Act No. 282
Public Acts of 2006
Approved by the Governor
July 7, 2006
Filed with the Secretary of State
July 10, 2006
EFFECTIVE DATE: July 10, 2006

STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006

Introduced by Senators McManus, Patterson, Bishop, Van Woerkom, Kuipers, Jelinek, Gilbert, Prusi, Cropsey, Goschka and Birkholz

ENROLLED SENATE BILL No. 1105

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, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 43502, 43505, 43506, 43517, and 43520 (MCL 324.43502, 324.43505, 324.43506, 324.43517, and 324.43520), sections 43502, 43505, and 43506 as amended by 1996 PA 585 and sections 43517 and 43520 as added by 1995 PA 57.

The People of the State of Michigan enact:

Sec. 43502. (1) "Accompany" means to go along with another person under circumstances that allow one to come to the immediate aid of the other person and while staying within a distance from the person that permits uninterrupted, unaided visual and auditory communication.

(2) "Amphibian" means a frog, toad, salamander, or other member of the class amphibia.

(3) "Apprentice license" means a license issued under section 43520(3).

(4) "Aquatic species" means a fish, reptile, amphibian, mollusk, aquatic insect, or crustacea or part thereof.

(5) "Bow" means a device for propelling an arrow from a string drawn, held, and released by hand if the force used to hold the string in the drawn position is provided by the archer's muscles.

(6) "Crossbow" means a weapon consisting of a bow, with a draw weight of 100 pounds or more, mounted transversely on a stock or frame and designed to fire an arrow, bolt, or quarrel by the release of a bow string controlled by a mechanical or electric trigger with a working safety.

(7) "Crustacea" means a freshwater crayfish, shrimp, or prawn of the order decapoda.

Sec. 43505. (1) "Hunt" and "hunting" mean to pursue, capture, shoot, kill, chase, follow, harass, harm, rob, or trap a wild animal, or to attempt to engage in such an activity.

(2) "Identification" means a driver license issued by Michigan, another state, or a Canadian province as accepted by the department, a state of Michigan identification card issued by the secretary of state, or a sportcard issued by the department.

(3) "License" means a document or a tag, stamp, plastic card, or other device that may include a stamp or a tag that authorizes the licensee to hunt, fish, trap, or possess wild animals or aquatic species and other identification required by the department.

(4) "Minor child" means a person less than 17 years old.

(5) "Nonresident" means or refers to a person who is not a resident.

Sec. 43506. (1) "Open season" means the time during which game animals, game birds, fur-bearing animals, and aquatic species may be legally taken or killed. Open season includes both the first and last day of the season or period.

(2) "Reptile" means a turtle, snake, lizard, or any other member of the class reptilia.

(3) "Resident" means or refers to any of the following:

(a) A person who resides in a settled or permanent home or domicile within the boundaries of this state with the intention of remaining in this state.

(b) A student who is enrolled in a full-time course at a college or university within this state and who resides in the state during the school year.

(c) A person regularly enlisted or commissioned as an officer in the armed forces of the United States and officially stationed in this state.

(d) A person regularly enlisted or commissioned as an officer in the armed forces of the United States who, at the time of enlistment, was a resident of this state and has maintained his or her residence in this state for purposes of obtaining a driver license or voter registration, or both.

Sec. 43517. A parent or legal guardian of a minor child shall not permit or allow the minor child to hunt game under the authority of a license issued pursuant to this part except under 1 of the following conditions:

(a) The minor child hunts only on land upon which a parent or guardian is regularly domiciled or a parent or guardian, or another person at least 18 years old authorized by a parent or guardian, accompanies the minor child. This subdivision does not apply under either of the following circumstances:

(*i*) The license is an apprentice license.

(*ii*) The minor child is less than 14 years old and the license is a license to hunt deer, bear, or elk with a firearm.

(b) If the license is an apprentice license, a parent or guardian, or another person at least 21 years old authorized by a parent or guardian, who is licensed to hunt that game under a license other than an apprentice license accompanies the minor child. In addition, if the minor child is less than 14 years old and the apprentice license is a license to hunt deer, bear, or elk with a firearm, the minor child shall hunt only on private property.

(c) If the minor child is less than 14 years old and the license is a license to hunt deer, bear, or elk with a firearm, the minor child hunts only on private property and a parent or guardian, or another person authorized by a parent or guardian who is at least 18 years old, accompanies the minor child. This subdivision does not apply if the license is an apprentice license.

Sec. 43520. (1) Subject to other requirements of this part, the department may issue a hunting license to a minor child if all of the following requirements are met:

(a) A parent or legal guardian of the minor child applies for the license on behalf of the minor child.

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

(c) The minor child is at least 10 years old or, if the license is a license to hunt deer, bear, or elk with a firearm, at least 12 years old.

(d) The license fee is paid.

(2) A person authorized to sell hunting licenses shall not issue a hunting license to a person born after January 1, 1960, unless the person presents proof of previous hunting experience in the form of a hunting license issued by this state, another state, a province of Canada, or another country or presents a certification of completion of training in hunter safety issued to the person by this state, another state, a province of Canada, or another country. If an applicant for a hunting license does not have proof of such a previous license or a certification of completion of training in hunter safety, a person authorized to sell hunting licenses may issue a hunting license if the applicant submits a signed affidavit stating that the applicant has completed a course in hunter safety or that the applicant possessed such a hunting license

previously. The person selling a hunting license shall record as specified by the department the form of proof of the previous hunting experience or certification of completion of hunter safety training presented by the applicant. This subsection does not apply to the issuance of an apprentice license. An apprentice license or the equivalent does not satisfy the requirements of this subsection concerning proof of previous hunting experience.

(3) A person who does not meet the requirements of subsection (2) may obtain an apprentice license for the same price as the corresponding regular license that the person would otherwise be qualified to obtain. A person 17 years old or older shall not hunt game under an apprentice license unless another person at least 21 years old who possesses a license, other than an apprentice license, to hunt that game accompanies that apprentice licensee and does not accompany more than 1 other apprentice licensee. For the purposes of this subsection and section 43517(b), a person shall not go along with more than 2 apprentice licensees of any age for the purpose of accompanying those apprentice licensees while those apprentice licensees are hunting. If a person has represented to an apprentice licensee or, if the apprentice licensee is a minor child, to the apprentice licensee's parent or legal guardian that the person would accompany the apprentice licensee for the purposes of this subsection, the person shall not go along with the apprentice licensee while the apprentice licensee is hunting unless the person actually accompanies the apprentice licensee and possesses a license, other than an apprentice license, to hunt the same game as the apprentice licensee. A person is not eligible to obtain a specific type of apprentice license, such as a firearm deer license, an archery deer license, a combination deer license, a small game license, or a turkey license, for more than 2 license years. An apprentice license shall be distinguished from a license other than an apprentice license by a notation or other means.

(4) By October 1, 2008, the department shall submit to the standing committees of the senate and house of representatives with primary responsibility for conservation and outdoor recreation issues a report on the effect of the apprentice hunter program and the reductions in minimum hunting age enacted by the 2006 amendatory act that amended this section on recruitment of new hunters and other relevant issues, such as hunter safety.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Clerk of the House of Representatives

Approved _____

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Governor