportcard, license, duplicate license, application, or permit that the person sells. The department shall consider any additional location established after March 15, 1993 at which licenses are sold as a new authorized agent for purposes of determining the percentage of fees that may be retained for sales at the new location by that authorized agent. Beginning March 1, 2014, any person authorized by the department to issue licenses may retain 7.5% of the fees for each sportcard, license, duplicate license, application, or permit that the person sells.

(2) In addition to the fees authorized under subsection (1), the department may also authorize a person who is authorized to issue licenses to charge and retain a 50-cent transaction fee for collecting migratory bird survey responses.

Sec. 43544. (1) If a license or sportcard issued pursuant to this part or a kill tag is lost or destroyed, a licensee may procure a duplicate from the department. To obtain a duplicate license, sportcard, or kill tag, the licensee shall file a certification of loss form with the department and shall pay the duplicate fee as provided in subsection (2) for each duplicate requested.

(2) If the licensee meets the requirements of subsection (1) and all other requirements of this part for procuring a license or sportcard, or, if required by this part, a kill tag, the department shall verify the purchase of the original and issue to the licensee the duplicates requested and collect the following applicable duplicate fees:

(a) Until March 1, 2014, and except as provided in subdivision (c), \$3.00 for each license included in a certification of loss.

(b) Beginning March 1, 2014, the amount the individual would pay for each license included in a certification of loss.

(c) For a duplicate of a kill tag, the fee shall equal the amount that the individual would pay for a license to which the kill tag applies without regard to marketing discounts or multilicense discounts.

(d) For a duplicate of a sportcard, \$1.00.

Sec. 43545. Beginning March 1, 2019, the department shall not assess or collect any license or permit fees authorized in this part.

Sec. 43547. (1) The department shall prepare sportcards, if necessary, and licenses to comply with this part and may authorize persons to issue sportcards and licenses.

(2) A sportcard shall provide the following information as required by the department:

(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 applicant's social security number.

(f) Other information as required by the department.

(3) A license may include the following information:

(a) The date and time of issuance of the license.

(b) The identification code of the person issuing the license.

(c) The form of proof of eligibility to receive a license by the applicant as required.

(d) Other information as required by the department.

(e) The applicant's date of birth.

(4) Until March 1, 2014, the department may require persons authorized to issue licenses under this part to purchase or rent equipment necessary to issue 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. However, notwithstanding the equipment rental or purchase charges otherwise required under this section, if the department requires the use of designated computer equipment to issue licenses, the department shall supply each licensed agent who is entitled to retain 7.5% of the fees received and was authorized on March 15, 1993 to issue licenses with a computer system at no charge to the licensed agent for each location at which that licensed agent sells licenses. A person who is eligible to receive equipment without charge may be required to purchase a service and maintenance contract for that equipment. The cost of the contract shall not be more than \$200.00 for the first year of the contract and thereafter the actual cost to the state of maintaining the computer system. Equipment that is supplied without charge to a licensed agent shall be returned to the department at such time as the person is no longer a licensed agent.

(5) Until March 1, 2014, a person who is authorized after March 15, 1993 to issue licenses shall pay the full annual rental or purchase fee for equipment required under subsection (4).

(6) Until March 1, 2014, a person who on March 15, 1993 is authorized to issue licenses who rents the equipment for the issuance of licenses required under subsection (4) shall pay rent or service and maintenance contract cost, as applicable for that equipment not to exceed 50% of the total of the annual amount the person is authorized to retain under section 43541, or the rental charge otherwise determined by the department, whichever is less.

(7) The department may provide persons authorized to issue licenses under this part with conservation law enforcement stamps to enable the purchaser of the stamps to contribute to the wildlife resource protection fund created in section 43555. Conservation law enforcement stamps may be issued by the department in the amounts of \$2.00 and \$5.00.

(8) Beginning March 1, 2014, the department may require persons authorized to issue licenses under this part to rent equipment necessary for the issuance of licenses. A person who is authorized to issue licenses for less than a full license year shall pay rent of \$5.00 per week until the person has been authorized to issue licenses for a full license year. Once a person has been authorized to issue licenses for a full license year, a person shall pay rent of \$5.00 per week or \$2.50 per week if that person's annual license sales under this part are less than the 5-year average license sales as of the effective date of the amendatory act that added this subsection for persons authorized to issue licenses under this part. The weekly rental fee shall be assessed and collected in a form and manner prescribed by the department. Rent shall not exceed 50% of the total of the annual amount the person is authorized to retain under section 43541.

Sec. 43553. (1) The department shall transmit all money received from the sale of licenses to the state treasurer, together with a statement indicating the amount of money received and the source of the money.

(2) Except as provided in section 43555 and subsection (5), the state treasurer shall credit the money received from the sale of passbooks and licenses to the game and fish protection account.

(3) Except as provided in sections 43524, 43525, 43525b, and 43554 and subsection (4), money credited to the game and fish protection account shall be paid out by the state treasurer pursuant to the accounting laws of this state for the following purposes:

(a) Services rendered by the department, together with the expenses incurred in the enforcement and administration of the wildlife and fisheries laws of the state, including the necessary equipment and apparatus incident to the operation and enforcement of the wildlife and fisheries laws, and the protection, propagation, distribution, and control of wildlife and fish.

(b) The propagation and liberation of wildlife or fish and for their increase at the time, place, and manner as the department considers advisable.

(c) The purchase, lease, and management of lands, together with the necessary equipment for the purpose of propagating and rearing wildlife or fish, and for establishing and maintaining game refuges, wildlife sanctuaries, and public shooting and fishing grounds. Except as otherwise provided in this subdivision, not more than 0.25% of the money credited to the game and fish protection account shall be used to purchase lands under this subdivision. However, if all of the money appropriated from the natural resources trust fund for eco-region acquisition carried over from previous fiscal years is spent, then the 0.25% limitation under this subdivision does not apply. Land shall not be purchased under this subdivision until that purchase is approved by the joint capital outlay subcommittee.

(d) Conducting investigations and compiling and publishing information relative to the propagation, protection, and conservation of wildlife.

(e) Delivering lectures, developing cooperation, and carrying on appropriate educational activities relating to the conservation of the wildlife of this state.

(4) The department may make direct grants to colleges and universities in this state, out of funds appropriated from the game and fish protection account, to conduct fish or wildlife research or both fish and wildlife research.

(5) The youth hunting and fishing education and outreach fund is created as a separate fund in the department of treasury. Until March 1, 2014, the state treasurer shall credit to the youth hunting and fishing education and outreach fund the money received from the sale of small game licenses and all-species fishing licenses under sections 43523 and 43532, respectively, to minor children. Beginning March 1, 2014, the state treasurer shall credit to the youth hunting and fishing education and outreach fund \$1.00 received from the sale of each base license to minor children under section 43523a. Money in the youth hunting and fishing education and outreach fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(6) Money credited to the youth hunting and fishing education and outreach fund shall be paid out by the state treasurer pursuant to the accounting laws of this state for hunting and fishing education and outreach programs for minor children.

(7) The department and any other executive department of the state that receives money from the game and fish protection account or the youth hunting and fishing education and outreach fund shall submit an annual report to the legislature showing the amount of money received by the department or other executive department from the game and fish protection account or the youth hunting and fishing education and outreach fund and how that money was spent. An executive department required to submit a report as provided in this subsection shall send a copy of the report to the legislature and to the department.

(8) Not later than November 1, 2013, the department shall complete and post on its website a fisheries division strategic and tactical plan with measures and metrics.

Sec. 43554. One dollar and fifty cents of the license fee for each firearm deer, bow and arrow deer, and resident sportsperson's license shall be used for improving and maintaining a habitat for deer and for the acquisition of lands for an effective program of deer habitat management. Beginning March 1, 2014, \$1.50 of the license fee for each deer and resident sportsperson's license shall be used for improving and maintaining a habitat for deer and for the acquisition of lands for an effective program of deer habitat management. Except as otherwise provided in this section, not more than 0.25% of the money under this section shall be used to acquire lands. However, if all of the money appropriated from the natural resources trust fund for eco-region acquisition carried over from previous fiscal years is spent, then the 0.25% limitation under this section does not apply. Land shall not be acquired under this section until that acquisition is approved by the joint capital outlay subcommittee.

Sec. 43558. (1) A person is guilty of a misdemeanor if the person does any of the following:

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

(b) Affixes to a license a date or time other than the date or time issued.

(c) Issues a license without receiving and remitting the fee to the department.

(d) Without a license, takes or possesses a wild animal, wild bird, or aquatic species, except aquatic insects. This subdivision does not apply to a person less than 17 years of age who without a license takes or possesses aquatic species.

(e) Sells, loans, or permits in any manner another person to use the person's license or uses or attempts to use another person's license.

(f) Falsely makes, alters, forges, or counterfeits a sportcard or a hunting, fishing, or fur harvester's license or possesses an altered, forged, or counterfeited hunting, fishing, or fur harvester's license.

(g) Uses a tag furnished with a deer license, bear hunting license, elk hunting license, or wild turkey hunting license more than 1 time, or attaches or allows a tag to be attached to a deer, bear, elk, or turkey other than a deer, bear, elk, or turkey lawfully killed by the person.

(h) Except as provided by law, makes an application for, obtains, or purchases more than 1 license for a hunting, fishing, or trapping season, not including a limited fishing license, second deer license, antlerless deer license, or other license specifically authorized by law, or if the applicant's license has been lost or destroyed.

(i) Applies for, obtains, or purchases a license during a time that the person is ineligible to secure a license.

(j) Knowingly obtains, or attempts to obtain, a resident or a senior license if that person is not a resident of this state.

(2) Except as provided in subsection (5), a person who violates subsection (1) shall be punished by imprisonment for not more than 90 days, or a fine of not less than \$25.00 or more than \$250.00 and the costs of prosecution, or both. In addition, the person shall surrender any license and license tag that was wrongfully obtained.

(3) A person licensed to carry a firearm under this part is prohibited from doing so while under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol. A person who violates this subsection is guilty of a misdemeanor, punishable by imprisonment for 90 days, or a fine of \$500.00, or both.

(4) An applicant for a license under this part who has previously been convicted of a violation of the game and fish laws of this state may be required to file an application with the department together with other information that the department considers expedient. The license may be issued by the department.

(5) A person who violates subsection (1)(d), upon a showing that the person was ineligible to secure a license under court order or other lawful authority, is guilty of a misdemeanor, punishable by imprisonment for not more than 180 days, or a fine of not less than \$500.00 and not more than \$2,500.00, or both, and the costs of prosecution.

Enacting section 1. Section 43522a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43522a, is repealed.

Enacting section 2. Sections 43523, 43525, 43525a, 43526, 43527, and 43530 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43523, 324.43525, 324.43525a, 324.43526, 324.43527, and 324.43530, are repealed effective March 1, 2014.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor