

SENATE BILL No. 1522

December 4, 2002, Introduced by Senators MC MANUS and GAST and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 42501, 42502, 43523, 43524, 43525, 43526,
43527, 43528, 43529, 43530, 43531, 43532, 43533, 47328, and 47330
(MCL 324.42501, 324.42502, 324.43523, 324.43524, 324.43525,
324.43526, 324.43527, 324.43528, 324.43529, 324.43530, 324.43531,
324.43532, 324.43533, 324.47328, and 324.47330), sections 42501,
42502, 47328, and 47330 as added by 1995 PA 57, sections 43523,
43525, 43526, 43527, 43528, 43529, 43531, and 43533 as amended by
1996 PA 585, section 43524 as amended by 2002 PA 81, section
43530 as amended by 2001 PA 23, and section 43532 as amended by
2002 PA 108, and by adding sections 501a and 43536c; and to
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 501A. (1) IF A PROVISION OF THIS ACT PROVIDES FOR THE
2 ISSUANCE OF AN ORDER BY THE COMMISSION PURSUANT TO THIS SECTION,
3 THE COMMISSION SHALL ISSUE THE ORDER FOLLOWING A PUBLIC MEETING
4 AND AN OPPORTUNITY FOR PUBLIC INPUT. NOT LESS THAN 30 LEGISLA-
5 TIVE SESSION DAYS BEFORE ISSUING THE ORDER, THE COMMISSION SHALL
6 PROVIDE A COPY OF THE ORDER TO EACH OF THE FOLLOWING:

7 (A) EACH MEMBER OF EACH STANDING COMMITTEE OF THE SENATE OR
8 HOUSE OF REPRESENTATIVES THAT CONSIDERS LEGISLATION PERTAINING TO
9 CONSERVATION, THE ENVIRONMENT, NATURAL RESOURCES, RECREATION,
10 TOURISM, OR AGRICULTURE.

11 (B) THE CHAIRPERSON OF THE SENATE APPROPRIATIONS COMMITTEE
12 AND THE CHAIRPERSON OF THE HOUSE OF REPRESENTATIVES APPROPRIA-
13 TIONS COMMITTEE.

14 (C) THE MEMBERS OF THE SUBCOMMITTEE OF THE SENATE APPROPRIA-
15 TIONS COMMITTEE AND THE SUBCOMMITTEE OF THE HOUSE OF REPRESENTA-
16 TIVES APPROPRIATIONS COMMITTEE THAT CONSIDER THE BUDGET OF THE
17 DEPARTMENT OF NATURAL RESOURCES.

18 (2) AS USED IN THIS SECTION, "LEGISLATIVE SESSION DAY" MEANS
19 A DAY IN WHICH A QUORUM OF EITHER THE HOUSE OF REPRESENTATIVES OR
20 SENATE, FOLLOWING A CALL TO ORDER, OFFICIALLY CONVENES IN LANSING
21 TO CONDUCT LEGISLATIVE BUSINESS.

22 Sec. 42501. (1) A person shall not engage in the business
23 of buying, selling, dealing, or the tanning and dressing of raw
24 furs, hides, or pelts of beaver, otter, fisher, marten, muskrat,
25 mink, skunk, raccoon, opossum, wolf, lynx, bobcat, fox, weasel,
26 coyote, badger, deer, or bear and the plumage, skins, or hides of
27 protected game birds ~~and~~ OR game animals until that person

1 procures a license to do so from the department. ~~Fees payable~~
2 ~~to the department for such a license are as follows:~~

3 ~~(a) For any person who engages in the business of buying and~~
4 ~~selling raw furs, hides, and pelts of fur-bearing animals and the~~
5 ~~plumage, skins, or hides of protected game birds and game ani-~~
6 ~~mals, the fee is \$10.00.~~

7 ~~(b) Each person in the business of manufacturing furs who~~
8 ~~buys raw pelts is a dealer, and the fee for each such resident~~
9 ~~citizen, or agent who buys furs, is \$10.00, and for each nonresi-~~
10 ~~dent the fee is \$50.00.~~

11 ~~(c) The fee for any person who engages in the business of~~
12 ~~custom tanning or dressing of raw furs is \$5.00, but such a~~
13 ~~license does not authorize that person to buy or sell raw furs.~~

14 THE COMMISSION SHALL SET THE FEE FOR THE LICENSE BY AN ORDER
15 ISSUED PURSUANT TO SECTION 501A. THE FEE SHALL BE SET AT AN
16 AMOUNT, CONSIDERING OTHER AVAILABLE FUNDING, THAT IS NECESSARY
17 AND SUFFICIENT TO CARRY OUT THE DEPARTMENT'S RESPONSIBILITIES
18 UNDER THIS PART. UNTIL THE COMMISSION SETS THE FEE, THE FEE
19 SHALL BE \$10.00 FOR A RESIDENT AND \$50.00 FOR A NONRESIDENT.

20 (2) ~~Any~~ A person holding a ~~fur dealer's~~ license under
21 this part ~~is entitled to~~ MAY buy furs, hides, pelts, and the
22 plumage, skins, or hides, or parts thereof, of protected game
23 birds and game animals that are legally taken.

24 (3) A person holding a ~~fur dealer's~~ license under this
25 part is not eligible to secure or hold a license to trap beaver.

26 (4) The department may designate the plumage and skin of
27 those game birds and game animals that may not be bought or sold

1 if it determines that such a prohibition will best serve the
2 public interest. The plumage and skins, or parts of plumage and
3 skins, of migratory game and nongame birds may be bought and sold
4 only in accordance with federal law or rule.

5 (5) For the purposes of this part, "plumage" means any part
6 of the feathers, head, wings, or tail of any bird.

7 Sec. 42502. The department may prepare suitable report
8 forms and blanks ~~covering the different kinds of licenses to be~~
9 ~~issued~~ FOR A LICENSE under this part. ~~All licenses~~ A LICENSE
10 issued under this part ~~are~~ IS VALID for the calendar year and
11 ~~shall expire~~ EXPIRES on December 31 of each year. ~~Licenses~~ A
12 LICENSE may be revoked at any time by the department for a viola-
13 tion of the law relating to the buying, selling, or dealing in
14 furs, hides, or pelts of fur-bearing animals and the plumage,
15 skins, or hides of protected game birds and game animals. Any
16 fraudulent practice employed in connection with the buying or
17 selling of the furs, hides, or pelts of any of the animals
18 ~~mentioned in this part~~ LISTED IN SECTION 42501 and the plumage,
19 skins, or hides of protected game birds and game animals, or the
20 failure to make a report required by this part, is sufficient
21 grounds for the revocation of a license issued under this part.
22 Any person whose license has been revoked shall not secure
23 another license except in the discretion of the department.

24 Sec. 43523. (1) Except as otherwise provided in this part,
25 a person shall not hunt small game without a current small game
26 license. Each small game license authorizes the person named in
27 the license to hunt for small game except for animals or birds

1 that require a special license. ~~The fee for a resident small~~
2 ~~game license is \$13.00. Beginning in 1999, the fee for a resi-~~
3 ~~dent small game license is \$14.00. Beginning in 2001, the fee~~
4 ~~for a resident small game license is \$15.00. If authorized in an~~
5 order issued under part 401, a resident possessing a current
6 small game license may take specified fur-bearing animals by
7 means other than trapping during the open season for hunting
8 these fur-bearing animals. ~~The fee for a resident or nonresi-~~
9 ~~dent who is 12 years of age through 16 years of age for a small~~
10 ~~game license is \$1.00. The fee for a nonresident small game~~
11 ~~license is \$60.00. Beginning in 1999, the fee for a nonresident~~
12 ~~small game license is \$65.00. Beginning in 2001, the fee for a~~
13 ~~nonresident small game license is \$69.00.~~

14 (2) A nonresident may purchase a limited nonresident small
15 game license entitling that person to hunt for a 3-day period all
16 species of small game that are available to hunt under a nonresi-
17 dent small game license. ~~The fee for a limited nonresident~~
18 ~~small game license is \$26.00. Beginning in 1999, the fee for a~~
19 ~~limited nonresident small game license is \$28.00. Beginning in~~
20 ~~2001, the fee for a limited nonresident small game license is~~
21 ~~\$30.00.~~

22 (3) A small game license is void between the hours of 1/2
23 hour after sunset and 1/2 hour before sunrise.

24 Sec. 43524. (1) A person shall not hunt wild turkey without
25 a wild turkey hunting license. ~~The fee for a resident wild~~
26 ~~turkey hunting license is \$15.00. The fee for a nonresident wild~~
27 ~~turkey hunting license is \$69.00. Subject to the requirements of~~

~~1 section 40113a, the~~ THE commission may issue an order PURSUANT
 2 TO SECTION 501A requiring that all applications for wild turkey
 3 hunting licenses, or applications for wild turkey hunting
 4 licenses for certain geographic areas, be entered into a lottery
 5 designed and run by the department. A person selected in a lot-
 6 tery, upon meeting the requirements of this part, is authorized
 7 to purchase a wild turkey hunting license. The license shall be
 8 issued for a specified hunting period and shall confer upon the
 9 holder of the license the right to hunt wild turkeys.

10 (2) The department may charge a nonrefundable application
 11 fee not to exceed \$4.00 for each application for a wild turkey
 12 hunting license that is entered into a lottery pursuant to sub-
 13 section (1).

14 (3) From ~~fees~~ EACH WILD TURKEY HUNTING LICENSE OR APPLICA-
 15 TION FEE collected, ~~under subsection (1) or (2),~~ the following
 16 ~~amounts~~ APPLICABLE AMOUNT, OR THE AMOUNT OF THE FEE, WHICHEVER
 17 IS LESS, shall be used for scientific research, biological survey
 18 work on wild turkeys, and wild turkey management in this state:

19 (a) Resident wild turkey hunting license..... \$ 9.50

20 (b) Nonresident wild turkey hunting license..... \$50.00

21 (c) Senior wild turkey hunting license..... \$ 1.00

22

23 (d) Wild turkey hunting application..... ~~amount of~~
 24 ~~application fee,~~

~~if any, but not~~

~~more than~~

\$ 3.00.

Sec. 43525. (1) A person 16 years of age or older shall not hunt waterfowl without a current waterfowl hunting license issued by this state. The annual license is in addition to the requirements for a small game license and federal migratory bird hunting stamp. ~~The fee for the waterfowl hunting license is \$5.00.~~

(2) If issued as a stamp, a waterfowl hunting license shall be affixed to the small game license of the person and signed across the face of the stamp by the person to whom it is issued.

(3) A collector may purchase a waterfowl hunting license, if it is issued as a stamp, without being required to place it on a small game license, sign across its face, or provide proof of competency under section 43520(4). However, a license described in this subsection is not valid for hunting waterfowl.

(4) A person shall not hunt waterfowl or deer if deer hunting is regulated by permit in an area designated by the department as a managed waterfowl area without an annual or daily managed waterfowl area permit and any other license or permit required by this part. ~~The fee for a daily managed waterfowl area permit is \$4.00. The fee for an annual managed waterfowl area permit is \$13.00.~~

(5) Following a lottery among applicants for hunting privileges in managed waterfowl areas, only those successful applicants who accept the hunting privileges are required to purchase a daily or annual managed waterfowl area permit.

1 (6) From the ~~fees~~ FEE collected for ~~a~~ EACH waterfowl
 2 hunting license, ~~-\$3.50 from each license sold~~ THE AMOUNT OF THE
 3 FEE OR \$3.50, WHICHEVER IS LESS, shall be used to acquire wet-
 4 lands and other lands to be managed for the benefit of
 5 waterfowl.

6 (7) ~~The following amounts from~~ FROM the fees collected for
 7 each annual or daily managed waterfowl area permit, ~~sold~~ THE
 8 AMOUNT OF THE FEE OR THE FOLLOWING AMOUNT, WHICHEVER IS LESS,
 9 shall be used to operate, maintain, and develop managed waterfowl
 10 areas in this state:

11 (a) Daily managed waterfowl area permit..... \$ 3.00.

12 (b) Annual managed waterfowl area permit.... \$10.00.

13 (8) The department shall charge a nonrefundable application
 14 fee not to exceed \$4.00 for each person who applies for a permit
 15 to hunt in a managed waterfowl area.

16 Sec. 43526. (1) A person shall not hunt deer during the
 17 firearm deer season without purchasing a firearm deer license.

18 ~~The fee for a resident firearm deer license is \$13.00.~~

19 ~~Beginning in 1999, the fee for a resident firearm deer license is~~

20 ~~\$14.00. Beginning in 2001, the fee for a resident firearm deer~~

21 ~~license is \$15.00. The fee for a nonresident firearm deer~~

22 ~~license is \$120.00. Beginning in 1999, the fee for a nonresident~~

23 ~~firearm deer license is \$129.00. Beginning in 2001, the fee for~~

24 ~~a nonresident firearm deer license is \$138.00. Where authorized~~

25 by the department, a resident or nonresident may purchase a

26 second firearm deer license in 1 season for the ~~fee assessed~~

27 ~~under this subsection~~ SAME FEE ASSESSED for the firearm deer

1 license for which that person is eligible. However, a senior
2 license discount UNDER SECTION 43535 is not available for the
3 purchase of a second firearm deer license. The department may
4 issue orders under part 401 designating the kind of deer that may
5 be taken and the geographic area in which any license issued
6 under this section is valid, when advisable in managing deer.

7 (2) The department may issue a kill tag with or as part of
8 each deer license. The kill tag shall bear the license number.
9 The kill tag may also include space for other pertinent informa-
10 tion required by the department. The kill tag, if issued, is
11 part of the license.

12 (3) The department shall charge a nonrefundable application
13 fee not to exceed \$4.00 for each person who applies for an ant-
14 lerless deer license. ~~Except as otherwise provided in~~
15 ~~section 43521, the fee for a resident antlerless deer license is~~
16 ~~\$13.00. Beginning in 1999, the fee for a resident antlerless~~
17 ~~deer license is \$14.00. Beginning in 2001, the fee for a resi-~~
18 ~~dent antlerless deer license is \$15.00. The fee for a nonresi-~~
19 ~~dent antlerless deer license is \$120.00. Beginning in 1999, the~~
20 ~~fee for a nonresident antlerless deer license is \$129.00.~~
21 ~~Beginning in 2001, the fee for a nonresident antlerless deer~~
22 ~~license is \$138.00.~~

23 Sec. 43527. (1) A person shall not hunt deer with a bow and
24 arrow or crossbow during the bow and arrow deer season without a
25 bow and arrow deer license. ~~The fee for a resident bow and~~
26 ~~arrow deer license is \$13.00. Beginning in 1999, the fee for a~~
27 ~~resident bow and arrow deer license is \$14.00. Beginning in~~

~~1 2001, the fee for a resident bow and arrow deer license is~~
~~2 \$15.00. The fee for a resident or nonresident who is 12 years of~~
~~3 age through 16 years of age for a bow and arrow deer license~~
~~4 shall be discounted 50% from the cost of the resident bow and~~
~~5 arrow deer license. The fee for a nonresident bow and arrow deer~~
~~6 license is \$120.00. Beginning in 1999, the fee for a nonresident~~
~~7 bow and arrow deer license is \$129.00. Beginning in 2001, the~~
~~8 fee for a nonresident bow and arrow deer license is \$138.00.~~

9 Where authorized by the department, a person may purchase a
10 second bow and arrow deer license in 1 season for the SAME fee
11 assessed ~~under this subsection~~ for the bow and arrow deer
12 license for which that person is eligible. However, a senior
13 license discount UNDER SECTION 43535 is not available for the
14 purchase of a second bow and arrow deer license. The department
15 may issue orders under part 401 designating the kind of deer
16 which may be taken and the geographic area in which any license
17 issued under this section is valid, when advisable in managing
18 deer.

19 (2) The department may issue a kill tag with, or as a part
20 of, each bow and arrow deer license. Section 43526(2) applies
21 with respect to a bow and arrow deer license.

22 Sec. 43528. (1) A person shall not hunt bear without a bear
23 hunting license. ~~The fee for a resident bear hunting license is~~
~~24 \$13.00. Beginning in 1999, the fee for a resident bear hunting~~
~~25 license is \$14.00. Beginning in 2001, the fee for a resident~~
~~26 bear hunting license is \$15.00. The fee for a nonresident bear~~
~~27 hunting license is \$150.00.~~

1 (2) The department may issue a tag with, or as a part of, a
2 bear hunting license. Section 43526(2) applies with respect to a
3 bear hunting license.

4 (3) In addition to the license fees, ~~in subsection (1),~~
5 the department shall charge a nonrefundable application fee not
6 to exceed \$4.00 for each person who applies for a bear hunting
7 license.

8 Sec. 43529. (1) A ~~resident~~ PERSON shall not hunt elk
9 during the elk season without an elk hunting license. ~~The fee~~
10 ~~for an elk hunting license is \$100.00.~~ A NONRESIDENT IS NOT ELI-
11 GIBLE FOR AN ELK HUNTING LICENSE. The department may establish a
12 nonrefundable application fee not to exceed \$4.00 for each person
13 who applies for an elk hunting license.

14 (2) The department may issue a kill tag with, or as a part
15 of, an elk hunting license. Section 43526(2) applies with
16 respect to an elk hunting license.

17 Sec. 43530. (1) A person shall not hunt small game on game
18 bird hunting preserves licensed under part 417 without a small
19 game license as provided in section 43523. However, instead of a
20 small game license, a person may obtain a special game bird hunt-
21 ing preserve license. ~~for a fee of \$15.00.~~

22 (2) Each game bird hunting preserve license shall have the
23 date of issue affixed to the license and shall authorize the
24 holder to hunt only on licensed game bird hunting preserves and
25 only for species for which the game bird hunting preserve is
26 licensed.

1 Sec. 43531. (1) Except as otherwise provided in section
2 43523(1), a person shall not trap or hunt fur-bearing animals
3 without purchasing and possessing a fur harvester's license.
4 ~~The fee for a resident fur harvester's license is \$13.00.~~
5 ~~Beginning in 1999, the fee for a resident fur harvester's license~~
6 ~~is \$14.00. Beginning in 2001, the fee for a resident fur~~
7 ~~harvester's license is \$15.00. The fee for a resident or nonres-~~
8 ~~ident who is 12 years of age through 16 years of age for a fur~~
9 ~~harvester's license shall be discounted 50% from the cost of the~~
10 ~~resident fur harvester's license.~~

11 (2) The department may issue a nonresident fur harvester's
12 license to a nonresident of this state if the state, province, or
13 country in which the nonresident applicant resides allows resi-
14 dents of this state to obtain equivalent hunting and trapping
15 privileges in that state, province, or country. ~~The fee for an~~
16 ~~eligible nonresident fur harvester's license is \$150.00.~~
17 Nonresident fur harvester's licenses shall not be sold or pur-
18 chased prior to November 15 of each year.

19 (3) A person who holds a fur harvester's license may hunt
20 fur-bearing animals during the season open to taking fur-bearing
21 animals with firearms and may trap fur-bearing animals during the
22 season open to trapping fur-bearing animals.

23 Sec. 43532. (1) A person 17 years of age or older shall not
24 take aquatic species, except aquatic insects, in the waters over
25 which this state has jurisdiction without a license. ~~The fee~~
26 ~~for a resident restricted fishing license is \$15.00. The fee for~~
27 ~~a nonresident restricted fishing license is \$34.00.~~

1 (2) ~~The~~ A restricted fishing license entitles the licensee
2 to take aquatic species as prescribed by law other than trout or
3 salmon.

4 (3) A person under 17 years of age may take aquatic species
5 in the waters over which this state has jurisdiction without a
6 license. However, a person under 17 years of age may obtain an
7 all-species fishing license. ~~The fee for a resident or nonresi-~~
8 ~~dent who is under 17 years of age, for an all-species fishing~~
9 ~~license is \$2.00.~~ The department shall not sell or vendor the
10 list of licensees under this subsection.

11 ~~(4) The fee for a resident all-species fishing license is~~
12 ~~\$28.00. The fee for a nonresident all-species fishing license is~~
13 ~~\$42.00.~~

14 (4) ~~(5) The~~ AN all-species fishing license entitles the
15 licensee to take all species of aquatic species as prescribed by
16 law.

17 (5) ~~(6)~~ A person to whom a valid restricted fishing
18 license has been issued may return the restricted license to the
19 department or its authorized agent and receive an all-species
20 fishing license by paying a fee equal to the difference in cost
21 between the all-species fishing license and the restricted fish-
22 ing license for which that person is eligible.

23 Sec. 43533. A resident or nonresident may purchase a
24 limited fishing license entitling that person to take all aquatic
25 species as prescribed by law DURING A DESIGNATED CONSECUTIVE
26 24-HOUR PERIOD. ~~Except as provided in this section, the fee for~~
27 ~~a limited fishing license is \$6.00 per designated consecutive~~

~~1 24-hour period. Except as provided in this section, beginning in
2 2001, the fee for a limited fishing license is \$7.00 per desig-
3 nated consecutive 24-hour period. Notwithstanding any other pro-
4 vision of this section, the fee for a limited fishing license for
5 a senior citizen is \$3.00.~~

6 SEC. 43536C. (1) BY AN ORDER ISSUED PURSUANT TO SECTION
7 501A, THE COMMISSION SHALL ESTABLISH FEES FOR LICENSES AND PER-
8 MITS UNDER THIS PART FOR WHICH FEES ARE NOT OTHERWISE SPECIFIED
9 IN THIS PART, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING
10 LICENSES AND PERMITS:

11 (A) A RESIDENT SMALL GAME LICENSE, A NONRESIDENT SMALL GAME
12 LICENSE, A SMALL GAME LICENSE FOR A RESIDENT OR NONRESIDENT WHO
13 IS 12 YEARS OF AGE THROUGH 16 YEARS OF AGE, AND A LIMITED NONRES-
14 IDENT SMALL GAME LICENSE, UNDER SECTION 43523.

15 (B) A RESIDENT WILD TURKEY HUNTING LICENSE AND A NONRESIDENT
16 WILD TURKEY HUNTING LICENSE, UNDER SECTION 43524.

17 (C) A WATERFOWL HUNTING LICENSE, A DAILY MANAGED WATERFOWL
18 AREA PERMIT, AND AN ANNUAL MANAGED WATERFOWL AREA PERMIT, UNDER
19 SECTION 43525.

20 (D) A RESIDENT FIREARM DEER LICENSE, A NONRESIDENT FIREARM
21 DEER LICENSE, A RESIDENT ANTLERLESS DEER LICENSE, AND A NONRESI-
22 DENT ANTLERLESS DEER LICENSE, UNDER SECTION 43526.

23 (E) A RESIDENT BOW AND ARROW DEER LICENSE AND A NONRESIDENT
24 BOW AND ARROW DEER LICENSE, UNDER SECTION 43527. THE FEE FOR A
25 RESIDENT OR NONRESIDENT WHO IS 12 YEARS OF AGE THROUGH 16 YEARS
26 OF AGE FOR A BOW AND ARROW DEER LICENSE SHALL BE 50% OF THE FEE
27 FOR A RESIDENT BOW AND ARROW DEER LICENSE.

1 (F) A RESIDENT BEAR HUNTING LICENSE AND A NONRESIDENT BEAR
2 HUNTING LICENSE, UNDER SECTION 43528.

3 (G) AN ELK HUNTING LICENSE UNDER SECTION 43529.

4 (H) A SPECIAL GAME BIRD HUNTING PRESERVE LICENSE UNDER
5 SECTION 43530.

6 (I) A RESIDENT FUR HARVESTER'S LICENSE AND A NONRESIDENT FUR
7 HARVESTER'S LICENSE, UNDER SECTION 43531. THE FEE FOR A RESIDENT
8 OR NONRESIDENT WHO IS 12 YEARS OF AGE THROUGH 16 YEARS OF AGE FOR
9 A FUR HARVESTER'S LICENSE SHALL BE 50% OF THE FEE FOR A RESIDENT
10 FUR HARVESTER'S LICENSE.

11 (J) A RESIDENT RESTRICTED FISHING LICENSE, A NONRESIDENT
12 RESTRICTED FISHING LICENSE, AN ALL-SPECIES FISHING LICENSE FOR A
13 RESIDENT OR NONRESIDENT WHO IS UNDER 17 YEARS OF AGE, A RESIDENT
14 ALL-SPECIES FISHING LICENSE, AND A NONRESIDENT ALL-SPECIES FISH-
15 ING LICENSE, UNDER SECTION 43532.

16 (K) A LIMITED FISHING LICENSE AND A LIMITED FISHING LICENSE
17 FOR A SENIOR CITIZEN, UNDER SECTION 43533.

18 (2) THE FEES DESCRIBED IN SUBSECTION (1) SHALL BE SET AT
19 AMOUNTS, CONSIDERING OTHER AVAILABLE FUNDING, THAT ARE NECESSARY
20 AND SUFFICIENT TO CARRY OUT THE DEPARTMENT'S RESPONSIBILITIES
21 UNDER THIS PART.

22 (3) A FEE FOR A PERMIT OR LICENSE DESCRIBED IN
23 SUBSECTION (1) THAT WAS IN EFFECT IMMEDIATELY BEFORE THE EFFEC-
24 TIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION SHALL
25 REMAIN IN EFFECT UNTIL THE FEE IS SET BY THE COMMISSION.

26 Sec. 47328. A person shall not use any kind of a boat, tug,
27 or launch, except when used in hook and line fishing, or any kind

1 of net or nets, set hook lines, or commercial trolling rigs for
2 the purpose of taking, catching, killing, or transporting fish in
3 any of the waters bordering on this state, regardless of whether
4 for commercial purposes or for personal use, without first having
5 applied for and been issued a license for that activity, in
6 accordance with this part. A license, except as otherwise pro-
7 vided by law, is not required of persons engaged in sport troll-
8 ing in these waters. ~~-, except that the owners of boats operated~~
9 ~~with either an inboard or outboard motor and offered for hire in~~
10 ~~sport trolling for lake trout shall obtain a license for each~~
11 ~~boat. A license, except~~ EXCEPT as otherwise provided by law, A
12 LICENSE is not required of persons engaged in taking fish with
13 set lines in lake St. Clair as provided in section 47302.

14 Sec. 47330. (1) ~~The department, when application is made~~
15 ~~by any person in accordance with~~ IF A PERSON APPLIES FOR A
16 LICENSE UNDER THIS PART PURSUANT TO section 47329, THE DEPARTMENT
17 shall issue the license ~~provided for in this part~~ upon payment
18 by the applicant, if a resident of this state, of the following
19 fees:

20 (a) For fishing with set hook lines or nets, with or without
21 a boat not exceeding 16 feet in overall length, ~~or a boat used~~
22 ~~in sport trolling for lake trout for hire,~~ \$16.00 per year. Any
23 person using more than a single crew consisting of not more than
24 4 people in fishing nets or hooks under the ice shall secure a
25 license for each crew member. The department, upon proper appli-
26 cation, shall issue with each license to fish nets or set hook
27 lines under the ice 4 identification cards bearing the number of

1 the license and the year for which issued. Each member of a
2 single crew engaged in the setting, lifting, or pulling of nets,
3 set hook lines, or other devices, set under the ice under author-
4 ity of the license, shall carry the card on his or her person at
5 all times while so engaged and upon demand of any conservation
6 officer shall exhibit the card. Minnow seines and dip nets are
7 exempt from this section.

8 (b) For each rowboat, sailboat, powerboat, motorboat, steam-
9 boat, or scow used in catching, killing, taking, or transporting
10 fish caught with nets, set hook lines, or trolling rigs, \$3.00
11 per foot overall length, and \$1.00 per ton additional for each
12 ton over 10 gross tons. A license is not required for a scow
13 used only in transporting nets. Each license for a boat pro-
14 pelled by sail, steam, gas, or other mechanical power entitles
15 the licensee to operate a rowboat not exceeding 16 feet in over-
16 all length. Each rowboat shall bear the same identification as
17 the boat for which the license is issued and shall be used only
18 while attending the boat. A resident ~~person~~ shall not pay less
19 than \$50.00 or more than \$200.00 on any 1 boat in any 1 license
20 year.

21 (2) For a nonresident of this state, the fee shall be 5
22 times the fee required of a resident in accordance with the
23 schedule prescribed in this section. A license under ~~section~~
24 ~~47329~~ THIS PART shall not be issued to a nonresident for fishing
25 in Lake Erie and Lake Huron except at the discretion of the
26 department.

1 (3) For the purpose of this part, ~~a nonresident is any~~

2 "NONRESIDENT" MEANS ANY OF THE FOLLOWING:

3 (A) A person who has not actually resided in this state for
4 3 years immediately prior to the date of application for a
5 license. ~~, any~~

6 (B) A person applying for a license for use of nets or a
7 boat registered or of record at a port outside of the state. ~~,~~
8 ~~or any~~

9 (C) ANY firm, company, copartnership, partnership, associa-
10 tion, or corporation ~~in which~~ any of ~~their~~ THE stock, boats,
11 nets, and fishing equipment ~~has been owned by nonresident~~
12 ~~persons~~ OF WHICH WAS OWNED, at any time during the 3 years imme-
13 diately prior to the date of application for a license, BY A
14 PERSON WHO AT THE TIME WAS NOT A RESIDENT OF THIS STATE.

15 Enacting section 1. Section 43522a of the natural resources
16 and environmental protection act, 1994 PA 451, MCL 324.43522a, is
17 repealed.

18 Enacting section 2. This amendatory act does not take
19 effect unless all of the following bills of the 91st Legislature
20 are enacted into law:

21 (a) Senate Bill No. 1521. _____

22

23 (b) Senate Bill No. _____ or House Bill No. _____
24 (request no. 07918'02 *).

25 (c) Senate Bill No. _____ or House Bill No. _____
26 (request no. 07919'02 *).