

SUBSTITUTE FOR
HOUSE BILL NO. 5737

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 43517 and 43520 (MCL 324.43517 and 324.43520),
section 43517 as amended by 2018 PA 399 and section 43520 as
amended by 2018 PA 4.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43517. (1) A parent or ~~legal~~ guardian of a minor child **or**
2 **a guardian of an adult who has a developmental disability** shall not
3 permit or allow the minor child **or adult who has a developmental**
4 **disability** to hunt game under the authority of a license issued
5 under this part except under 1 of the following conditions:

6 (a) The minor child hunts only on land upon which a parent or
7 guardian is regularly domiciled or a parent or guardian, or another

1 individual at least 18 years old authorized by a parent or
2 guardian, accompanies the minor child. This subdivision does not
3 apply under ~~either~~**any** of the following circumstances:

4 (i) The license is an apprentice license.

5 (ii) The minor child is less than 10 years old.

6 **(iii) The minor child is an individual who has a developmental**
7 **disability and is unable to obtain certification of completion of**
8 **training in hunter safety.**

9 (b) If the license is an apprentice license, a parent or
10 guardian, or another individual at least 21 years old authorized by
11 a parent or guardian, who is licensed to hunt that game under a
12 license other than an apprentice license accompanies the minor
13 child **or adult who has a developmental disability.**

14 (c) If the ~~minor child~~**individual** is less than 10 years old,
15 the ~~minor~~**individual** hunts only with a mentor in compliance with
16 the mentored ~~youth~~ hunting program established by the commission
17 under subsection (2).

18 (d) **If the individual is an individual who has a developmental**
19 **disability and is unable to obtain certification of completion of**
20 **training in hunter safety, the individual hunts only with a mentor**
21 **in compliance with the mentored hunting program established by the**
22 **commission under subsection (2).**

23 (e) If the adult who has a developmental disability has a
24 guardian appointed under chapter 6 of the mental health code, 1974
25 PA 258, MCL 330.1600 to 330.1644, and is unable to obtain
26 certification of completion of training in hunter safety, the adult
27 hunts only with a mentor in compliance with the mentored hunting
28 program established by the commission under subsection (2).

29 (2) ~~By September 1, 2012, the~~**The** commission shall issue an

1 order under section 40113a establishing a mentored ~~youth~~-hunting
2 program. The order must provide for at least all of the following:

3 (a) A mentor shall be at least 21 years of age before
4 participating in the mentored ~~youth~~-hunting program.

5 (b) A mentor shall possess a valid license to hunt, other than
6 an apprentice license, before engaging in any mentored ~~youth~~
7 hunting program.

8 (c) An individual shall not be a mentor unless ~~he or she~~**the**
9 **individual** presents proof of previous hunting experience in the
10 form of a previous hunting license, other than an apprentice
11 license, or certification of completion of training in hunter
12 safety issued to the individual by this state, another state, a
13 province of Canada, or another country.

14 **(3) As used in this section, "developmental disability" means**
15 **that term as defined in section 100a of the mental health code,**
16 **1974 PA 258, MCL 330.1100a.**

17 Sec. 43520. (1) Subject to other requirements of this part,
18 the department may issue a hunting license to **an adult who has a**
19 **developmental disability, has a guardian appointed under chapter 6**
20 **of the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644,**
21 **and is unable to obtain certification of completion of training in**
22 **hunter safety, or to** a minor child if all of the following
23 requirements are met:

24 (a) A parent or ~~legal~~-guardian of the ~~minor child~~**individual**
25 applies for the license on behalf of the ~~minor child~~**individual**.

26 (b) The parent or guardian represents that the requirements of
27 section 43517, as applicable, will be complied with.

28 (c) The license fee is paid.

29 (2) ~~A person authorized to sell hunting licenses shall not~~

1 ~~issue a hunting license to an~~ **An** individual born after January 1,
2 1960 **shall not purchase or attempt to purchase a hunting license,**
3 unless the individual presents proof of previous hunting experience
4 in the form of a hunting license issued by this state, another
5 state, a province of Canada, or another country or presents a
6 certification of completion of training in hunter safety issued to
7 the individual by this state, another state, a province of Canada,
8 or another country. If an applicant for a hunting license does not
9 have proof of such a previous license or a certification of
10 completion of training in hunter safety, a person authorized to
11 sell hunting licenses may issue a hunting license if the applicant
12 submits a signed affidavit stating that the applicant has completed
13 a course in hunter safety or that the applicant possessed such a
14 hunting license previously. The person selling a hunting license
15 shall record as specified by the department the form of proof of
16 the previous hunting experience or certification of completion of
17 hunter safety training presented by the applicant. This subsection
18 does not apply to the issuance of an apprentice license **or mentored**
19 **hunting license.** An apprentice license, **mentored hunting license,**
20 or the equivalent does not satisfy the requirements of this
21 subsection concerning proof of previous hunting experience.

22 (3) An individual who does not meet the requirements of
23 subsection (2) may obtain an apprentice license for the same price
24 as the corresponding regular license that the individual would
25 otherwise be qualified to obtain. An individual 17 years old or
26 older shall not hunt game under an apprentice license unless
27 another individual at least 21 years old who possesses a license,
28 other than an apprentice license, to hunt that game accompanies
29 that apprentice licensee and does not accompany more than 1 other

1 apprentice licensee. For the purposes of this subsection and
 2 section 43517(1)(b), an individual shall not go along with more
 3 than 2 apprentice licensees of any age for the purpose of
 4 accompanying those apprentice licensees while those apprentice
 5 licensees are hunting. If an individual has represented to an
 6 apprentice licensee or, if the apprentice licensee is a minor
 7 child, to the apprentice licensee's parent or ~~legal~~-guardian that
 8 the individual would accompany the apprentice licensee for the
 9 purposes of this subsection, the individual shall not go along with
 10 the apprentice licensee while the apprentice licensee is hunting
 11 unless the individual actually accompanies the apprentice licensee
 12 and possesses a license, other than an apprentice license, to hunt
 13 the same game as the apprentice licensee. An individual is not
 14 eligible to obtain a specific type of apprentice license, such as a
 15 deer license, a base license, or a turkey license, for more than 2
 16 license years. An apprentice license must be distinguished from a
 17 license other than an apprentice license by a notation or other
 18 means.

19 (4) Only a minor who is less than 10 years old, **a minor child**
 20 **with a developmental disability, or an adult who has a**
 21 **developmental disability and a guardian appointed under chapter 6**
 22 **of the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644,**
 23 may obtain a mentored ~~youth~~-hunting license. A minor who is less
 24 than 10 years old, **a minor child with a developmental disability,**
 25 **or an adult who has a developmental disability and a guardian**
 26 **appointed under chapter 6 of the mental health code, 1974 PA 258,**
 27 **MCL 330.1600 to 330.1644,** shall not hunt game under a mentored
 28 ~~youth~~-hunting license unless that ~~minor~~-**individual** complies with
 29 all requirements of the mentored ~~youth~~-hunting program established

1 by the commission under section 43517.

2 (5) ~~The~~**Except as otherwise provided in this subsection, the**
 3 fee for a mentored ~~youth~~-hunting license is \$7.50. ~~and~~**A mentored**
 4 **hunting license is free for an individual with a developmental**
 5 **disability. A mentored hunting license** includes all of the
 6 privileges conferred by all of the following:

7 (a) Base license.

8 (b) Deer license.

9 (c) All-species fishing license.

10 (d) Spring wild turkey hunting license and fall wild turkey
 11 hunting license.

12 (e) Fur harvester's license.

13 (6) An individual who purchases a mentored ~~youth~~-hunting
 14 license may apply for or purchase additional licenses pursuant to
 15 current regulations, including, but not limited to, all of the
 16 following:

17 (a) Antlerless deer licenses under section 43527a.

18 (b) A bear hunting license under section 43528.

19 (c) An elk hunting license under section 43529.

20 (7) An individual hunting with a license purchased under
 21 subsection (6) must comply with all requirements of the mentored
 22 ~~youth~~-hunting program established by the commission under section
 23 43517.

24 (8) By September 1, ~~2015~~**2023** and every 4 years after that
 25 date, the department shall submit a report to the standing
 26 committees of the senate and house of representatives with primary
 27 responsibility for conservation and outdoor recreation issues
 28 evaluating whether the fee revenue received by the department from
 29 mentored ~~youth~~-hunting licenses under subsection (5) is adequate to

1 administer the mentored ~~youth~~-hunting program.

2 (9) As used in this section, "developmental disability" means
3 that term as defined in section 100a of the mental health code,
4 1974 PA 258, MCL 330.1100a.