

# HOUSE BILL No. 6202

September 9, 2004, Introduced by Rep. Hummel and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 40103 and 43505 (MCL 324.40103 and  
324.43505), section 40103 as amended by 2000 PA 191 and section  
43505 as amended by 1996 PA 585.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 40103. (1) "Game" means any of the following animals  
2 but does not include privately owned cervidae species located on  
3 a registered cervidae livestock facility as that term is defined  
4 in **section 2 of** the privately owned cervidae producers marketing  
5 act, **2000 PA 190, MCL 287.952:**

- 6       (a) Badger.  
7       (b) Bear.  
8       (c) Beaver.  
9       (d) Bobcat.

- 1 (e) Brant.
- 2 (f) Coot.
- 3 (g) Coyote.
- 4 (h) Crow.
- 5 (i) Deer.
- 6 (j) Duck.
- 7 (k) Elk.
- 8 (l) Fisher.
- 9 (m) Florida gallinule.
- 10 (n) Fox.
- 11 (o) Geese.
- 12 (p) Hare.
- 13 (q) Hungarian partridge.
- 14 (r) Marten.
- 15 (s) Mink.
- 16 (t) Moose.
- 17 (u) Muskrat.
- 18 (v) Opossum.
- 19 (w) Otter.
- 20 (x) Pheasant.
- 21 (y) Quail.
- 22 (z) Rabbit.
- 23 (aa) Raccoon.
- 24 (bb) Ruffed grouse.
- 25 (cc) Sharptailed grouse.
- 26 (dd) Skunk.
- 27 (ee) Snipe.

1 (ff) Sora rail.

2 (gg) Squirrel.

3 (hh) Weasel.

4 (ii) Wild turkey.

5 (jj) Woodchuck.

6 (kk) Woodcock.

7 (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) **"Muzzle-loading", for the purposes of this part and rules**  
13 **promulgated or orders issued under this part, used in reference**  
14 **to a firearm, means that the firearm is designed to use black**  
15 **powder or a black powder substitute and cannot use fixed**  
16 **ammunition, whether or not the firearm is loaded at the muzzle.**

17 (5) ~~-(4)-~~ "Normal agricultural practices" means generally  
18 accepted agricultural and management practices as defined by the  
19 commission of agriculture.

20 (6) ~~-(5)-~~ "Open season" means the dates during which game may  
21 be legally taken.

22 (7) ~~-(6)-~~ "Parts" means any or all portions of an animal,  
23 including the skin, plumage, hide, fur, entire body, or egg of an  
24 animal.

25 (8) ~~-(7)-~~ "Protected" or "protected animal" means an animal  
26 or kind of animal that is designated by the department as an  
27 animal that shall not be taken.

1       (9) ~~—(8)—~~ "Residence" means a permanent building serving as a  
2 temporary or permanent home. Residence may include a cottage,  
3 cabin, or mobile home, but does not include a structure designed  
4 primarily for taking game, a tree blind, a tent, a recreational  
5 or other vehicle, or a camper.

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

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

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

18       (4) "Minor child" means a person less than 17 years of age.

19       (5) **"Muzzle-loading", for the purposes of this part and rules**  
20 **promulgated or orders issued under this part, used in reference**  
21 **to a firearm, means that the firearm is designed to use black**  
22 **powder or a black powder substitute and cannot use fixed**  
23 **ammunition, whether or not the firearm is loaded at the muzzle.**

24       (6) ~~—(5)—~~ "Nonresident" means a person who is not a resident  
25 **and** who is 17 years of age or older.