

# HOUSE BILL No. 6249

August 13, 2002, Introduced by Rep. Rich Brown and referred to the Committee on Agriculture and Resource Management.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43553 (MCL 324.43553), as amended by 1996 PA 585, and by adding part 413.

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

- 1                                   PART 413 WILDLIFE DAMAGE CLAIMS
- 2           SEC. 41301. AS USED IN THIS PART:
- 3           (A) "AGRICULTURAL COMMODITY" MEANS ANY OF THE FOLLOWING:
- 4           (i) COMMERCIAL SEEDINGS OR CROPS GROWING ON LAND USED FOR
- 5   AGRICULTURE.
- 6           (ii) CROPS THAT HAVE BEEN HARVESTED FOR SALE OR USE FROM
- 7   LAND USED FOR AGRICULTURE BUT THAT HAVE NOT BEEN REMOVED FROM THE
- 8   LAND WHERE HARVESTED.
- 9           (iii) ORCHARD TREES OR NURSERY STOCK.

1 (iv) APIARIES.

2 (v) LIVESTOCK.

3 (B) "AGRICULTURAL COMMODITY OWNER" MEANS AN OWNER, LESSEE,  
4 OR PERSON WHO CONTROLS LAND WHERE THE SEEDINGS, CROPS, ORCHARD  
5 TREES, OR NURSERY STOCK REFERRED TO IN SUBDIVISION (A)(i) TO  
6 (iii) ARE LOCATED OR THE OWNER OF THE APIARIES OR LIVESTOCK  
7 REFERRED TO IN SUBDIVISION (A)(iv) OR (v).

8 (C) "FUND" MEANS THE WILDLIFE DAMAGE FUND CREATED UNDER SEC-  
9 TION 41309.

10 (D) "GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT  
11 PRACTICES" MEANS THAT TERM AS DEFINED IN THE MICHIGAN RIGHT TO  
12 FARM ACT, 1981 PA 93, MCL 286.471 TO 286.474.

13 (E) "WILDLIFE DAMAGE" MEANS DAMAGE CAUSED BY ANY OF THE FOL-  
14 LOWING NONCAPTIVE WILD ANIMALS:

15 (i) DEER.

16 (ii) BEAR.

17 (iii) GEESE.

18 (iv) TURKEY.

19 (v) SANDHILL CRANES, IF SANDHILL CRANES ARE CLASSIFIED AS  
20 GAME UNDER PART 401.

21 SEC. 41303. SUBJECT TO THE REQUIREMENTS OF THIS PART, THE  
22 DEPARTMENT SHALL IMPLEMENT A PROGRAM TO DO ALL OF THE FOLLOWING:

23 (A) RECOMMEND TO AGRICULTURAL COMMODITY OWNERS MEASURES TO  
24 PREVENT WILDLIFE DAMAGE TO AGRICULTURAL COMMODITIES.

25 (B) REIMBURSE AGRICULTURAL COMMODITY OWNERS FOR THE COSTS OF  
26 IMPLEMENTING MEASURES DESCRIBED IN SUBDIVISION (A).

1 (C) COMPENSATE AGRICULTURAL COMMODITY OWNERS FOR WILDLIFE  
2 DAMAGE TO AGRICULTURAL COMMODITIES.

3 SEC. 41305. (1) AN AGRICULTURAL COMMODITY OWNER MAY FILE  
4 WITH THE DEPARTMENT A REQUEST THAT THE DEPARTMENT MAKE RECOMMEN-  
5 DATIONS ON, AND A COMMITMENT TO PROVIDE REIMBURSEMENT FOR, MEA-  
6 SURES TO PREVENT WILDLIFE DAMAGE TO THE AGRICULTURAL COMMODITY.  
7 THE AGRICULTURAL COMMODITY OWNER SHALL FILE THE REQUEST ON A FORM  
8 PROVIDED BY THE DEPARTMENT.

9 (2) THE DEPARTMENT SHALL REVIEW EACH REQUEST FILED UNDER  
10 SUBSECTION (1). IF THE DEPARTMENT DETERMINES THAT WILDLIFE  
11 DAMAGE TO AN AGRICULTURAL COMMODITY IS OCCURRING OR LIKELY TO  
12 OCCUR AND THAT ANY OTHER REQUIREMENTS SET FORTH IN RULES ADOPTED  
13 UNDER THIS PART ARE SATISFIED, THE DEPARTMENT SHALL RECOMMEND  
14 WILDLIFE DAMAGE PREVENTION MEASURES TO THE AGRICULTURAL COMMODITY  
15 OWNER AND MAY MAKE A COMMITMENT TO THE AGRICULTURAL COMMODITY  
16 OWNER TO PROVIDE REIMBURSEMENT FOR THOSE MEASURES IF THEY ARE  
17 IMPLEMENTED.

18 (3) THE DEPARTMENT SHALL RECOMMEND UNDER SUBSECTION (2) ONLY  
19 WILDLIFE DAMAGE PREVENTION MEASURES THAT ARE ALL OF THE  
20 FOLLOWING:

21 (A) AUTHORIZED IN RULES ADOPTED UNDER THIS PART.

22 (B) APPROPRIATE FOR THE TYPE OF WILDLIFE DAMAGE, TYPE OF  
23 AGRICULTURAL COMMODITY, AND OTHER CIRCUMSTANCES.

24 (C) COST-EFFECTIVE IN RELATION TO THE WILDLIFE DAMAGE CLAIMS  
25 THAT WOULD LIKELY BE PAID UNDER THIS PART IF THE WILDLIFE DAMAGE  
26 PREVENTION MEASURES WERE NOT RECOMMENDED AND IMPLEMENTED.

1           SEC. 41307. (1) WITHIN 14 DAYS AFTER FIRST SUSTAINING  
2 WILDLIFE DAMAGE TO AN AGRICULTURAL COMMODITY, THE AGRICULTURAL  
3 COMMODITY OWNER MAY FILE WITH THE DEPARTMENT A CLAIM FOR COMPEN-  
4 SATION FOR WILDLIFE DAMAGE TO THE AGRICULTURAL COMMODITY. THE  
5 AGRICULTURAL COMMODITY OWNER SHALL FILE THE CLAIM ON A FORM PRO-  
6 VIDED BY THE DEPARTMENT.

7           (2) THE DEPARTMENT SHALL INVESTIGATE EVERY CLAIM FILED UNDER  
8 SUBSECTION (1) AND DETERMINE THE DOLLAR AMOUNT OF WILDLIFE DAMAGE  
9 THAT OCCURRED. SUBJECT TO SUBSECTION (3) AND SECTION 41309(5),  
10 THE DEPARTMENT SHALL PAY THE AGRICULTURAL COMMODITY OWNER THE  
11 DOLLAR AMOUNT OF WILDLIFE DAMAGE IF ALL OF THE FOLLOWING APPLY:

12           (A) THE OWNER REQUESTED AND IMPLEMENTED RECOMMENDATIONS FOR  
13 WILDLIFE DAMAGE PREVENTION MEASURES FOR THE AGRICULTURAL COMMOD-  
14 ITY UNDER SECTION 41305.

15           (B) THE AGRICULTURAL COMMODITY OWNER MANAGED THE AGRICUL-  
16 TURAL COMMODITY IN A MANNER CONSISTENT WITH GENERALLY ACCEPTED  
17 AGRICULTURAL AND MANAGEMENT PRACTICES.

18           (C) ANY OTHER REQUIREMENTS SET FORTH IN RULES ADOPTED UNDER  
19 THIS PART ARE SATISFIED.

20           (3) THE DEPARTMENT SHALL DETERMINE THE AMOUNT TO BE PAID FOR  
21 A CLAIM UNDER SUBSECTION (1) AS FOLLOWS:

22           (A) IF THE AMOUNT OF THE CLAIM IS \$250.00 OR LESS, NOTHING  
23 SHALL BE PAID.

24           (B) IF THE AMOUNT OF THE CLAIM IS MORE THAN \$250.00 BUT NOT  
25 MORE THAN \$5,250.00, THE AMOUNT PAID SHALL BE 100% OF THE AMOUNT  
26 OF THE CLAIM THAT EXCEEDS \$250.00.

1 (C) IF THE AMOUNT OF THE CLAIM IS MORE THAN \$5,250.00, THE  
2 AMOUNT PAID SHALL BE \$5,000.00, PLUS 80% OF THE AMOUNT OF THE  
3 CLAIM THAT EXCEEDS \$5,250.00, BUT NOT MORE THAN A TOTAL OF  
4 \$15,000.00 FOR EACH CLAIM.

5 (4) THE DEPARTMENT SHALL PAY COMPENSATION FOR WILDLIFE  
6 DAMAGE UNDER SUBSECTION (2) BY JUNE 1 OF THE YEAR AFTER THE YEAR  
7 IN WHICH THE CLAIM WAS FILED.

8 SEC. 41309. (1) THE WILDLIFE DAMAGE FUND IS CREATED WITHIN  
9 THE STATE TREASURY.

10 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS  
11 FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. FIFTEEN PERCENT OF  
12 THE REVENUE FROM ALL BEAR HUNTING LICENSES ISSUED UNDER PART 435  
13 SHALL BE DEPOSITED IN THE FUND.

14 (3) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE  
15 FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND  
16 EARNINGS FROM FUND INVESTMENTS.

17 (4) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL  
18 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

19 (5) THE DEPARTMENT SHALL EXPEND MONEY FROM THE FUND, UPON  
20 APPROPRIATION, ONLY FOR THE FOLLOWING PURPOSES:

21 (A) THE COSTS OF ADMINISTERING THIS PART.

22 (B) REIMBURSEMENT FOR WILDLIFE DAMAGE PREVENTION MEASURES  
23 UNDER SECTION 41305.

24 (C) COMPENSATION FOR WILDLIFE DAMAGE UNDER SECTION 41307.  
25 PAYMENTS UNDER THIS SUBDIVISION SHALL BE MADE FROM THE UNEXPENDED  
26 BALANCE OF THE APPROPRIATION FROM THE FUND REMAINING AFTER PAYING  
27 COSTS AND MAKING REIMBURSEMENTS UNDER SUBDIVISIONS (A) AND (B).

1 IF THE UNEXPENDED BALANCE OF THE APPROPRIATION IS NOT SUFFICIENT  
2 TO PAY THE FULL AMOUNT REQUIRED UNDER SECTION 41307(2) AND (3),  
3 THE DEPARTMENT SHALL COMPENSATE CLAIMANTS ON A PRORATED BASIS.

4 SEC. 41311. (1) SUBJECT TO SUBSECTIONS (2) AND (3), A  
5 PERSON WHO RECEIVES REIMBURSEMENT FOR A WILDLIFE DAMAGE PREVEN-  
6 TION MEASURE OR COMPENSATION FOR A WILDLIFE DAMAGE CLAIM UNDER  
7 THIS PART AND ANY OTHER PERSON WHO OWNS, LEASES, OR CONTROLS THE  
8 LAND ON WHICH WAS LOCATED THE AGRICULTURAL COMMODITY THAT WAS THE  
9 SUBJECT OF THE WILDLIFE DAMAGE PREVENTION MEASURE OR THE WILDLIFE  
10 DAMAGE CLAIM SHALL PERMIT HUNTING OF THE TYPE OF WILDLIFE THAT IS  
11 THE FOCUS OF THE PREVENTION MEASURES OR THAT CAUSED THE WILDLIFE  
12 DAMAGE, DURING THE APPROPRIATE OPEN SEASON. HUNTING SHALL BE  
13 PERMITTED ON AREAS OF THAT LAND AND CONTIGUOUS LAND UNDER THE  
14 SAME OWNERSHIP, LEASE, OR CONTROL DETERMINED BY THE DEPARTMENT TO  
15 BE SUITABLE FOR HUNTING.

16 (2) HUNTING UNDER SUBSECTION (1) IS SUBJECT TO ALL OF THE  
17 FOLLOWING CONDITIONS:

18 (A) A HUNTER SHALL NOTIFY THE LANDOWNER OF HIS OR HER INTENT  
19 TO HUNT ON THE LAND.

20 (B) A HUNTER SHALL NOT BRING A MOTOR VEHICLE ONTO THE LAND  
21 WITHOUT THE PERMISSION OF THE LANDOWNER.

22 (C) A HUNTER SHALL NOT USE A HUNTING STAND ON THE LAND WITH-  
23 OUT THE PERMISSION OF THE LANDOWNER.

24 (D) A LANDOWNER MAY DENY A HUNTER ACCESS TO THE LAND FOR  
25 REASONABLE CAUSE, INCLUDING, BUT NOT LIMITED TO, ANY OF THE  
26 FOLLOWING:

1           (i) IF THE HUNTER HUNTS ON THE LAND, 3 OR MORE HUNTERS WILL  
2 BE PRESENT PER 40 ACRES OF THE AREA DETERMINED UNDER SUBSECTION  
3 (1) TO BE SUITABLE FOR HUNTING.

4           (ii) THE HUNTER APPEARS TO BE INTOXICATED OR IS UNRULY.

5           (iii) THE HUNTER CAUSES PROPERTY DAMAGE.

6           (iv) THE HUNTER VIOLATES ANY OF THE CONDITIONS UNDER  
7 SUBDIVISIONS (A) TO (C).

8           (3) THE REQUIREMENT TO ALLOW HUNTING UNDER SUBSECTION (1)  
9 DOES NOT APPLY IF THE AGRICULTURAL COMMODITY OWNER DOES NOT HAVE  
10 AUTHORITY TO CONTROL ENTRY ON THE LAND FOR THE PURPOSE OF  
11 HUNTING.

12           (4) A PERSON WHO VIOLATES SUBSECTION (1) IS NOT ELIGIBLE FOR  
13 REIMBURSEMENT OR COMPENSATION UNDER THIS PART FOR 10 YEARS AFTER  
14 ON THE DAY ON WHICH THE REFUSAL TO PERMIT HUNTING OCCURRED. IN  
15 ADDITION, THE PERSON IS LIABLE TO THE DEPARTMENT FOR ALL OF THE  
16 FOLLOWING:

17           (A) REPAYMENT OF ANY REIMBURSEMENT RECEIVED BY THAT PERSON  
18 UNDER THIS PART FOR WILDLIFE DAMAGE PREVENTION MEASURES IMPLI-  
19 MENTED ON THAT LAND OR ON CONTIGUOUS LAND UNDER THE SAME OWNER-  
20 SHIP, LEASE, OR CONTROL.

21           (B) REPAYMENT OF ANY COMPENSATION RECEIVED UNDER THIS PART  
22 BY THAT PERSON FOR WILDLIFE DAMAGE ON THAT LAND OR ON CONTIGUOUS  
23 LAND UNDER THE SAME OWNERSHIP, LEASE, OR CONTROL.

24           (C) PAYMENT OF THE COSTS INCURRED BY THE DEPARTMENT TO  
25 REVIEW AND APPROVE ANY REIMBURSEMENT FOR WILDLIFE DAMAGE PREVEN-  
26 TION MEASURES DESCRIBED IN SUBDIVISION (A) OR COMPENSATION FOR  
27 WILDLIFE DAMAGE DESCRIBED IN SUBDIVISION (B).

1 (D) PAYMENT OF COSTS INCURRED BY THE DEPARTMENT TO  
2 INVESTIGATE THE FAILURE TO PERMIT HUNTING ON THE LAND.

3 SEC. 41313. (1) AN AGRICULTURAL COMMODITY OWNER WHO FILES A  
4 REQUEST FOR REIMBURSEMENT FOR WILDLIFE DAMAGE PREVENTION MEASURES  
5 OR A CLAIM FOR COMPENSATION FOR WILDLIFE DAMAGE SHALL DO BOTH OF  
6 THE FOLLOWING:

7 (A) RETAIN ALL RECORDS RELATING TO THE REIMBURSEMENT OR COM-  
8 PENSATION AS REQUIRED BY THE DEPARTMENT AND MAKE THEM AVAILABLE  
9 TO THE DEPARTMENT FOR INSPECTION AT REASONABLE TIMES.

10 (B) ALLOW REPRESENTATIVES OF THE DEPARTMENT TO ENTER AND  
11 INSPECT, AT REASONABLE TIMES, ANY LAND FOR WHICH THE APPLICATION  
12 OR CLAIM WAS FILED.

13 (2) THE DEPARTMENT, IF REQUESTED, SHALL FURNISH TO AN AGRI-  
14 CULTURAL COMMODITY OWNER DESCRIBED IN SUBSECTION (1) A REPORT  
15 SETTING FORTH ALL OF THE FACTUAL FINDINGS BY THE DEPARTMENT THAT  
16 RELATE TO AN INSPECTION UNDER THIS SECTION.

17 SEC. 41315. THE DEPARTMENT SHALL ARRANGE FOR AN ANNUAL  
18 AUDIT OF ANY REIMBURSEMENTS FOR WILDLIFE DAMAGE PREVENTION MEA-  
19 SURES AND COMPENSATION FOR WILDLIFE DAMAGE PAID UNDER SECTION  
20 41305 OR 41307, RESPECTIVELY, TO DEPARTMENT OFFICERS AND  
21 EMPLOYEES.

22 SEC. 41317. (1) A PERSON WHO MAKES, OR CAUSES TO BE MADE, A  
23 FALSE STATEMENT OR REPRESENTATION OF A MATERIAL FACT IN A REQUEST  
24 FOR REIMBURSEMENT FOR A WILDLIFE DAMAGE PREVENTION MEASURE OR IN  
25 A CLAIM FOR COMPENSATION FOR WILDLIFE DAMAGE IS CIVILLY LIABLE  
26 FOR BOTH OF THE FOLLOWING:



1 (A) REPAYMENT OF ANY MONEY PAID BY THE DEPARTMENT AS  
2 REIMBURSEMENT FOR A WILDLIFE DAMAGE PREVENTION MEASURE OR  
3 COMPENSATION FOR WILDLIFE DAMAGE.

4 (B) PAYMENT OF THE COSTS FOR REVIEWING AND APPROVING THE  
5 APPLICATION FOR REIMBURSEMENT OR CLAIM FOR COMPENSATION AND THE  
6 COSTS IN INVESTIGATING AND DETERMINING THAT A FALSE STATEMENT OR  
7 REPRESENTATION WAS MADE.

8 (2) A PERSON WHO KNOWINGLY MAKES OR CAUSES TO BE MADE A  
9 FALSE STATEMENT OR REPRESENTATION OF MATERIAL FACT IN A REQUEST  
10 FOR REIMBURSEMENT FOR A WILDLIFE DAMAGE PREVENTION MEASURE OR IN  
11 A CLAIM FOR COMPENSATION FOR WILDLIFE DAMAGE IS GUILTY OF A  
12 MISDEMEANOR. UPON CONVICTION, THE COURT SHALL PROHIBIT THE  
13 PERSON FROM RECEIVING ANY REIMBURSEMENT OR COMPENSATION UNDER  
14 THIS PART FOR 10 YEARS BEGINNING ON THE DATE THAT THE FALSE  
15 STATEMENT OR REPRESENTATION OCCURRED. IN ADDITION, THE PERSON  
16 MAY BE PUNISHED BY EITHER OR BOTH OF THE FOLLOWING:

17 (A) PAYMENT OF A FINE EQUAL TO 2 TIMES THE TOTAL AMOUNT OF  
18 REIMBURSEMENT OR COMPENSATION RECEIVED, PLUS AN AMOUNT NOT TO  
19 EXCEED \$1,000.00.

20 (B) REVOCATION OF THE PERSON'S HUNTING, FISHING, OR TRAPPING  
21 LICENSES IF THE PERSON IS LICENSED TO HUNT, FISH, OR TRAP IN THIS  
22 STATE, AND A PROHIBITION AGAINST SEEKING OR POSSESSING SUCH A  
23 LICENSE FOR THE REMAINDER OF THE CALENDAR YEAR IN WHICH THE  
24 PERSON IS CONVICTED AND FOR UP TO 3 SUCCEEDING CALENDAR YEARS.

25 (3) AN OWNER OF AN AGRICULTURAL COMMODITY WITH RESPECT TO  
26 WHICH ANOTHER PERSON COMMITTED A VIOLATION OF SUBSECTION (2) IS  
27 NOT ELIGIBLE FOR REIMBURSEMENT OR COMPENSATION UNDER THIS PART

1 FOR 10 YEARS COMMENCING ON THE DAY ON WHICH THE VIOLATION OF  
2 SUBSECTION (2) OCCURRED.

3 SEC. 41319. THE DEPARTMENT SHALL PROMULGATE RULES TO IMPL-  
4 MENT THIS PART. THE RULES SHALL ADDRESS ALL OF THE FOLLOWING:

5 (A) ELIGIBILITY AND FUNDING REQUIREMENTS FOR REIMBURSEMENT  
6 FOR WILDLIFE DAMAGE PREVENTION MEASURES AND COMPENSATION FOR  
7 WILDLIFE DAMAGE THAT MAXIMIZE THE COST-EFFECTIVENESS OF THE PRO-  
8 GRAM UNDER THIS PART.

9 (B) AUTHORIZED WILDLIFE DAMAGE PREVENTION MEASURES AND  
10 METHODS FOR IMPLEMENTING THESE PREVENTION MEASURES.

11 (C) PROCEDURES FOR PROCESSING AND PAYING REIMBURSEMENT FOR  
12 WILDLIFE DAMAGE PREVENTION MEASURES, INCLUDING VERIFICATION OF  
13 THE COSTS AND IMPLEMENTATION OF THOSE MEASURES.

14 (D) PROCEDURES FOR PROCESSING AND PAYING CLAIMS FOR COMPEN-  
15 SATION FOR WILDLIFE DAMAGE, INCLUDING BOTH OF THE FOLLOWING:

16 (i) STANDARDS FOR DETERMINING THE AMOUNT OF WILDLIFE  
17 DAMAGE.

18 (ii) A METHODOLOGY FOR PRORATION OF COMPENSATION FOR WILD-  
19 LIFE DAMAGE UNDER SECTION 41309.

20 (E) PROCEDURES FOR INSPECTIONS UNDER SECTION 41313.

21 (F) ANY OTHER MATTER NECESSARY FOR THE ENFORCEMENT AND  
22 ADMINISTRATION OF THIS PART.

23 SEC. 41321. (1) THE DEPARTMENT SHALL PREPARE AN ANNUAL  
24 REPORT CONCERNING WILDLIFE DAMAGE AND THE PROGRAM PROVIDED FOR BY  
25 THIS PART. THE REPORT SHALL INCLUDE AT LEAST A SUMMARY OF EACH  
26 OF THE FOLLOWING:

1 (A) ALL OF THE WILDLIFE DAMAGE TO APIARIES BELIEVED TO HAVE  
2 OCCURRED IN THIS STATE.

3 (B) THE CLAIMS FOR COMPENSATION FOR WILDLIFE DAMAGE THAT  
4 WERE FILED UNDER THIS PART.

5 (C) THE WILDLIFE DAMAGE PREVENTION MEASURES THAT WERE RECOM-  
6 MENDED OR IMPLEMENTED UNDER THIS PART.

7 (D) THE PERCENTAGE OF THE TOTAL NUMBER OF CLAIMS FOR COMPEN-  
8 SATION FOR WILDLIFE DAMAGE THAT ARE REJECTED FOR FAILURE TO MEET  
9 THE REQUIREMENTS OF THIS PART OR RULES PROMULGATED UNDER THIS  
10 PART.

11 (E) THE PERCENTAGE OF THE TOTAL NUMBER OF CLAIMS FOR COMPEN-  
12 SATION FOR WILDLIFE DAMAGE FOR WHICH THE AMOUNT OF THE PAYMENT TO  
13 THE CLAIMANT WAS PRORATED UNDER SECTION 41309.

14 (2) THE DEPARTMENT SHALL SUBMIT THE REPORT PREPARED UNDER  
15 SUBSECTION (1) BY JUNE 1 OF EACH YEAR TO THE STANDING COMMITTEES  
16 OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH PRIMARY RESPONSI-  
17 BILITY FOR LEGISLATION RELATED TO AGRICULTURE OR WILDLIFE  
18 CONSERVATION. THE FIRST REPORT SHALL BE SUBMITTED BY JUNE 1,  
19 2004. EACH REPORT SHALL COVER THE 12-MONTH PERIOD ENDING ON THE  
20 DECEMBER 31 THAT IMMEDIATELY PRECEDES THE DATE OF THE REPORT.

21 SEC. 41323. THE DEPARTMENT SHALL ISSUE GUIDELINES UNDER  
22 CHAPTER 2 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969  
23 PA 306, MCL 24.221 TO 24.228, TO ESTABLISH STANDARDS FOR TOLER-  
24 ABLE LEVELS OF DAMAGE CAUSED BY DEER LIVING IN THE WILD TO CROPS  
25 ON AGRICULTURAL LAND, INCLUDING COMMERCIAL SEEDINGS, ORCHARD  
26 TREES, AND NURSERY STOCK. THE DEPARTMENT SHALL USE THE STANDARDS  
27 IN SETTING GOALS FOR MANAGING THE DEER HERD.

1           Sec. 43553. (1) Except as provided in ~~sections 43555 and~~  
2 ~~43556~~ SECTION 43555, the department shall transmit all money  
3 received from the sale of licenses to the state treasurer,  
4 together with a statement indicating the amount of money received  
5 and the source of the money.

6           (2) The game and fish protection fund is created as a sepa-  
7 rate fund in the ~~department of~~ STATE treasury. Except as pro-  
8 vided in subsection (5) AND SECTION 41309, the state treasurer  
9 shall credit the money received from the sale of ~~passbooks and~~  
10 licenses to the game and fish protection fund.

11           (3) Except as provided in sections 43524, 43525, ~~43531,~~  
12 43554, and 43556 and subsection (4), money credited to the game  
13 and fish protection fund shall be paid out by the state treasurer  
14 pursuant to the accounting laws of this state for the following  
15 purposes:

16           (a) Services rendered by the department, together with the  
17 expenses incurred in the enforcement and administration of the  
18 game, fish, and fur laws of the state, including the necessary  
19 equipment and apparatus incident to the operation and enforcement  
20 of the game, fish, and fur laws, and the protection, propagation,  
21 distribution, and control of game, fish, birds, fur-bearing ani-  
22 mals, and other wildlife. ~~forms.~~

23           (b) The propagation and liberation of game, fur-bearing ani-  
24 mals, birds, or fish and for their increase at the time, place,  
25 and manner as the department considers advisable.

26           (c) The purchase, lease, and management of lands ~~, together~~  
27 ~~with the necessary~~ AND equipment for the purpose of propagating

1 and rearing game, fur-bearing animals, birds, or fish, and for  
2 establishing and maintaining game refuges, wildlife sanctuaries,  
3 and public shooting and fishing grounds.

4 (d) Conducting investigations and compiling and publishing  
5 information relative to the propagation, protection, and conser-  
6 vation of wildlife.

7 (e) Delivering lectures, developing cooperation, and carry-  
8 ing on appropriate educational activities relating to the conser-  
9 vation of the wildlife of this state.

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

14 (5) The youth hunting and fishing education and outreach  
15 fund is created as a separate fund in the department of  
16 treasury. The state treasurer shall credit to the youth hunting  
17 and fishing education and outreach fund the money received from  
18 the sale of small game licenses and all-species fishing licenses  
19 under sections 43523 and 43532, respectively, to persons who are  
20 ~~12 years of age through 16~~ UNDER 17 years of age. Money in the  
21 youth hunting and fishing education and outreach fund at the  
22 close of the fiscal year shall remain in the fund and shall not  
23 lapse to the general fund.

24 (6) Money credited to the youth hunting and fishing educa-  
25 tion and outreach fund shall be paid out by the state treasurer  
26 pursuant to the accounting laws of this state for hunting and

1 fishing education and outreach programs for youth ~~through 16~~  
2 UNDER 17 years of age.

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