

HOUSE BILL No. 5834

August 15, 2012, Introduced by Rep. Huuki and referred to the Committee on Natural Resources, Tourism, and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40103 and 43503 (MCL 324.40103 and 324.43503), section 40103 as amended by 2000 PA 191 and section 43503 as added by 1995 PA 57, and by adding sections 40110b and 43528b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40103. (1) "Game" means any of the following animals but
2 does not include privately owned cervidae species located on a
3 ~~registered cervidae livestock facility as that term is defined in~~
4 **REGISTERED UNDER** the privately owned cervidae producers marketing
5 act, 2000 PA 190, MCL 287.951 TO 287.969:

6 (a) Badger.

7 (b) Bear.

8 (c) Beaver.

9 (d) Bobcat.

10 (e) Brant.

- 1 (f) Coot.
- 2 (g) Coyote.
- 3 (h) Crow.
- 4 (i) Deer.
- 5 (j) Duck.
- 6 (k) Elk.
- 7 (l) Fisher.
- 8 (m) Florida gallinule.
- 9 (n) Fox.
- 10 (o) Geese.
- 11 **(P) GRAY WOLF.**
- 12 **(Q)** ~~(p)~~ Hare.
- 13 **(R)** ~~(q)~~ Hungarian partridge.
- 14 **(S)** ~~(r)~~ Marten.
- 15 **(T)** ~~(s)~~ Mink.
- 16 **(U)** ~~(t)~~ Moose.
- 17 **(V)** ~~(u)~~ Muskrat.
- 18 **(W)** ~~(v)~~ Opossum.
- 19 **(X)** ~~(w)~~ Otter.
- 20 **(Y)** ~~(x)~~ Pheasant.
- 21 **(Z)** ~~(y)~~ Quail.
- 22 **(AA)** ~~(z)~~ Rabbit.
- 23 **(BB)** ~~(aa)~~ Raccoon.
- 24 **(CC)** ~~(bb)~~ Ruffed grouse.
- 25 **(DD)** ~~(cc)~~ Sharptailed grouse.
- 26 **(EE)** ~~(dd)~~ Skunk.
- 27 **(FF)** ~~(ee)~~ Snipe.

1 (GG) ~~(ff)~~—Sora rail.

2 (HH) ~~(gg)~~—Squirrel.

3 (II) ~~(hh)~~—Weasel.

4 (JJ) ~~(ii)~~—Wild turkey.

5 (KK) ~~(jj)~~—Woodchuck.

6 (LL) ~~(kk)~~—Woodcock.

7 (MM) ~~(ll)~~—Virginia rail.

8 (2) "Interim order of the department" means an order of the
9 department issued under section 40108.

10 (3) "Kind" means an animal's sex, age, or physical
11 characteristics.

12 (4) "Normal agricultural practices" means generally accepted
13 agricultural and management practices as defined by the commission
14 of agriculture **AND RURAL DEVELOPMENT**.

15 (5) "Open season" means the dates during which game may be
16 legally taken.

17 (6) "Parts" means any or all portions of an animal, including
18 the skin, plumage, hide, fur, entire body, or egg of an animal.

19 (7) "Protected" or "protected animal" means an animal or kind
20 of animal that is designated by the department as an animal that
21 shall not be taken.

22 (8) "Residence" means a permanent building serving as a
23 temporary or permanent home. Residence may include a cottage,
24 cabin, or mobile home, but does not include a structure designed
25 primarily for taking game, a tree blind, a tent, a recreational or
26 other vehicle, or a camper.

27 **SEC. 40110B. (1) THE LEGISLATURE FINDS AND DECLARES THAT:**

1 (A) THE WILDLIFE POPULATIONS OF THE STATE AND THEIR HABITAT
2 ARE OF PARAMOUNT IMPORTANCE TO THE CITIZENS OF THIS STATE.

3 (B) THE SOUND SCIENTIFIC MANAGEMENT OF GRAY WOLF POPULATIONS
4 IN THIS STATE IS NECESSARY, INCLUDING THE USE OF HUNTING AS A
5 MANAGEMENT TOOL, TO MINIMIZE HUMAN AND GRAY WOLF ENCOUNTERS AND TO
6 PREVENT GRAY WOLVES FROM THREATENING OR HARMING HUMANS, LIVESTOCK,
7 AND PETS.

8 (2) THE LEGISLATURE HEREBY AUTHORIZES THE ESTABLISHMENT OF THE
9 FIRST OPEN SEASON FOR GRAY WOLF. THE COMMISSION MAY ISSUE ORDERS
10 UNDER SECTION 40113A ESTABLISHING ANNUAL GRAY WOLF HUNTING SEASONS
11 THROUGHOUT THE STATE.

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

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

16 (3) "Firearm" means a weapon from which a dangerous projectile
17 may be propelled by using explosives, gas, or air as a means of
18 propulsion. Firearm does not include a smooth bore rifle or handgun
19 designed and manufactured exclusively for propelling BB's not
20 exceeding .177 caliber by means of a spring or air or gas.

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

23 (5) "Fur-bearing animals" includes badger, beaver, bobcat,
24 coyote, fisher, fox, lynx, marten, mink, muskrat, opossum, otter,
25 raccoon, skunk, **AND** weasel. ~~and wolf.~~

26 **SEC. 43528B. (1) AN INDIVIDUAL SHALL NOT HUNT GRAY WOLF**
27 **WITHOUT A WOLF HUNTING LICENSE. THE FEE FOR A RESIDENT WOLF HUNTING**

1 LICENSE IS \$100.00. THE FEE FOR A NONRESIDENT WOLF HUNTING LICENSE
2 IS \$500.00. THE DEPARTMENT MAY ESTABLISH A NONREFUNDABLE
3 APPLICATION FEE NOT TO EXCEED \$4.00 FOR EACH PERSON WHO APPLIES FOR
4 A WOLF HUNTING LICENSE.

5 (2) THE DEPARTMENT MAY ISSUE A KILL TAG WITH, OR AS PART OF, A
6 WOLF HUNTING LICENSE. SECTION 43526(2) APPLIES WITH RESPECT TO A
7 WOLF HUNTING LICENSE.