Act No. 160
Public Acts of 2004
Approved by the Governor
June 18, 2004
Filed with the Secretary of State
June 18, 2004
EFFECTIVE DATE: June 18, 2004

STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004

Introduced by Rep. Tabor

ENROLLED HOUSE BILL No. 5029

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 40103 (MCL 324.40103), as amended by 2000 PA 191, and by adding section 40110a.

The People of the State of Michigan enact:

Sec. 40103. (1) "Game" means any of the following animals but does not include privately owned cervidae species located on a registered cervidae livestock facility as that term is defined in the privately owned cervidae producers marketing act:

(a) Badger.

(b) Bear.

(c) Beaver.

(d) Bobcat.

(e) Brant.

(f) Coot.

(g) Coyote.

(h) Crow.

(i) Deer.

(j) Duck.

(k) Elk.

(*l*) Fisher.

(m) Florida gallinule.

(n) Fox.

(o) Geese.

(p) Hare.

(q) Hungarian partridge.

(r) Marten.

(s) Mink.

(t) Moose.

(u) Mourning dove.

(v) Muskrat.

(w) Opossum.

(x) Otter.

(y) Pheasant.

(z) Quail.

(aa) Rabbit.

(bb) Raccoon.

(cc) Ruffed grouse.

(dd) Sharptailed grouse.

(ee) Skunk.

(ff) Snipe.

(gg) Sora rail.

(hh) Squirrel.

(ii) Weasel.

(jj) Wild turkey.

(kk) Woodchuck.

(*ll*) Woodcock.

(mm) Virginia rail.

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

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

(4) "Normal agricultural practices" means generally accepted agricultural and management practices as defined by the commission of agriculture.

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

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

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

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

Sec. 40110a. (1) The legislature hereby authorizes the establishment of the first open season for mourning doves. The commission may issue orders pertaining to mourning doves for each of the purposes listed in section 40113a, including, but not limited to, orders establishing the first open season for mourning doves.

(2) A person shall not hunt mourning doves unless, in addition to the small game license required by section 43523, the person has a current mourning dove stamp. The format of the mourning dove stamp shall be prescribed by the department. The fee for a mourning dove stamp is $2.00.

(3) The department shall transmit money received from the sale of mourning dove stamps to the state treasurer. The state treasurer shall deposit the money as follows:

(a) Fifty percent in the game and fish protection fund created in section 43553.

(b) Fifty percent in the nongame fish and wildlife trust fund created in section 43902.

(4) In the annual hunting guide available from persons authorized to sell licenses under part 435, the department shall include information on all of the following:

(a) How hunters can distinguish mourning doves from other birds.

(b) Management practices for the propagation of mourning doves.

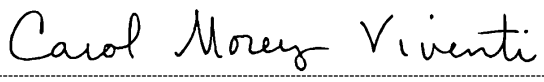
(c) How mourning dove hunting is conducted ethically, lawfully, and safely.

(d) Special opportunities mourning dove hunting offers to youth, the elderly, and the disabled.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

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Governor