



# SENATE BILL No. 940

March 21, 1996, Introduced by Senator MC MANUS and referred to the Committee on Appropriations.

A bill to amend sections 43502, 43505, 43506, 43507, 43509, 43510, 43513, 43519, 43521, 43522, 43523, 43524, 43525, 43526, 43527, 43528, 43529, 43530, 43531, 43532, 43533, 43535, 43536, 43537, 43540, 43541, 43544, 43546, 43547, 43548, 43549, 43555, 43556, 43558, and 43561 of Act No. 451 of the Public Acts of 1994, entitled "Natural resources and environmental protection act," as added by Act No. 57 of the Public Acts of 1995, being sections 324.43502, 324.43505, 324.43506, 324.43507, 324.43509, 324.43510, 324.43513, 324.43519, 324.43521, 324.43522, 324.43523, 324.43524, 324.43525, 324.43526, 324.43527, 324.43528, 324.43529, 324.43530, 324.43531, 324.43532, 324.43533, 324.43535, 324.43536, 324.43537, 324.43540, 324.43541, 324.43544, 324.43546, 324.43547, 324.43548, 324.43549, 324.43555, 324.43556, 324.43558, and

324.43561 of the Michigan Compiled Laws; and to add section 43537a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Sections 43502, 43505, 43506, 43507, 43509,  
 2 43510, 43513, 43519, 43521, 43522, 43523, 43524, 43525, 43526,  
 3 43527, 43528, 43529, 43530, 43531, 43532, 43533, 43535, 43536,  
 4 43537, 43540, 43541, 43544, 43546, 43547, 43548, 43549, 43555,  
 5 43556, 43558, and 43561 of Act No. 451 of the Public Acts of  
 6 1994, as added by Act No. 57 of the Public Acts of 1995, added by  
 7 Act No. 57 of the Public Acts of 1995, being sections 324.43502,  
 8 324.43505, 324.43506, 324.43507, 324.43509, 324.43510, 324.43513,  
 9 324.43519, 324.43521, 324.43522, 324.43523, 324.43524, 324.43525,  
 10 324.43526, 324.43527, 324.43528, 324.43529, 324.43530, 324.43531,  
 11 324.43532, 324.43533, 324.43535, 324.43536, 324.43537, 324.43540,  
 12 324.43541, 324.43544, 324.43546, 324.43547, 324.43548, 324.43549,  
 13 324.43555, 324.43556, 324.43558, and 324.43561 of the Michigan  
 14 Compiled Laws, are amended and section 43537a is added to read as  
 15 follows:

16 Sec. 43502. (1) "Amphibian" means any frog, toad, salaman-  
 17 der, or any other member of the class amphibia.

18 (2) "AQUATIC SPECIES" MEANS ANY FISH, REPTILE, AMPHIBIAN,  
 19 MOLLUSK, AQUATIC INSECT, OR CRUSTACEA OR PART THEREOF.

20 (3) ~~(2)~~ "Bow" means a device for propelling an arrow from  
 21 a string drawn, held, and released by hand where the force used  
 22 to hold the string in the drawn position is provided by the  
 23 archer's muscles.

1 (4) "CROSSBOW" MEANS A WEAPON CONSISTING OF A BOW MOUNTED  
2 TRANSVERSELY ON A STOCK OR FRAME AND DESIGNED TO FIRE AN ARROW,  
3 BOLT, OR QUARREL BY THE RELEASE OF A BOW STRING THAT IS CON-  
4 TROLLED BY A MECHANICAL OR ELECTRIC TRIGGER AND HAS A WORKING  
5 SAFETY AND A DRAW WEIGHT OF 100 POUNDS OR MORE.

6 (5) ~~(3)~~ "Crustacea" means any freshwater crayfish, shrimp,  
7 or prawn of the order decapoda.

8 Sec. 43505. (1) "Hunt" and "hunting" mean to pursue, cap-  
9 ture, shoot, kill, chase, follow, harass, harm, rob, or trap a  
10 wild animal, or to attempt to engage in such an activity.

11 (2) "IDENTIFICATION" MEANS A DRIVER LICENSE ISSUED BY  
12 MICHIGAN, ANOTHER STATE, OR A CANADIAN PROVINCE AS ACCEPTED BY  
13 THE DEPARTMENT, A STATE OF MICHIGAN IDENTIFICATION CARD ISSUED BY  
14 THE SECRETARY OF STATE, OR A SPORTCARD ISSUED BY THE DEPARTMENT.

15 (3) ~~(2)~~ "License" means a document or a tag, stamp, plas-  
16 tic card, or other device that may include a stamp or a tag that  
17 authorizes the licensee to hunt, fish, trap, or possess wild ani-  
18 mals or ~~fish~~ AQUATIC SPECIES AND OTHER IDENTIFICATION REQUIRED  
19 BY THE DEPARTMENT.

20 (4) ~~(3)~~ "Minor child" means a person less than 17 years of  
21 age.

22 (5) ~~(4)~~ "Nonresident" means a person who is not a  
23 resident.

24 Sec. 43506. (1) "Open season" means the time during which  
25 game animals, game birds, fur-bearing animals, and ~~fish~~ AQUATIC  
26 SPECIES may be legally taken or killed. Open season includes  
27 both the first and last day of the season or period.

1       ~~(2) "Passbook" means a folder, document, plastic card, or~~  
2 ~~other device issued by the department containing space for the~~  
3 ~~applicant's name, address, and vital statistics or a Michigan~~  
4 ~~driver license when authorized by the department.~~

5       (2) ~~(3)~~ "Reptile" means a turtle, snake, lizard, or any  
6 other member of the class reptilia.

7       (3) ~~(4)~~ "Resident" means any of the following:

8       (a) A person who resides in a settled or permanent home or  
9 domicile within the boundaries of this state with the intention  
10 of remaining in this state.

11       (b) A student who is enrolled in a full-time course at a  
12 college or university within this state AND WHO RESIDES IN THE  
13 STATE DURING THE SCHOOL YEAR.

14       (c) A person regularly enlisted or commissioned as an offi-  
15 cer in the armed forces of the United States and officially sta-  
16 tioned in this state.

17       (d) A person regularly enlisted or commissioned as an offi-  
18 cer in the armed forces of the United States who, at the time of  
19 enlistment, was a resident of this state and has maintained his  
20 or her residence in this state for purposes of obtaining a  
21 ~~driver's~~ DRIVER license or voter registration, or both.

22       Sec. 43507. (1) "Senior citizen" means a resident 65 years  
23 of age or older.

24       (2) "Slingshot" means a Y-shaped device with an elastic  
25 strip attached between the prongs used for projecting a stone or  
26 other object.

1 (3) "Small game" includes all species of protected game  
2 birds and game animals except bear, deer, elk, moose, wild  
3 turkey, and fur-bearing animals.

4 (4) "Small game season" means that period between September  
5 15 and March 31.

6 (5) "SPORTCARD" MEANS A FOLDER, DOCUMENT, PLASTIC CARD, OR  
7 OTHER DEVICE ISSUED BY THE DEPARTMENT CONTAINING THE PERSON'S  
8 NAME, ADDRESS, AND VITAL STATISTICS AS REQUIRED BY THE  
9 DEPARTMENT.

10 Sec. 43509. (1) A person ~~+7~~ 14 years of age or older  
11 shall not ~~fish~~ TAKE AQUATIC SPECIES in OR UPON any waters over  
12 which this state has jurisdiction OR IN OR UPON ANY LANDS WITHIN  
13 THE STATE, or possess ~~fish~~ AQUATIC SPECIES without having in  
14 his or her possession a valid license as provided in this part.

15 (2) A person shall not hunt, trap, or possess a wild animal  
16 without having in his or her possession a valid license as pro-  
17 vided in this part.

18 ~~(3) A person +7 years of age or older shall not take or~~  
19 ~~attempt to take wigglers or crustacea for his or her personal use~~  
20 ~~without a fishing license as provided in this part.~~

21 ~~(4) A person +7 years of age or older shall not take or~~  
22 ~~attempt to take reptiles or amphibians for his or her personal~~  
23 ~~use without a fishing license as provided in this part.~~

24 Sec. 43510. A person shall not carry or transport a fire-  
25 arm, slingshot, bow and arrow, CROSSBOW, or a trap while in any  
26 area frequented by wild animals unless that person has in his or  
27 her possession a license as required under this part.

1       Sec. 43513. A person may carry, transport, or possess a  
2 firearm, ~~or~~ a bow and arrow OR A CROSSBOW without a hunting  
3 license while at or going to and from a recognized rifle or  
4 target range, trap, or skeet shooting ground, or archery range if  
5 the firearm or bow and arrow OR CROSSBOW, while being carried or  
6 transported, is as follows:

7       (a) The firearm is unloaded in both barrel and magazine and  
8 either enclosed in a case or carried in the trunk of a vehicle.

9       (b) The bow OR CROSSBOW is unstrung, enclosed in a case, or  
10 carried in the trunk of a vehicle.

11       Sec. 43519. (1) To obtain ~~a hunting, fur harvester, fish-~~  
12 ~~ing, or sportsperson's license~~ ANY LICENSE, an applicant shall  
13 ~~do all of the following~~ PROVIDE THE DEPARTMENT WITH 1 OR MORE  
14 OF THE FOLLOWING AS REQUIRED BY THE DEPARTMENT:

15       (a) ~~Submit to the department proof~~ PROOF of residency or  
16 ~~sign an~~ A SIGNED affidavit of Michigan residency.

17       (b) ~~Provide the information~~ INFORMATION required on the  
18 license application.

19       (c) ~~Pay the~~ THE REQUIRED license fee.

20       (d) ~~Possess a valid passbook~~ PROOF OF IDENTIFICATION.

21       (2) A person shall not obtain or attempt to obtain a  
22 ~~hunting, fur harvester, fishing, or sportsperson's~~ license if a  
23 court order prohibits the person from obtaining that license.

24       Sec. 43521. ~~(1) The department may issue to a resident of~~  
25 ~~this state a sportsperson's license that includes all of the~~  
26 ~~following:~~

1 ~~(a) Resident firearm deer license.~~

2 ~~(b) Resident small game license.~~

3 ~~(c) Resident fishing license.~~

4 ~~(d) Resident bow and arrow deer license.~~

5 ~~(e) Resident trout and salmon license.~~

6 ~~(2) The sportsperson's license shall be issued instead of~~  
7 ~~the individual licenses enumerated in subsection (1) and shall~~  
8 ~~confer the combined rights and privileges of those licenses.~~

9 ~~(3) The fee for a sportsperson's license is \$45.00.~~

10 NOTWITHSTANDING ANY OTHER SECTION OF THIS PART, THE DEPARTMENT  
11 MAY DISCOUNT THE PRICE OF A LICENSE FOR THE FOLLOWING PURPOSES:

12 (A) FOR MARKETING PURPOSES TO INCREASE PARTICIPATION IN  
13 HUNTING AND FISHING ACTIVITIES. THE PRICE OF A LICENSE SHALL NOT  
14 BE DISCOUNTED MORE THAN 15% FOR MARKETING PURPOSES.

15 (B) THE PRICE OF THE ANTLERLESS DEER LICENSE MAY BE REDUCED  
16 OR ELIMINATED IN SPECIFIC AREAS TO HELP ACHIEVE THE HARVEST OF  
17 ANTERLESS DEER.

18 (C) IF A PERSON PURCHASES 4 OR MORE LICENSES AT THE SAME  
19 TIME, A SPORTSPERSON DISCOUNT OF 15% SHALL BE PROVIDED.  
20 WATERFOWL STAMPS AND DAILY FISHING LICENSES ARE NOT ELIGIBLE FOR  
21 THE SPORTSPERSON DISCOUNT.

22 Sec. 43522. If a person applying for a license or permit  
23 under this part ~~, other than a limited fishing license under~~  
24 ~~section 43533,~~ does not possess ~~or the department does not~~  
25 ~~authorize the use of~~ a Michigan driver license OR OTHER  
26 IDENTIFICATION, the department shall issue ~~an alternative form~~  
27 ~~of passbook~~ A SPORTCARD. A person authorized by the department

1 to issue licenses shall charge a \$1.00 fee for each ~~passbook~~  
2 SPORTCARD that he or she issues. The authorized person shall  
3 forward the fee AND REQUIRED FORM collected pursuant to this sec-  
4 tion to the department. The department shall issue a license and  
5 a ~~passbook~~ SPORTCARD provided for in this part if the applicant  
6 satisfies the license requirements and pays the license fees.  
7 ~~Each license shall bear the number of the applicant's passbook~~  
8 ~~and shall authorize the person whose passbook number is printed~~  
9 ~~on the license to hunt, fish, trap, or otherwise exercise the~~  
10 ~~privileges conferred by the license in a manner and at a time~~  
11 ~~prescribed by law.~~

12       Sec. 43523. (1) Except as otherwise provided in this part,  
13 a person shall not hunt small game without a current small game  
14 license. Each small game license authorizes the person named in  
15 the license to hunt for small game except for animals or birds  
16 that require a special license. The fee for a resident small  
17 game license is ~~\$9.50~~ \$13.00. BEGINNING IN 1998, THE FEE FOR A  
18 RESIDENT SMALL GAME LICENSE IS \$14.00. BEGINNING IN 2000, THE  
19 FEE FOR A RESIDENT SMALL GAME LICENSE IS \$15.00. If authorized in  
20 an order issued under part 401, a resident possessing a current  
21 small game license may take specified fur-bearing animals by  
22 means other than trapping during the open season for hunting  
23 these fur-bearing animals. The fee for a nonresident small game  
24 license is ~~\$50.00~~. ~~The resident small game license fee for a~~  
25 ~~minor child is \$4.75~~. \$60.00. BEGINNING IN 1998, THE FEE FOR A  
26 NONRESIDENT SMALL GAME LICENSE IS \$65.00. BEGINNING IN 2000, THE  
27 FEE FOR A NONRESIDENT SMALL GAME LICENSE IS \$69.00.



1 (2) A nonresident may purchase a limited NONRESIDENT small  
2 game license entitling that person to hunt for a 3-day period all  
3 species of small game that are available to hunt under ~~the~~ A  
4 NONRESIDENT small game license. The fee for ~~the~~ A limited non-  
5 resident small game license is ~~-\$20.00~~ \$26.00. BEGINNING IN  
6 1998, THE FEE FOR A LIMITED NONRESIDENT SMALL GAME LICENSE IS  
7 \$28.00. BEGINNING IN 2000, THE FEE FOR A LIMITED NONRESIDENT  
8 SMALL GAME LICENSE IS \$30.00.

9 ~~(3) A person who holds a fur harvester's license may trap~~  
10 ~~fur bearing animals without a small game license.~~

11 (3) ~~(4)~~ A small game license is void between the hours of  
12 1/2 hour after sunset and 1/2 hour before sunrise.

13 ~~(5) A nonresident hunter who legally possesses a nonresi-~~  
14 ~~dent hunting license may take from this state as open hand bag~~  
15 ~~gage the number of birds and animals that are permitted to be~~  
16 ~~taken and in the person's possession at any + time.~~

17 Sec. 43524. (1) A person shall not hunt wild turkeys with-  
18 out a wild turkey hunting license. The fee for a resident wild  
19 turkey hunting license is ~~-\$9.50.~~ ~~The fee for a resident wild~~  
20 ~~turkey hunting license for a senior citizen is \$1.00.~~ \$13.00.  
21 BEGINNING IN 1998, THE FEE FOR A RESIDENT WILD TURKEY HUNTING  
22 LICENSE IS \$14.00. BEGINNING IN 2000, THE FEE FOR A RESIDENT  
23 WILD TURKEY HUNTING LICENSE IS \$15.00. The fee for a nonresident  
24 wild turkey hunting license is ~~-\$50.00~~ \$60.00. BEGINNING IN  
25 1998, THE FEE FOR A NONRESIDENT WILD TURKEY HUNTING LICENSE IS  
26 \$65.00. BEGINNING IN 2000, THE FEE FOR A NONRESIDENT WILD TURKEY  
27 HUNTING LICENSE IS \$69.00. Applications for a wild turkey hunting

1 license shall be entered into a lottery designed and run by the  
 2 department. A person selected in the lottery, ~~shall,~~ upon  
 3 meeting the requirements of this part, ~~receive~~ IS AUTHORIZED TO  
 4 PURCHASE a wild turkey hunting license. The license shall be  
 5 issued for a specified hunting period and shall confer upon the  
 6 holder of the license the right to hunt wild turkeys.

7 (2) ~~The fees~~ FROM THE FEE collected for EACH wild turkey  
 8 hunting ~~licenses~~ LICENSE AND APPLICATION FOR A LICENSE, THE  
 9 FOLLOWING AMOUNTS shall be used for scientific research, biologi-  
 10 cal survey work on wild turkeys, and wild turkey management in  
 11 this state: —

12 (A) RESIDENT WILD TURKEY HUNTING LICENSE....\$ 9.50

13 (B) NONRESIDENT WILD TURKEY HUNTING LICENSE.\$50.00

14 (C) SENIOR WILD TURKEY HUNTING LICENSE.....\$ 1.00

15 (D) WILD TURKEY HUNTING APPLICATION.....\$ 3.00.

16 (3) The department shall charge a nonrefundable application  
 17 fee not to exceed ~~\$3.00~~ \$4.00 for each person who applies for a  
 18 wild turkey hunting license.

19 Sec. 43525. (1) A person ~~+6~~ 14 years of age or older  
 20 shall not hunt waterfowl without a current waterfowl hunting  
 21 license issued by this state. The annual license is in addition  
 22 to the requirements for a small game license and federal migra-  
 23 tory bird hunting stamp. The fee for the waterfowl hunting  
 24 license is ~~\$3.50~~ \$5.00.

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

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

6 (4) A person shall not hunt waterfowl or deer if deer hunt-  
 7 ing is regulated by permit in an area designated by the depart-  
 8 ment as a managed waterfowl area without an annual or daily man-  
 9 aged waterfowl area permit and any other license ~~or~~ OR permit ~~or~~  
 10 ~~or passbook~~ required by this part. The fee for a daily managed  
 11 waterfowl area permit is ~~\$3.00~~ \$4.00. The fee for an annual  
 12 managed waterfowl area permit is ~~\$10.00~~ \$13.00.

13 (5) Following a lottery among applicants for hunting privi-  
 14 leges in managed waterfowl areas, only those successful appli-  
 15 cants who accept the permit privileges are required to purchase a  
 16 daily or annual managed waterfowl area permit.

17 (6) ~~The fee~~ FROM THE FEES collected for a waterfowl hunt-  
 18 ing license, \$3.50 FROM EACH LICENSE SOLD shall be used to  
 19 acquire wetlands and other lands to be managed for the benefit of  
 20 waterfowl.

21 (7) The ~~fee~~ FOLLOWING FEES collected for an annual or  
 22 daily managed waterfowl area permit SOLD shall be used to oper-  
 23 ate, maintain, and develop managed waterfowl areas in this state:

24 ~~—~~

25	(A) DAILY MANAGED WATERFOWL AREA PERMIT.....	\$ 3.00.
26	(B) ANNUAL MANAGED WATERFOWL AREA PERMIT....	\$10.00.

1 (8) ~~(7)~~ The department shall charge a  
 2 nonrefundable application fee not to exceed  
 3 ~~\$3.00~~ \$4.00 for each person who applies for a  
 4 permit to hunt in a managed waterfowl area. ....

5 Sec. 43526. (1) A person shall not hunt deer during the  
 6 firearm deer season without purchasing a firearm deer license.  
 7 The fee for a resident firearm deer license is ~~-\$12.50~~ \$13.00.  
 8 BEGINNING IN 1998, THE FEE FOR A RESIDENT FIREARM DEER LICENSE IS  
 9 \$14.00. BEGINNING IN 2000, THE FEE FOR A RESIDENT FIREARM DEER  
 10 LICENSE IS \$15.00. The fee for a nonresident firearm deer license  
 11 is ~~-\$100.00~~ \$120.00. BEGINNING IN 1998, THE FEE FOR A NONRESI-  
 12 DENT FIREARM DEER LICENSE IS \$129.00. BEGINNING IN 2000, THE FEE  
 13 FOR A NONRESIDENT FIREARM DEER LICENSE IS \$138.00. Where autho-  
 14 rized by the department, a ~~person~~ RESIDENT OR NONRESIDENT may  
 15 purchase a second firearm deer license in 1 season ~~. The fee~~  
 16 ~~for the second resident~~ FOR THE SAME FEE AS IS ASSESSED FOR THE  
 17 INITIAL firearm deer license ~~is \$12.50. The fee for a second~~  
 18 ~~nonresident firearm deer license is \$100.00.~~ FOR WHICH THAT  
 19 PERSON WAS ELIGIBLE. HOWEVER, A SENIOR OR JUNIOR LICENSE DIS-  
 20 COUNT IS NOT AVAILABLE FOR THE PURCHASE OF A SECOND FIREARM DEER  
 21 LICENSE. The department may issue orders under part 401 designat-  
 22 ing the kind of deer that may be taken, and may limit the  
 23 ~~issuance~~ USE of a second firearm deer license ~~for use~~ in  
 24 areas it considers advisable in managing deer.

25 (2) The department may issue a kill tag with or as part of  
 26 each deer license. The kill tag shall bear the license number.  
 27 The kill tag ~~shall~~ MAY also include space for other pertinent

1 information ~~including the date and month of killing the animal,~~  
2 ~~the sex of the animal, and size of the antlers. This pertinent~~  
3 ~~information shall be completed by the licensee upon the killing~~  
4 ~~of a deer.~~ REQUIRED BY THE DEPARTMENT. The kill tag, if issued,  
5 is part of the license.

6 (3) The department shall charge a nonrefundable application  
7 fee not to exceed ~~\$3.00~~ \$4.00 for each person who applies for  
8 an antlerless deer ~~permit~~ LICENSE. EXCEPT AS OTHERWISE PRO-  
9 VIDED IN SECTION 43521, THE FEE FOR A RESIDENT ANTLERLESS DEER  
10 LICENSE IS \$13.00. BEGINNING IN 1998, THE FEE FOR A RESIDENT  
11 ANTLERLESS DEER LICENSE IS \$14.00. BEGINNING IN 2000, THE FEE  
12 FOR RESIDENT ANTLERLESS DEER LICENSE IS \$15.00. THE FEE FOR A  
13 NONRESIDENT ANTLERLESS DEER LICENSE IS \$120.00. BEGINNING IN  
14 1998, THE FEE FOR A NONRESIDENT ANTLERLESS DEER LICENSE IS  
15 \$129.00. BEGINNING IN 2000, THE FEE FOR A NONRESIDENT ANTLERLESS  
16 DEER LICENSE IS \$138.00.

17 Sec. 43527. (1) A person shall not hunt deer with a bow and  
18 arrow during the bow and arrow AND CROSSBOW deer season without a  
19 bow and arrow deer license. The fee for a resident bow and arrow  
20 deer license is ~~\$12.50~~ \$13.00. BEGINNING IN 1998, THE FEE FOR  
21 A RESIDENT BOW AND ARROW DEER LICENSE IS \$14.00. BEGINNING IN  
22 2000, THE FEE FOR A RESIDENT BOW AND ARROW DEER LICENSE IS  
23 \$15.00. The fee for a nonresident bow and arrow deer license is  
24 ~~\$75.00~~ \$120.00. ~~The resident bow and arrow deer license fee~~  
25 ~~for a minor child is \$6.25.~~ BEGINNING IN 1998, THE FEE FOR A  
26 NONRESIDENT BOW AND ARROW DEER LICENSE IS \$129.00. BEGINNING IN  
27 2000, THE FEE FOR A NONRESIDENT BOW AND ARROW DEER LICENSE IS

1 \$138.00. Where authorized by the department, a person may  
2 purchase a second bow and arrow deer license in 1 season ~~. The~~  
3 ~~fee for a second resident~~ FOR THE SAME FEE AS IS ASSESSED FOR  
4 THE INITIAL bow and arrow deer license ~~is \$12.50. The fee for a~~  
5 ~~second nonresident bow and arrow deer license is \$75.00.~~ FOR  
6 WHICH THAT PERSON WAS ELIGIBLE. HOWEVER, A SENIOR OR JUNIOR  
7 LICENSE DISCOUNT IS NOT AVAILABLE FOR THE PURCHASE OF A SECOND  
8 BOW AND ARROW DEER LICENSE. The department may issue orders under  
9 part 401 designating the kind of deer which may be taken, and may  
10 limit the ~~issuance~~ USE of a second bow and arrow deer license  
11 ~~for use~~ in areas it considers advisable in managing deer.

12 (2) The department may issue a kill tag with, or as a part  
13 of, each bow and arrow deer license. Section 43526(2) applies  
14 with respect to a bow and arrow deer license.

15 Sec. 43528. (1) A person shall not hunt bear without a bear  
16 hunting license. The fee for a resident bear hunting license is  
17 ~~\$14.00~~ \$13.00. BEGINNING IN 1998, THE FEE FOR A RESIDENT BEAR  
18 HUNTING LICENSE IS \$14.00. BEGINNING IN 2000, THE FEE FOR A RES-  
19 IDENT BEAR HUNTING LICENSE IS \$15.00. The fee for a nonresident  
20 bear hunting license is \$150.00.

21 (2) The department may issue a tag with, or as a part of, a  
22 bear hunting license. Section 43526(2) applies with respect to a  
23 bear hunting license.

24 (3) THE DEPARTMENT SHALL CHARGE A NONREFUNDABLE APPLICATION  
25 FEE NOT TO EXCEED \$4.00 FOR EACH PERSON WHO APPLIES FOR A BEAR  
26 HUNTING LICENSE.

1       Sec. 43529. (1) A resident shall not hunt elk during the  
2 elk season without an elk hunting license. The fee for an elk  
3 hunting license is \$100.00. The department may establish a non-  
4 refundable application fee not to exceed \$4.00 for each person  
5 who applies for an elk hunting license.

6       (2) The department may issue a KILL tag with, or as a part  
7 of, an elk hunting license. Section 43526(2) applies with  
8 respect to an elk hunting license.

9       Sec. 43530. (1) A person shall not hunt small game on  
10 shooting preserves licensed under part 417 without a small game  
11 license as provided in section 43523. However, instead of a  
12 small game license, a person may obtain a special shooting pre-  
13 serve license for a fee of ~~\$8.50~~ \$13.00. BEGINNING IN 1998,  
14 THE FEE FOR A SHOOTING PRESERVE LICENSE IS \$14.00. BEGINNING IN  
15 2000, THE FEE FOR A SHOOTING PRESERVE LICENSE IS \$15.00.

16       (2) Each shooting preserve license shall have the date of  
17 issue affixed to the license and shall authorize the holder to  
18 hunt only on licensed shooting preserves and only for species for  
19 which the shooting preserve is licensed.

20       Sec. 43531. (1) Except as otherwise provided in section  
21 43523(1), a person shall not trap or hunt fur-bearing animals  
22 without purchasing and possessing a fur harvester's license. The  
23 fee for a resident fur harvester's license is ~~\$15.00~~ \$13.00.  
24 ~~The fee for a fur harvester's license for a resident minor child~~  
25 ~~is \$7.50.~~ BEGINNING IN 1998, THE FEE FOR A RESIDENT FUR  
26 HARVESTER'S LICENSE IS \$14.00. BEGINNING IN 2000, THE FEE FOR A  
27 RESIDENT FUR HARVESTER'S LICENSE IS \$15.00.

1 (2) The department may issue a nonresident fur harvester's  
2 license to a nonresident of this state if the state, province, or  
3 country in which the nonresident applicant resides allows resi-  
4 dents of this state to obtain equivalent hunting and trapping  
5 privileges in that state, province, or country. The fee for an  
6 eligible nonresident fur harvester's license is \$150.00.

7 Nonresident fur harvester's licenses shall not be sold or pur-  
8 chased prior to November 15 of each year.

9 (3) A person who holds a fur harvester's license may hunt  
10 fur-bearing animals during the season open to taking fur-bearing  
11 animals with firearms and may trap fur-bearing animals during the  
12 season open to trapping fur-bearing animals.

13 Sec. 43532. (1) A person ~~+7-~~ 14 years of age or older  
14 shall not ~~fish~~ TAKE AQUATIC SPECIES in the waters over which  
15 this state has jurisdiction without a license. The fee for a  
16 resident ~~annual~~ RESTRICTED fishing license is ~~-\$9.50-~~ \$13.00.  
17 BEGINNING IN 1998, THE FEE FOR A RESIDENT RESTRICTED FISHING  
18 LICENSE IS \$15.00. BEGINNING IN 2000, THE FEE FOR A RESIDENT  
19 RESTRICTED FISHING LICENSE IS \$17.00. The fee for a nonresident  
20 ~~annual~~ RESTRICTED fishing license is ~~-\$20.00-~~ \$26.00.  
21 BEGINNING IN 1998, THE FEE FOR A NONRESIDENT RESTRICTED FISHING  
22 LICENSE IS \$30.00. BEGINNING IN 2000, THE FEE FOR A NONRESIDENT  
23 RESTRICTED FISHING LICENSE IS \$34.00.

24 (2) The ~~annual~~ RESTRICTED fishing license entitles the  
25 licensee to take ~~fish~~ AQUATIC SPECIES AS PRESCRIBED BY LAW  
26 other than trout or salmon.



1       (3) ~~The holder of an annual fishing license, upon payment~~  
2 ~~of an additional fee of \$9.50, may procure a trout and salmon~~  
3 ~~license that entitles the holder to take trout and salmon in a~~  
4 ~~manner and at a time prescribed by law.~~ A RESIDENT MAY PURCHASE  
5 AN ALL-SPECIES FISHING LICENSE UPON PAYMENT OF A FEE OF \$26.00.  
6 BEGINNING IN 1998, THE FEE FOR A RESIDENT ALL-SPECIES FISHING  
7 LICENSE IS \$27.00. BEGINNING IN 2000, THE FEE FOR A RESIDENT  
8 ALL-SPECIES FISHING LICENSE IS \$28.00. THE FEE FOR A NONRESIDENT  
9 ALL-SPECIES FISHING LICENSE IS \$39.00. BEGINNING IN 1998, THE  
10 FEE FOR A NONRESIDENT ALL-SPECIES FISHING LICENSE IS \$41.00.  
11 BEGINNING IN 2000, THE FEE FOR A NONRESIDENT ALL-SPECIES FISHING  
12 LICENSE IS \$42.00.

13       (4) THE ALL-SPECIES FISHING LICENSE ENTITLES THE LICENSEE TO  
14 TAKE ALL SPECIES OF AQUATIC SPECIES AS PRESCRIBED BY LAW.

15       Sec. 43533. A resident or nonresident may purchase a  
16 limited fishing license entitling that person to ~~fish for~~ TAKE  
17 all ~~species of fish in all waters of this state~~ AQUATIC SPECIES  
18 AS PRESCRIBED BY LAW. The fee for a limited fishing license is  
19 ~~\$5.00~~ \$6.00 per day. BEGINNING IN 2000, THE FEE FOR A LIMITED  
20 FISHING LICENSE IS \$7.00 PER DAY.

21       Sec. 43535. ~~A resident of this state who is 65 years of~~  
22 ~~age or older may obtain a senior citizen hunting license. The~~  
23 ~~fee for a senior citizen hunting license is \$4.00. A senior cit~~  
24 ~~izen hunting license confers upon the licensee all the combined~~  
25 ~~rights and privileges granted by a resident small game license, a~~  
26 ~~resident firearm deer license, a resident bow and arrow deer~~  
27 ~~license, a resident bear hunting license, and a resident fur~~

1 ~~harvester's license.~~ A RESIDENT OF THIS STATE WHO IS 65 YEARS OF  
2 AGE OR OLDER MAY OBTAIN A SENIOR SMALL GAME LICENSE, A SENIOR  
3 FIREARM DEER LICENSE, A SENIOR BOW AND ARROW DEER LICENSE, A  
4 SENIOR BEAR HUNTING LICENSE, A SENIOR WILD TURKEY HUNTING  
5 LICENSE, OR A SENIOR FUR HARVESTER'S LICENSE. THE FEE FOR EACH  
6 SENIOR LICENSE SHALL BE DISCOUNTED 75% FROM THE FEE FOR THE RESI-  
7 DENT LICENSE. BEGINNING IN 1998, THE FEE FOR EACH SENIOR LICENSE  
8 SHALL BE DISCOUNTED 65% FROM THE FEE FOR THE RESIDENT LICENSE.  
9 BEGINNING IN 2000, THE FEE FOR EACH SENIOR LICENSE SHALL BE DIS-  
10 COUNTED 50% FROM THE FEE FOR THE EQUIVALENT RESIDENT LICENSE.

11       Sec. 43536. (1) ~~A resident of this state who is 65 years~~  
12 ~~of age or older may obtain a senior citizen fishing license. The~~  
13 ~~fee for a senior citizen fishing license is \$1.00. A senior cit-~~  
14 ~~izen who purchases a senior citizen fishing license may obtain a~~  
15 ~~senior citizen fishing license for his or her spouse at no addi-~~  
16 ~~tional charge. A senior citizen fishing license confers upon the~~  
17 ~~licensee all the combined rights and privileges conferred by a~~  
18 ~~resident annual fishing license and trout and salmon license.~~

19 A RESIDENT OF THIS STATE WHO IS 65 YEARS OF AGE OR OLDER MAY  
20 OBTAIN A SENIOR RESTRICTED FISHING LICENSE. THE FEE FOR A SENIOR  
21 RESTRICTED FISHING LICENSE IS DISCOUNTED 75% FROM THE FEE FOR A  
22 RESIDENT RESTRICTED FISHING LICENSE. BEGINNING IN 1998, THE FEE  
23 FOR A SENIOR RESTRICTED FISHING LICENSE IS DISCOUNTED 65% FROM  
24 THE FEE FOR A RESIDENT RESTRICTED FISHING LICENSE. BEGINNING IN  
25 2000, THE FEE FOR A SENIOR RESTRICTED FISHING LICENSE IS DIS-  
26 COUNTED 50% FROM THE FEE FOR A RESIDENT RESTRICTED FISHING  
27 LICENSE.

1 (2) A RESIDENT OF THIS STATE WHO IS 65 YEARS OF AGE OR OLDER  
2 MAY OBTAIN A SENIOR ALL-SPECIES FISHING LICENSE. THE FEE FOR A  
3 SENIOR ALL-SPECIES FISHING LICENSE IS DISCOUNTED 75% FROM THE FEE  
4 FOR A RESIDENT ALL-SPECIES FISHING LICENSE. BEGINNING IN 1998,  
5 THE FEE FOR A SENIOR RESTRICTED FISHING LICENSE IS DISCOUNTED 65%  
6 FROM THE FEE FOR A RESIDENT ALL-SPECIES FISHING LICENSE.  
7 BEGINNING IN 2000, THE FEE FOR A SENIOR ALL-SPECIES FISHING  
8 LICENSE IS DISCOUNTED 50% FROM THE FEE FOR A RESIDENT ALL-SPECIES  
9 FISHING LICENSE.

10 Sec. 43537. (1) A resident who is declared legally blind is  
11 eligible to purchase a senior ~~citizen~~ RESTRICTED OR ALL-SPECIES  
12 fishing license. The department may demand proof of blindness.  
13 The licensee, when fishing, shall possess proof of blindness and  
14 shall furnish the proof upon the request of a ~~law enforcement or~~  
15 ~~conservation~~ PEACE officer.

16 (2) A resident who has been determined by the United States  
17 department of veterans affairs to be permanently and totally dis-  
18 abled and entitled to veteran benefits at the 100% rate, for a  
19 disability other than blindness, is eligible to purchase ~~a~~ ANY  
20 senior ~~citizen~~ hunting license AS DESCRIBED IN SECTION 43535 or  
21 ~~a~~ ANY senior ~~citizen~~ fishing license DESCRIBED IN  
22 SECTION 43536, or both. The department may demand proof of eli-  
23 gibility under this subsection. The licensee, when hunting or  
24 ~~fishing~~ TAKING AQUATIC SPECIES, shall possess proof of his or  
25 her eligibility under this subsection and shall furnish the proof  
26 upon the request of a ~~law enforcement or conservation~~ PEACE  
27 officer.

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

5 SEC. 43537A. (1) A RESIDENT OR NONRESIDENT OF THIS STATE  
6 WHO IS 12 OR 13 YEARS OF AGE MAY OBTAIN A JUNIOR SMALL GAME  
7 LICENSE, A JUNIOR BOW AND ARROW DEER LICENSE, A JUNIOR FUR  
8 HARVESTER'S LICENSE, JUNIOR WILD TURKEY HUNTING LICENSE, OR A  
9 JUNIOR WATERFOWL HUNTING LICENSE AT NO COST.

10 (2) A RESIDENT OR NONRESIDENT OF THIS STATE WHO IS 14 OR 15  
11 YEARS OF AGE MAY OBTAIN A JUNIOR SMALL GAME LICENSE, JUNIOR FIRE-  
12 ARM DEER LICENSE, JUNIOR BOW AND ARROW DEER LICENSE, JUNIOR FUR  
13 HARVESTER'S LICENSE, JUNIOR WILD TURKEY HUNTING LICENSE, JUNIOR  
14 WATERFOWL HUNTING LICENSE, RESTRICTED FISHING LICENSE, OR JUNIOR  
15 ALL SPECIES FISHING LICENSE PURSUANT TO THE FEE SCHEDULE PROVIDED  
16 IN SUBSECTION (3).

17 (3) THE FEE FOR A JUNIOR LICENSE AS PROVIDED IN SUBSECTION  
18 (2) SHALL BE DISCOUNTED 75% FROM THE FEE FOR THE EQUIVALENT RESI-  
19 DENT LICENSE. BEGINNING IN 1998, THE FEE FOR A JUNIOR LICENSE AS  
20 PROVIDED IN SUBSECTION (2) SHALL BE DISCOUNTED 65% FROM THE FEE  
21 FOR THE EQUIVALENT RESIDENT LICENSE. BEGINNING IN 2000, THE FEE  
22 FOR A JUNIOR LICENSE UNDER SUBSECTION (2) SHALL BE DISCOUNTED 50%  
23 FROM THE FEE FOR THE EQUIVALENT RESIDENT LICENSE.

24 Sec. 43540. (1) An application for 1 or more licenses  
25 issued under this part may be made by mail, ON-LINE COMPUTER  
26 SERVICE, or telephone to the department, or TO a person  
27 designated by the department, who shall forward the license

1 issued to the applicant ~~at~~ TO an address AS DIRECTED BY the  
2 applicant. ~~directs.~~ An applicant shall satisfy all the require-  
3 ments of this part for obtaining a license before a license is  
4 issued by mail or telephone. The department may charge a fee for  
5 an application made by mail, ON-LINE COMPUTER SERVICE, or tele-  
6 phone in addition to the fee for the license or licenses. ~~and~~  
7 ~~the transaction fee authorized under section 43541.~~ Total fees  
8 collected by the department under this subsection in any license  
9 year shall not exceed the additional cost of providing mail or  
10 telephone service in that year.

11 (2) If a check or draft of a required fee is not paid on its  
12 first presentation, the fee is delinquent as of the date the  
13 check or draft was tendered. The person tendering the check or  
14 draft remains liable for the payment of each fee and any  
15 penalty.

16 (3) The department may revoke a license, duplicate license,  
17 application, or permit if the department has determined that a  
18 fee prescribed in this part has not been paid and remains unpaid  
19 after reasonable notice or demand.

20 (4) If a fee is still delinquent 15 days after the depart-  
21 ment has given notice to a person who tendered the check or  
22 draft, the department shall assess and collect a \$15.00 penalty  
23 in addition to the license ~~and transaction~~ fee. ~~authorized~~  
24 ~~under section 43541.~~

25 (5) The director may refuse to issue additional licenses  
26 under this part to a person who is delinquent in payment of fees

1 or penalties provided in subsection (4) at the time the  
2 application is submitted.

3       Sec. 43541. (1) ~~Until the department implements an auto-~~  
4 ~~mated licensing system, a person authorized by the department to~~  
5 ~~issue licenses on March 15, 1993, may retain 8.0% of the fees for~~  
6 ~~each passbook, license, duplicate license, application, or permit~~  
7 ~~that the person sells. After the implementation of an automated~~  
8 ~~licensing system, a~~ A person authorized by the department to  
9 issue licenses on March 15, 1993, may retain 7.5% of the fees for  
10 each ~~passbook~~ SPORTCARD, license, duplicate license, applica-  
11 tion, or permit that the person sells. A person authorized by  
12 the department after March 15, 1993 to issue licenses may retain  
13 5% of the fees for each ~~passbook~~, SPORTCARD, license, duplicate  
14 license, application, or permit that the person sells. The  
15 department shall consider any additional location established  
16 after March 15, 1993 at which licenses are sold as a new autho-  
17 rized agent for purposes of determining the percentage of fees  
18 that may be retained for sales at the new location by that autho-  
19 rized agent.

20       (2) In addition to the fees authorized under subsection (1),  
21 the department may also authorize a person who is authorized to  
22 issue licenses to charge and retain a 50-cent transaction fee for  
23 ~~+~~ ~~or both of the following:~~ (a) ~~Inquiries regarding the status~~  
24 ~~of a previous permit application pending with the department.~~  
25 (b) ~~Collecting~~ COLLECTING migratory bird survey responses.

26       ~~(3) In addition to the license, application, and permit~~  
27 ~~fees prescribed in this part, after the implementation of an~~

1 ~~automated licensing system, the department may require a person~~  
 2 ~~authorized by the department to issue licenses to charge a~~  
 3 ~~50 cent transaction fee which the authorized person shall forward~~  
 4 ~~to the department.~~

5       Sec. 43544. (1) If a license or ~~passbook~~ SPORTCARD issued  
 6 pursuant to this part or a deer kill tag ~~or back tag~~ is lost or  
 7 destroyed, a licensee may procure a duplicate from the  
 8 department. To obtain a duplicate license, ~~passbook~~ SPORTCARD,  
 9 ~~deer~~ OR kill tag, ~~or back tag~~, the licensee shall file a cer-  
 10 tification of loss form with the department and shall pay the  
 11 duplicate fee as provided in subsection (2) for each duplicate  
 12 requested.

13       (2) If the licensee meets the requirements of subsection (1)  
 14 and all other requirements of this part for procuring a license  
 15 ~~, passbook,~~ OR SPORTCARD, or, if required by this part, a  
 16 ~~deer~~ kill tag, ~~or back tag~~, the department shall verify the  
 17 purchase of the original and issue to the licensee the duplicates  
 18 requested and collect the following applicable duplicate fees:

19       (a) Except as provided in ~~subdivisions~~ SUBDIVISION (b),  
 20 ~~and (c),~~ \$3.00 for ~~all licenses~~ EACH LICENSE included in a  
 21 certification of loss.

22       (b) For a duplicate of a ~~validated deer~~ kill tag, ~~-\$12.85~~  
 23 ~~for a resident and \$100.35 for a nonresident~~ THE FEE SHALL BE  
 24 THE SAME AS THE ORIGINAL PURCHASE PRICE OF THE LICENSE TO WHICH  
 25 THE KILL TAG WAS ATTACHED.

26       ~~(c) For a duplicate of a sportsperson's license, \$12.85 for~~  
 27 ~~1 deer kill tag, and \$25.70 for the entire license. Without~~

1 ~~replacement of the deer kill tags, the duplicate license fee for~~  
2 ~~the license shall be included in the \$3.00 fee established in~~  
3 ~~subdivision (a).~~

4 (C) ~~(d)~~ For a duplicate of a ~~passbook, other than a~~  
5 ~~Michigan driver license~~ SPORTCARD, \$1.00.

6 (3) The fee for the wildlife resource protection fund pro-  
7 vided for in section 43555 shall not be added to the duplicate  
8 fee provided for in this section, but shall be deducted from the  
9 duplicate fee and paid to the wildlife resource protection fund.

10 ~~(4) If the total fees originally paid by the licensee are~~  
11 ~~less than the applicable duplicate fee, the fee that shall be~~  
12 ~~paid for the duplicate license shall be equal to the initial~~  
13 ~~license fees.~~

14 Sec. 43546. (1) Before June 1 of each year, the department  
15 shall determine the total number of senior ~~citizen~~ hunting and  
16 fishing licenses issued and the total fees collected the preced-  
17 ing license year. The department shall determine the total fees  
18 that would have been collected if those senior citizens had been  
19 required to purchase ~~small game licenses, firearm deer licenses,~~  
20 ~~and annual~~ FULL-PRICE RESIDENT HUNTING AND fishing licenses  
21 during the preceding license year. From this total, the depart-  
22 ment shall subtract the fees collected from the sale of senior  
23 ~~citizen~~ hunting and fishing licenses during the preceding  
24 license year. The difference is the amount that would otherwise  
25 be collected.

26 (2) The legislature shall annually appropriate from the  
27 general fund a sum equal to the fees that would otherwise be



1 collected as determined pursuant to subsection (1). The sum  
2 appropriated shall be credited to the game and fish protection  
3 fund.

4 Sec. 43547. (1) The department shall prepare ~~the passbook~~  
5 SPORTCARDS, IF NECESSARY, and licenses to comply with this part  
6 and may authorize persons to issue ~~passbooks, other than~~  
7 ~~Michigan driver licenses,~~ SPORTCARDS and licenses.

8 (2) A ~~passbook~~ SPORTCARD shall provide the following  
9 information as required by the department:

- 10 (a) The name of the applicant.  
11 (b) The height and weight of the applicant.  
12 (c) The address of the applicant.  
13 (d) The birth date of the applicant.  
14 (e) The applicant's social security number.  
15 (F) OTHER INFORMATION AS REQUIRED BY THE DEPARTMENT.

16 (3) A license may ~~provide~~ INCLUDE the following  
17 information:

- 18 (a) The date and time of issuance of the license.  
19 (b) The identification code of the person issuing the  
20 license.  
21 (c) The form of proof of eligibility to receive a license by  
22 the applicant as required.  
23 (d) ~~The passbook number~~ OTHER INFORMATION AS REQUIRED BY  
24 THE DEPARTMENT.  
25 (e) The applicant's date of birth.

26 (4) ~~Beginning on March 1, 1994, the~~ THE department may  
27 require persons authorized to issue licenses under this part to

1 purchase or rent equipment necessary for the issuance of  
2 licenses. The purchase or lease charge shall not exceed the  
3 actual cost incurred by the department in making the equipment  
4 available for purchase or lease. ~~The use of any equipment~~  
5 ~~required under this part on a statewide basis shall not be~~  
6 ~~required or used until all authorized agents have that~~  
7 ~~equipment.~~ However, notwithstanding the equipment rental or pur-  
8 chase charges otherwise required under this section, if the  
9 department requires the use of designated computer equipment for  
10 the issuance of licenses, the department shall supply each  
11 licensed agent who is entitled to retain 7.5% of the fees  
12 received with a computer system at no charge to the licensed  
13 agent for each location at which that licensed agent sells  
14 licenses. A person who is eligible to receive equipment without  
15 charge may be required to purchase a service and maintenance con-  
16 tract for that equipment. The cost of the contract shall not be  
17 more than \$200.00 for the first year of the contract and thereaf-  
18 ter the actual cost to the state of maintaining the computer  
19 system. Equipment that is supplied without charge to a licensed  
20 agent shall be returned to the department at such time as the  
21 person is no longer a licensed agent. ~~The department shall~~  
22 ~~annually exempt from the requirements of this subsection a person~~  
23 ~~who requests from the department authority to issue only limited~~  
24 ~~fishing licenses under section 43533.~~

25 (5) ~~Beginning on March 1, 1994, a~~ A person who is autho-  
26 rized after March 15, 1993 to issue licenses shall pay the full

1 annual rental or purchase fee for equipment required under  
2 subsection (4).

3 (6) A person who on March 15, 1993 is authorized to issue  
4 licenses who rents the equipment for the issuance of licenses  
5 required under subsection (4) shall pay rent or service and main-  
6 tenance contract cost, as applicable for that equipment not to  
7 exceed 50% of the sum of the person's annual cumulative commis-  
8 sion authorized under section 43541(1), or the rental charge oth-  
9 erwise determined by the department, whichever is less.

10 (7) The department ~~shall~~ MAY provide persons authorized to  
11 issue licenses ~~and passbooks~~ under this part with conservation  
12 law enforcement stamps to enable the purchaser of the stamps to  
13 contribute to the wildlife resource protection fund created in  
14 section 43555. Conservation law enforcement stamps ~~shall~~ MAY  
15 be issued by the department in the amounts of \$2.00 and \$5.00.

16 Sec. 43548. (1) ~~Until the department implements an auto-~~  
17 ~~mated licensing system, the~~ THE department may require a person  
18 authorized to issue ~~passbooks and~~ LIMITED FISHING licenses  
19 WITHOUT THE EQUIPMENT DESCRIBED IN SECTION 43547 to file a bond  
20 with the department. The type and amount of the bond shall be  
21 determined by the department.

22 (2) A person issuing a ~~passbook~~ SPORTCARD, license, or  
23 permit shall remit to the department money ~~received from~~  
24 REQUIRED TO BE CHARGED FOR the sale of each ~~passbook,~~ license,  
25 duplicate license OR SPORTCARD, application, or permit by the  
26 method and at the frequency prescribed by the department.

1 (3) A person shall not charge a fee for a ~~passbook~~  
2 SPORTCARD or a license in an amount that is ~~different from~~ MORE  
3 THAN the license and transaction fee printed on the ~~passbook~~  
4 SPORTCARD or license by the department.

5 (4) All fees collected from the sale of ~~passbooks~~  
6 SPORTCARDS, licenses, duplicate licenses OR SPORTCARDS, applica-  
7 tions, or permits, except for the fees and commissions provided  
8 in section 43541(1) and (2), are held in trust for the state.

9 Sec. 43549. A person who violates section 43548, in addi-  
10 tion to other penalties provided by law, forfeits the right to  
11 issue licenses and ~~passbooks~~ SPORTCARDS and forfeits the right  
12 to retain any percentage of the license or ~~passbook~~ SPORTCARD  
13 fees not received by the department within 48 hours after the  
14 date and time the license or ~~passbook~~ SPORTCARD fees should  
15 have been deposited as required by the department.

16 Sec. 43555. (1) ~~In addition to each~~ THIRTY-FIVE CENTS  
17 FROM EACH license and stamp fee prescribed in this part ~~— a~~  
18 ~~person shall be charged a 35 cent fee that~~ shall be transmitted  
19 to the department for deposit in the wildlife resource protection  
20 fund created in this section.

21 (2) The wildlife resource protection fund is created as a  
22 separate fund within the state treasury. The state treasurer  
23 shall credit the money received from the department under this  
24 section to the wildlife resource protection fund. The money in  
25 the fund shall be expended by the department for the following  
26 purposes:

1 (a) Rewards for information leading to the arrest and  
2 prosecution of poachers.

3 (b) Hiring conservation officers for the investigation of  
4 poaching and the investigation of tips regarding potential  
5 poaching.

6 (c) A promotional and educational campaign to inform the  
7 general public on 1 or more of the following:

8 (i) The harm and danger of poaching.

9 (ii) The reward for information that leads to the arrest and  
10 prosecution of poachers.

11 (iii) Other ~~anti-poaching~~ ANTIPOACHING programs undertaken  
12 by the department.

13 (3) At the time a person purchases a license or stamp under  
14 this part, he or she may make a voluntary contribution in any  
15 amount to the wildlife resource protection fund to be expended  
16 for the purposes provided in subsection (2). A person who wishes  
17 to make such a contribution may purchase 1 or more conservation  
18 law enforcement stamps from a person authorized to issue licenses  
19 and ~~passbooks~~ SPORTCARDS under this part.

20 (4) Subsection (1) does not apply to a license or stamp that  
21 is issued to a senior citizen.

22 (5) The department shall annually report to the legislature  
23 on the expenditures from the wildlife resource protection fund.

24 Sec. 43556. (1) ~~Thirty five cents of the fee for each~~  
25 ~~hunting license sold to a resident of zone III shall be used for~~  
26 ~~the purpose of acquiring and administering hunter access leases~~  
27 ~~on private land and for habitat development on the leased land.~~

1 THE DEPARTMENT MAY UTILIZE THE GAME AND FISH PROTECTION FUND FOR  
2 THE PURPOSE OF ACQUIRING AND ADMINISTERING HUNTER ACCESS LEASES  
3 ON PRIVATE LAND.

4 (2) The department may determine and provide lease payments  
5 in amounts that are related to the benefits the leased land pro-  
6 vides for public use if for a designated lease period a partici-  
7 pating landowner agrees to allow public access to certain lands  
8 for the purpose of hunting. Department field personnel shall  
9 inspect the lands and determine their value to the program.  
10 Final approval of lease proposals shall be made by the  
11 department.

12 (3) Participating landowners have authority to control  
13 hunter access according to the terms of the lease agreement,  
14 including terms requiring a hunter to obtain verbal or written  
15 permission to hunt on the participating landowners' land.

16 (4) Pursuant to rules adopted under this section, partici-  
17 pating landowners may cancel their lease agreement at any time  
18 prior to the expiration of the lease. Cancellation of the agree-  
19 ment prior to the expiration of the lease shall result in the  
20 forfeiture of all lease payments that have been received by the  
21 participating landowner for the year in which cancellation  
22 occurs.

23 (5) Participating landowners shall post, with signs provided  
24 by the department, the boundaries of land leased under this  
25 section.

26 (6) A cause of action shall not arise for injuries to  
27 persons hunting on lands leased under this section unless the

1 injuries were caused by the gross negligence or willful and  
2 wanton misconduct of the owner, tenant, or lessee.

3 (7) The department may issue orders pursuant to part 401  
4 governing the administration and operation of a hunting access  
5 program.

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

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

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

13 (c) ~~Charges more than the passbook or~~ ISSUES A license  
14 ~~fees provided for in this part or issues a passbook or a~~  
15 ~~license~~ without ~~receiving~~ REMITTING the fee TO THE  
16 DEPARTMENT.

17 (d) Without a license, hunts, traps, fishes, or possesses a  
18 wild animal, wild bird, or ~~fish, or possesses or takes reptiles,~~  
19 ~~amphibians, mollusks, crustacea, or wigglers~~ AQUATIC SPECIES.

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

23 (f) Falsely makes, alters, forges, or counterfeits a  
24 ~~passbook~~ SPORTCARD or a hunting, fishing, or fur harvester's  
25 license or possesses an altered, forged, or counterfeited hunt-  
26 ing, fishing, or fur harvester's license.

1 (g) Uses a tag furnished with a firearm deer license, bow  
2 and arrow deer license, bear hunting license, elk hunting  
3 license, or wild turkey hunting license more than 1 time, or  
4 attaches or allows a tag to be attached to a deer, bear, elk, or  
5 turkey other than a deer, bear, elk, or turkey lawfully killed by  
6 the person.

7 (h) ~~Makes~~ EXCEPT AS PROVIDED BY LAW, MAKES an application  
8 for, obtains, or purchases more than 1 license for a hunting,  
9 fishing, or trapping season, not including a daily fishing  
10 license, second bow and arrow license, second firearm deer  
11 license, ANTERLESS DEER LICENSE, or other license specifically  
12 authorized by law, or if the applicant's license has been lost or  
13 destroyed.

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

16 (J) KNOWINGLY OBTAINS, OR ATTEMPTS TO OBTAIN, A RESIDENT OR  
17 A SENIOR LICENSE IF THAT PERSON IS NOT A RESIDENT OF THIS STATE.

18 (2) Except as provided in subsection (5), a person who vio-  
19 lates subsection (1) shall be punished by imprisonment for not  
20 more than 90 days, or a fine of not less than \$25.00 or more than  
21 \$250.00 and the costs of prosecution, or both. In addition, the  
22 person shall surrender any license and license tag that was  
23 wrongfully obtained.

24 (3) A person licensed to carry a firearm under this part is  
25 prohibited from doing so while under the influence of a con-  
26 trolled substance or alcohol or a combination of a controlled  
27 substance and alcohol. A person who violates this subsection is



1 guilty of a misdemeanor, punishable by imprisonment for 90 days,  
2 or a fine of \$500.00, or both.

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

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

15 Sec. 43561. The department ~~shall~~ MAY promulgate rules for  
16 the administration of this part.