

**SUBSTITUTE FOR
SENATE BILL NO. 966**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 40102 and 43503 (MCL 324.40102 and 324.43503),
section 40102 as amended by 2007 PA 48 and section 43503 as amended
by 2012 PA 520.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 40102. (1) "Animals" means wild birds and wild mammals.
2 (2) "Bag limit" means the number of animals that may be taken
3 and possessed as determined by the department.
4 (3) "Bow" means a device for propelling an arrow from a string
5 drawn, held, and released by hand where the force used to hold the
6 string in the drawn position is provided by the archer's muscles.
7 (4) "Buy" or "sell" means an exchange or attempt or offer to
8 exchange for money, barter, or anything of value.

1 (5) "Chase" means to follow animals with dogs or other wild or
2 domestic animals trained for that purpose.

3 (6) "Cormorant damage" means adverse impacts of double-crested
4 cormorants on fish, fish hatchery stock, wildlife, plants, and
5 their habitats and on man-made structures.

6 (7) "Cormorant depredation order" means the depredation order
7 for double-crested cormorants to protect public resources, 50 CFR
8 21.48, issued by the United States department of the interior, fish
9 and wildlife service.

10 (8) "Crossbow" means a weapon consisting of a bow mounted
11 transversely on a stock or frame and designed to fire an arrow,
12 bolt, or quarrel by the release of a bow string that is controlled
13 by a mechanical or electric trigger and has a working safety and a
14 draw weight of 100 pounds or greater.

15 (9) "Deer or elk feeding" means the depositing, distributing,
16 or tending of feed in an area frequented by wild, free-ranging
17 white-tailed deer or elk. Deer or elk feeding does not include any
18 of the following:

19 (a) Feeding wild birds or other wildlife if done in such a
20 manner as to exclude wild, free-ranging white-tailed deer and elk
21 from gaining access to the feed.

22 (b) The scattering of feed solely as the result of normal
23 logging practices or normal agricultural practices.

24 (c) The storage or use of feed for agricultural purposes if 1
25 or more of the following apply:

26 (i) The area is occupied by livestock actively consuming the
27 feed on a daily basis.

1 (ii) The feed is covered to deter wild, free-ranging white-
2 tailed deer or elk from gaining access to the feed.

3 (iii) The feed is in a storage facility that is consistent with
4 normal agricultural practices.

5 (d) Baiting to take game as provided by an order of the
6 commission under section 40113a.

7 (10) "Disability" means a determinable physical characteristic
8 of an individual that may result from disease, injury, congenital
9 condition of birth, or functional disorder.

10 (11) "Feed" means a substance composed of grain, mineral,
11 salt, fruit, vegetable, hay, or any other food material or
12 combination of these materials, whether natural or manufactured,
13 that may attract white-tailed deer or elk. Feed does not include
14 any of the following:

15 (a) Plantings for wildlife.

16 (b) Standing farm crops under normal agricultural practices.

17 (c) Agricultural commodities scattered solely as the result of
18 normal agricultural practices.

19 (12) "Firearm" means ~~a ANY weapon from which a dangerous WILL,~~
20 **IS DESIGNED TO, OR MAY READILY BE CONVERTED TO EXPEL A** projectile
21 ~~may be propelled by using explosives, gas, or air. Firearm does not~~
22 ~~include a smooth bore rifle or handgun designed and manufactured~~
23 ~~exclusively for propelling BB's not exceeding .177 caliber by means~~
24 ~~of a spring, air, or gas.~~ **BY ACTION OF AN EXPLOSIVE. A PNEUMATIC**
25 **GUN, AS DEFINED IN SECTION 1 OF 1990 PA 319, MCL 123.1101, OTHER**
26 **THAN A PAINTBALL GUN THAT EXPELS BY PNEUMATIC PRESSURE PLASTIC**
27 **BALLS FILLED WITH PAINT FOR THE PURPOSE OF MARKING THE POINT OF**

1 **IMPACT, IS ALSO CONSIDERED A FIREARM FOR THE PURPOSE OF THIS ACT.**

2 Sec. 43503. (1) "Fish" means all species of fish.

3 (2) "Fishing" means the pursuing, capturing, catching,
4 killing, or taking of fish, and includes attempting to pursue,
5 capture, catch, kill, or take fish.

6 (3) "Firearm" means ~~a ANY weapon from which a dangerous WILL,~~
7 **IS DESIGNED TO, OR MAY READILY BE CONVERTED TO EXPEL A** projectile
8 ~~may be propelled by using explosives, gas, or air as a means of~~
9 ~~propulsion. Firearm does not include a smooth bore rifle or handgun~~
10 ~~designed and manufactured exclusively for propelling BB's not~~
11 ~~exceeding .177 caliber by means of a spring or air or gas.~~ **BY ACTION**
12 **OF AN EXPLOSIVE. A PNEUMATIC GUN, AS DEFINED IN SECTION 1 OF 1990**
13 **PA 319, MCL 123.1101, OTHER THAN A PAINTBALL GUN THAT EXPELS BY**
14 **PNEUMATIC PRESSURE PLASTIC BALLS FILLED WITH PAINT FOR THE PURPOSE**
15 **OF MARKING THE POINT OF IMPACT, IS ALSO CONSIDERED A FIREARM FOR**
16 **THE PURPOSE OF THIS ACT.**

17 (4) "Firearm deer season" means any period in which deer may
18 be lawfully hunted with a firearm.

19 (5) "Fur-bearing animals" includes badger, beaver, bobcat,
20 coyote, fisher, fox, lynx, marten, mink, muskrat, opossum, otter,
21 raccoon, skunk, and weasel.

22 Enacting section 1. This amendatory act takes effect January
23 1, 2015.

24 Enacting section 2. This amendatory act does not take effect
25 unless Senate Bill No. 979 of the 97th Legislature is enacted into
26 law.