



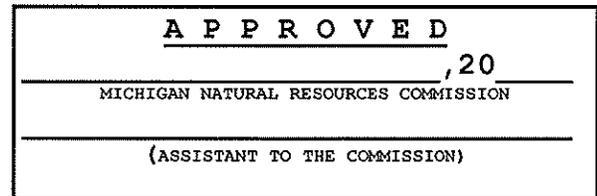
RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

SUBMITTED: December 16, 2013  
RESUBMITTED: January 13, 2014



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: License Updates to Align with 2013 PA 108  
Wildlife Conservation Order Amendment No. 2 of 2014

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

In September, the Governor signed Public Act 108 of 2013, which authorized a new structure for hunting and fishing licenses. The revised structure will improve hunting and fishing opportunities through better habitat and support the work of conservation officers to ensure safe, legal hunting practices are followed. The Department licensing system will also be upgraded to enhance and simplify the license purchase process.

Effective March 1, 2014, hunting and trapping license prices and types will change. In order to address the new structure, the Department must make technical changes to the Wildlife Conservation Order through amendments to over 30 sections. With the new license restructuring, hunters and trappers will have greater access to world-class recreational opportunities, improved wildlife habitat, increased education and outreach, and much more.

*Base License*

The newly created base license will provide critical funding for habitat and conservation work on both public and private land. In order to purchase any other hunting license, an individual must first purchase a base license. The base license includes the opportunity to hunt small game and is not required to purchase a fishing license.

Multiple sections of the order need to be updated to eliminate references to the small game license and to ensure that species sections, where appropriate, reflect the need to purchase a base license prior to purchasing a hunting or trapping license.

The mentored youth license program will include base license privileges. Because hunters must now hold a base license to legally purchase a license and hunt any species, the Pure Michigan Hunt winners should now also receive a base license.

### *Deer Licenses*

The firearm deer license and bow and arrow deer license no longer exist under the new structure. All references to these licenses have been eliminated. Deer licenses will now include:

- Antlerless Deer License
- Deer License
- Deer Combination Regular
- Deer Combination Restricted

Hunters who have purchased a base license may choose to purchase a single deer license or a two-license deer combination package including a regular and restricted tag. The new Hunt/Fish combination will become available March 1 and will include a base license, all-species fishing license, and both a regular and restricted deer license. This order has not been developed to alter regulations apart from appropriately referencing the new license structure. All antler point restrictions that currently exist have therefore been applied to the new license structure.

### *Application Fees*

Under 2013 PA 108, all application fees were increased from \$4.00 to \$5.00.

### *Nonresident Furbearer*

Under the new structure, a nonresident fur harvester's license is not valid for the hunting or trapping of fur-bearing species which have a bag limit. Nonresidents will not be able to trap badger, otter, bobcat, fisher, and marten. In addition, the free kill tags for otter, bobcat, fisher, and marten will now only be available to residents. The fur harvester will still need to be at least eight years old to obtain the free kill tags, but this provision is now clarified under the mentored youth license program in order to align with the new base license statutory requirement.

### *Managed Waterfowl Areas*

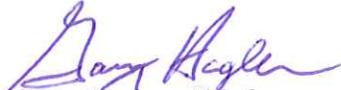
The annual and daily managed waterfowl area permits are no longer available to purchase due to the new structure. However, the managed waterfowl areas will continue to be posted and restricted as hunting by permit only. Hunters will need to obtain a free permit on-site before hunting the area.

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Wildlife Conservation Order Amendment No. 2 of 2014  
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Recommendation:

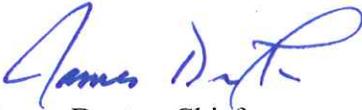
This order was submitted for information on January 9, 2014, at the Natural Resources Commission Meeting. This item appeared on the Department's December 2013 calendar and may be eligible for approval on February 13, 2014. Due to the statutory effective date noted in 2013 PA 108, this order is recommended to go into effect on March 1, 2014.

  
Russ Mason, Ph.D., Chief  
Wildlife Division

  
Gary Hagler, Chief  
Law Enforcement Division

  
Bill O'Neill, Chief  
Forest Resources Division

  
Ronald A. Olson, Chief  
Parks and Recreation Division

  
James Dexter, Chief  
Fisheries Division

  
William E. Moritz, Ph.D.  
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

\_\_\_\_\_  
Keith Creagh, Director

\_\_\_\_\_  
Date

# WILDLIFE CONSERVATION ORDER

## Amendment No. 2 of 2014

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective March 1, 2014, the following section(s) of the Wildlife Conservation Order shall read as follows:

### **2.12 Pure Michigan hunt; eligibility requirements, definition, open area, exceptions.**

Sec. 2.12 (1) A pure Michigan hunt applicant must meet the age requirement and all other eligibility requirements established in statute to purchase a regular (not apprentice) hunting license to hunt bear, deer, or elk with a firearm.

(2) Notwithstanding any other provisions of this order, and subject to the requirements of applicable statutes, a pure Michigan hunt license shall include the opportunity to purchase:

- (a) One any-elk license (Michigan resident only).
- (b) One bear license (not valid for Drummond island bmu).
- (c) One spring turkey license.
- (d) One fall turkey license.
- (e) One antlerless deer license.
- (f) One base license.

(3) Successful applicants shall be determined by a drawing. Pure Michigan hunt drawing success does not affect or involve any preference points or ineligibility periods related to other hunting licenses or lifetime licenses.

(4) Three pure Michigan packages shall be awarded each year allowing the successful applicant to purchase the above licenses for the prices established by the department pursuant to law.

(5) The nonrefundable application fee for a pure Michigan hunt license is \$5.00.

(6) Pure Michigan hunt applicants may purchase multiple pure Michigan hunt applications.

(7) Licenses purchased by a successful pure Michigan hunt applicant shall be valid for the following:

- (a) Pure Michigan hunt unit defined in section 12.999 for each game species.
- (b) During any open season for that species, with the appropriate hunting devices authorized by this order.
- (c) On any lands open to hunting for those licenses in section 2.12(2) with permission of the private landowner, if applicable.
- (d) The party hunt leader with the first selection at any managed waterfowl area during the reserved hunt period.

(8) A pure Michigan hunt applicant must meet all the requirements to participate in any season covered by the pure Michigan hunt license.

(9) Successful pure Michigan hunt applicants are not prohibited from:

- (a) Applying for a limited draw license authorized by any other provision of this order.
- (b) Purchasing a license authorized by other provisions of this order.
- (c) Utilizing a kill tag authorized by other provisions of this order.
- (d) Retention of any preference points or chances accumulated by other provisions of this order.
- (10) Nonresidents are not eligible to purchase a Michigan elk hunting license.
- (11) Pure Michigan hunt licenses are not transferable.

**2.14 Mentored youth hunting program; definition, eligibility; requirements.**

Sec. 2.14 (1) The mentored youth hunting program is established in accordance with MCL 324.43517.

(2) As used in this section, "hunting device" means a firearm, crossbow, or bow and arrow that may be lawfully used and possessed during the open season for the game species being hunted.

(3) A person may be eligible to participate as a mentor in the mentored youth hunting program only if all of the following apply:

(a) A mentor shall be at least 21 years of age.

(b) A mentor shall possess a valid license to hunt, other than an apprentice license.

(c) A mentor shall demonstrate proof of previous hunting experience in the form of a previous hunting license, other than an apprentice license, or a certificate of completion for hunter safety training issued to that individual by this state, another state, a province of Canada, or another country.

(d) A mentor shall ensure that any hunting device possessed by a mentored youth is sized appropriately to fit the physical abilities of the mentored youth.

(e) The mentor shall maintain no more than arm's length distance from a mentored youth at all times that the mentored youth is in possession of a hunting device.

(4) A person less than 10 years old may lawfully possess a mentored youth hunting license and may hunt with a mentor only if all of the following apply:

(a) The mentored youth shall demonstrate, at the request of any law enforcement officer, the operation of their hunting device's safety features, as applicable.

(5) No more than a total of two hunting devices may be possessed by a mentor and those mentored youth that they are responsible for while hunting.

(6) A deer kill tag issued under the mentored youth hunting license shall be valid for any deer in any deer management unit. Mentored youths shall not hunt deer with a firearm on public land until such time as the legislature allows youths 10 to 13 years old to hunt deer with a firearm on public land.

(7) The one spring season and one fall season turkey kill tag issued under the mentored youth hunting license shall be valid on public or private land in any open turkey hunting unit.

(8) Nonresident youth shall only take furbearers without a bag limit. Resident youth may take all species except resident youth must be at least eight years old to obtain the free kill tags for fisher, otter, marten, and bobcat.

(9) A mentor who causes or allows a mentored youth to engage in an unlawful act as defined in Part 435 or Part 401 of 1994 PA 451, or an order or interim order issued under these parts shall be punishable as the principal offender. Nothing in this order shall negate or diminish the responsibility of the parent or legal guardian as provided in MCL 324.43517.

**3.5 Elk licenses, procedures; voiding of selection; transfer of drawing success; unlawful acts.**

Sec. 3.5 (1) Within 2 weeks upon notification by mail of selection in the drawing, the successful applicant shall purchase an elk license at any license agent within the state or shall transfer their success in the drawing to a qualified minor hunter or a hunter of any age with an advanced illness. Failure to comply with the purchase or transfer requirements of this subsection shall result in the voiding of the applicant's selection and selection of another individual to receive an elk license.

(2) It shall be unlawful for an individual to purchase an elk license unless the individual holds a current resident base license and is not licensed under the mentored youth program.

(3) It shall be unlawful for an individual who transfers their success in the elk lottery to a minor hunter or a hunter with an advanced illness to assist the minor hunter or hunter with an advanced illness in any manner in taking elk for a fee or other consideration or service of value, either directly or indirectly.

(4) It shall be unlawful for an individual to buy or sell success in the elk license lottery, or an adult to acquire a license after being unsuccessful in the lottery, unless the individual has received from a physician a written statement of advanced illness which shall be produced upon the request of a peace officer.

**3.100 Take of deer; prohibited firearms, legal weapons, "bait" and "baiting" defined, conditions for baiting established in certain area(s); unlawful acts.**

Sec. 3.100 (1) "Take" means the same as defined in section 40104, 1994 PA 451, MCL 324.40104.

(2) An individual must possess while hunting deer the unused kill tag issued with the deer license, pursuant to section 3.103, and provide it to a conservation officer upon request.

(3) Unless otherwise specified in this order, an individual shall not do any of the following:

(a) Take a deer without possessing a valid license with kill tag.

(b) Take a deer other than during the open seasons established in this order.

(c) Take a deer outside of lawful hunting hours.

(d) Take a deer by any method other than by firearm, bow and arrow, or crossbow.

(e) Take a deer with a rimfire firearm .22 caliber or smaller.

(f) Take a deer during any firearm deer season in the "shotgun, handgun, black-powder firearms only area," with a firearm other than a shotgun with a smooth or rifled barrel, a .35 caliber or larger pistol capable of holding no more than nine shells at one time in the barrel and magazine combined and loaded with straight-walled cartridges, or a muzzle-loading rifle or black-powder pistol loaded with black-powder or a commercially manufactured black-powder substitute.

(g) Take a deer, or have in possession while hunting deer, a semiautomatic shotgun or rifle, capable of holding more than six shells in the magazine and barrel combined, or use a cartridge containing a tracer or explosive bullet, or a firearm capable of firing more than one shot with a single pull or activation of the trigger.

(h) Possess or use an apparatus known as a silencer on a gun while hunting deer.

(i) Take a deer using an arrow, bolt, or quarrel with a broadhead hunting type of point less than 7/8 of an inch wide and/or a length less than 14 inches.

(j) Take a deer with a crossbow or a modified bow in zone 1 from December 1 to March 31 unless issued a disability crossbow permit by the department.

(k) Take a deer while the deer is swimming in a pond, lake, stream, or other body of water.

(l) Make use of a dog in hunting a deer, except as noted in section 2.1a of this order.

(m) Use aircraft to aid in the taking of a deer.

(n) Set afire or assist in setting afire any land for the purpose of driving out a deer, or take or attempt to take a deer so driven out of any land.

(o) Purchase a deer license unless the individual holds a current base license.

(4) For the purposes of this section and sections 3.100a, and 3.205, "bait" means a substance composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured, which may lure, entice or attract deer. "Bait" does not include the establishment and maintenance of plantings for wildlife, foods found scattered solely as the result of normal agricultural planting or harvesting practices, foods available to deer through normal agricultural practices of livestock feeding if the area is occupied by livestock actively consuming the feed on a daily basis, or standing farm crops under normal agricultural practices. For the purposes of this section, "baiting" means to place, deposit, tend, distribute, or scatter bait to aid in the taking of a deer.

(5) It shall be unlawful for a person to make use of bait to aid in the taking of a deer within Alcona, Alpena, Montmorency, and Oscoda counties.

(6) In remaining portions of Michigan not described in subsection (5), a person may engage in baiting only if all of the following conditions apply:

(a) The baiting occurs only from October 1 to January 1.

(b) The bait material may be of any food type.

(c) The bait is scattered directly on the ground by any means, including mechanical spin-cast feeders, provided that the spin-cast feeder does not distribute on the ground more than the maximum volume allowed as described in subdivision (d) of this subsection. "Scattered" means that the bait is dispersed or thrown over a minimum of a 10-foot by 10-foot or equivalent area so that individual pieces of bait are separated and not placed in piles. The purpose of scattering is to mimic natural feeding conditions.

(d) The volume of bait used at any 1 point in time shall not exceed 2 gallons at any 1 hunting site.

(e) Subsection (6) shall be rescinded on June 9, 2014.

(f) Subsection (6) is subject to Section 3.100a (2) of this order.

(7) It shall be unlawful for a person to make use of bait to aid in the taking of a deer if the bait and baiting does not meet all of the conditions specified in subsection (6) unless specifically authorized

### **3.101 Deer hunting open seasons; type of deer that may be taken; carrying of firearms; season limit.**

Sec. 3.101. (1) The open firearm deer season shall be from November 15 to November 30.

(2) The open muzzle-loading and black-powder firearms deer season in zone 1 shall be a total of 10 days from the first Friday in December to nine days thereafter. The open muzzle-loading and black-powder firearms deer season in zone 2 shall be a total of 10 days from the second Friday in December to nine days thereafter. The open muzzle-loading and black-powder firearms deer season in zone 3 shall be a total of 17 days from the first Friday in December to 16 days thereafter.

(3) Subject to section 43510(2) and (3), 1994 PA 451 MCL 324.43510, an individual hunting deer with a muzzleloading firearm during the muzzle-loading and black-powder firearms season shall only possess or carry afield, or take a deer with a muzzle-loading rifle, muzzle-loading shotgun, or black-powder pistol, loaded with black-powder or a commercially manufactured black-powder substitute, or a crossbow.

(4) The open bow and arrow season shall be from October 1 through November 14 and from December 1 through January 1.

(5) Subject to section 43510(2) and (3), 1994 PA 451 MCL 324.43510, during the open bow and arrow season, an individual hunting deer with a bow and arrow or a crossbow shall not possess or carry afield a pistol, revolver, or any other firearm unless the individual is properly licensed to hunt deer with a firearm and is hunting in an area open to firearm deer hunting.

(6) The late antlerless firearm deer season shall be from the first Monday following the third Saturday in December through January 1 upon privately owned lands within Alcona, Allegan, Antrim, Alpena, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Livingston, Macomb, Mecosta, Midland, Monroe, Montcalm, Montmorency, Muskegon, Oakland, Oceana, Oscoda, Ottawa, Presque Isle, St. Clair, St. Joseph, Saginaw, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, and Wayne counties, and upon privately-owned lands within that portion of Newaygo county south of M-20, that portion of Charlevoix county within deer management unit 015, that portion of Arenac county within zone 3, and that portion of Arenac county east of M-65 within zone 2. Only an individual possessing a valid antlerless deer license issued for the deer management unit in which they are hunting may take a deer during this season.

(7) The deer management assistance firearm hunt period shall be from the first Monday following the third Saturday in December through January 1 upon lands owned by federal, state, county, or local units of government, non-profit organizations, and other urban or suburban properties in zone 3. Only those areas with a wildlife division approved deer population management plan will be considered for issuance of these special deer management assistance permits. Only an individual possessing a valid deer management assistance permit issued for this hunt period may take a deer with a firearm or a crossbow during this season.

(8) The season limit shall be 1 deer per deer license.

(9) Except as provided by sections 3.101a, 3.101c and 3.101d, the kind of deer which may be taken during the respective open seasons for each combination of season and deer license, except antlerless deer license, shall be as shown in table 2:

**TABLE 2**  
**License, Season, Deer to be Taken**

| Type of license   | Season in which used   | Kind of deer that may be taken  |
|---|--|---|
| Deer license, deer combination regular license, mentored youth deer license | Bow and arrow only seasons   | Antlerless or antlered deer.<br>Antler point restrictions apply for individuals not hunting with a mentored youth license                               |
| Deer license, deer combination regular license, mentored youth deer license | Firearm deer season, muzzleloading and black-powder firearms only season   | Antlered deer or antlerless deer in deer management unit 487. Antler point restrictions apply for individuals not hunting with a mentored youth license |
|   | Liberty hunt and independence hunt   | Antlerless or antlered deer.  |
| Deer combination restricted license   | Bow and arrow only seasons   | Antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length   |
|   | Firearm deer season or muzzleloading and black-powder firearms only season | A deer which has at least 1 antler with 4 or more antler points 1 or more inches in length, or antlerless deer in deer management unit 487              |
|   | Liberty hunt and independence hunt   | Antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length   |

(11) The early antlerless firearm deer season shall be a 2-day hunt starting the Saturday following September 15 upon privately owned lands within Alcona, Alpena, Antrim, Iosco, Montmorency, Oceana, Oscoda, and Presque Isle counties and upon privately owned lands within zone 3, and upon privately owned lands within those portions of Bay, Isabella, Mecosta, Midland, and Muskegon counties within zone 2, and upon privately owned lands within that portion of Arenac county east of M-65 within zone 2 and that portion of Charlevoix county within deer management unit 015. Only an individual possessing a valid private land antlerless deer license issued for the deer management unit in which they are hunting or a mentored youth hunting license may take a deer during this season.

**3.101a Deer hunting in zone 1 season limit and, antler restriction.**

Sec. 3.101a (1) Notwithstanding any other provisions of this order, except section 3.101e, an individual possessing a deer combination regular license shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length in zone 1.

**3.101b Deer hunting in deer management unit 487, antler restriction.**

Sec. 3.101b (1) Notwithstanding any other provisions of this order, except section 3.101e, an individual possessing a deer combination regular license shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length in dmua 487.

**3.101c Deer hunting in deer management unit 117 and 135 antler restriction.**

Sec. 3.101c (1) Notwithstanding any other provisions of this order, in deer management unit 117 an individual shall not take an antlered deer unless the deer has at least 1 antler with 2 or more antler points each 1 or more inches in length.

**3.101d Deer hunting in deer management units 045, 115, and 122 antler restriction.**

Sec. 3.101d Notwithstanding any other provisions of this order, in deer management units 045, 115, and 122, an individual shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length.

**3.101e Liberty hunt, season established, limits defined, adult requirements, hunting hours.**

Sec. 3.101e (1) The liberty hunt shall be a 2-day hunt starting the Saturday following September 15.

(2) Individuals wishing to participate in the liberty hunt shall be eligible if one of the following applies:

(a) A youth 16 years of age or less may participate in the liberty hunt. Hunters under the age of 10 must be licensed through the mentored youth hunting program and accompanied by a qualified mentor. Youth less than 14 years of age may hunt with archery and crossbow on public or private land or with a firearm on private land only.

(b) A veteran with 100 percent disability as defined by the United States department of veterans affairs may participate in the liberty hunt. Documentation from the United States department of veterans affairs indicating 100 percent disability shall be in the possession of a veteran participating in this hunt.

(c) A resident rated by the United States department of veterans affairs as individually unemployable may participate in the liberty hunt. Documentation from the United States department of veterans affairs indicating this rating shall be in the possession of a veteran participating in this hunt.

(d) An individual is in possession of a permit issued by the department to hunt from a standing vehicle.

(e) An individual is in possession of a permit issued by the department to hunt using a laser sighting device.

(f) An individual is blind as defined by section 1 of 260 PA 1978, MCL 393.351.

(3) The following rules shall apply to an individual taking deer on the liberty hunt:

(a) A parent or legal guardian shall not allow a youth hunter to go afield to hunt deer unless the youth hunter is accompanied by an adult subject to section 43517 of 1994 PA 451, as amended, MCL 324.43517. Subject to section 43510(2) and (3) of 1994 PA 451, as amended, MCL 324.43510 and section 43517 of 1994 PA 451, as amended, MCL 324.43517, an adult accompanying a youth firearm deer hunter shall not possess or carry a firearm, crossbow,

or bow and arrow, except as a qualified mentored youth hunting program mentor or a veteran with 100 percent disability may possess a firearm, crossbow, or bow and arrow if hunting under the authority of section 3.101e(2b).

(b) The hunting hours shall be one-half hour before sunrise to one-half hour after sunset, local time.

(c) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of deer during a firearm deer season shall apply to an individual participating in the liberty hunt.

(4) During the liberty hunt a hunter may take one deer provided they possess a deer license, deer combination license, an antlerless deer license valid for the unit in which they are hunting, or a deer license issued under the mentored youth license. Notwithstanding any other provisions of this order, licenses are valid for either an antlered or an antlerless deer during the liberty hunt, except that an antlerless deer license is valid only for an antlerless deer.

**3.101g Independence hunt, season established, eligibility requirements, limits defined.**

(1) The independence hunt shall be a total of 4 days starting the Thursday prior to the third Saturday in October and for 3 days thereafter upon privately owned land, or public land requiring an access permit and open to the independence hunt by lottery.

(2) An individuals wishing to participate in the independence hunt shall be eligible if one of the following applies:

(a) An individual is in possession of a permit issued by the department to hunt from a standing vehicle.

(b) A veteran with 100 percent disability as defined by the United States department of veterans affairs. Documentation from the United States department of veterans affairs indicating 100 percent disability shall be in the possession of a veteran participating in this hunt.

(c) A resident rated by the United States department of veterans affairs as individually unemployable. Documentation from the United States department of veterans affairs indicating this rating shall be in the possession of a veteran participating in this hunt.

(d) An individual is blind, as defined by section 1 of 1978 PA 260, MCL 393.351.

(e) An individual is in possession of a permit issued by the department to hunt using a laser sighting device.

(3) An eligible individuals wishing to participate in the independence hunt on public land must apply for a permit through a lottery system in accordance with instructions provided by the land manager.

(4) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of deer during a firearm deer season shall apply to an individual participating in this hunt.

(5) During the independence hunt, a qualifying hunter may take one deer provided they possess a deer license, deer combination license, or an antlerless deer license valid for the unit in which they are hunting. Notwithstanding any other provisions of this order, during the independence hunt, a deer license or deer combination license is valid for either an antlered or an antlerless deer.

**3.101i Deer hunting in the northwest Lower Peninsula, antler restriction.**

Sec. 3.101i (1) Notwithstanding any other provisions of this order, except section 3.101e, in deer management units 005, 010, 015, 024, 028, 040, 043, 051, 053, 057, 067, and 083, an individual shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length.

**3.102 Antlerless deer license; validity; authority; types; restrictions; units.**

Sec. 3.102. (1) Antlerless deer licenses are only valid in their specified deer management unit when the unit has a season open to the taking of deer. Antlerless deer licenses do not grant permission to hunt on private property without the permission of the owner.

(2) It shall be unlawful for an individual to purchase an antlerless deer license unless the individual holds a current base license.

(3) Antlerless deer licenses shall only be valid for taking an antlerless deer.

(4) Except as otherwise provided in this subsection, the holder of a valid public land antlerless deer license shall only take a deer from publicly owned lands within the deer management unit specified on the antlerless deer license. Public land antlerless deer licenses shall not be valid on any privately owned lands except lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

(5) The holder of a valid private land antlerless deer license shall only take a deer from privately owned lands within the deer management unit specified on the private land antlerless deer license. The private land antlerless deer license shall not be valid on publicly owned lands and lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

(6) The deer management units, as defined in chapter XII, listed in section 3.105a are open to the taking of antlerless deer by public land antlerless deer license or private land antlerless deer license, or any combination.

(7) The director, in consultation with and concurrence of the chair or vice chair of the natural resources commission, may require an application to obtain an antlerless deer license or may issue antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units.

(8) The director in consultation with and concurrence of the chair or vice chair of the natural resources commission may issue antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units when the director determines that antlerless deer licenses remain unsold after the drawing, provided for in section 3.104, has been held or where such issuance is in the best interest of deer management. An application for the current year is not required to purchase an antlerless deer license that remains after the drawing, provided for in section 3.104, has been held.

(9) Requirements; restrictions for young hunters:

(a) A hunter under the age of 10 must be licensed through the mentored youth hunting program and accompanied by a qualified mentor. A deer kill tag issued under the mentored youth hunting license shall be valid for any deer in any deer management unit, except during antlerless-only seasons.

(b) A hunter 10 to 16 years of age on or before the 4th Saturday in September may purchase 1 private or public land antlerless deer license, over the counter, on a first-come, first-served basis, during the application period for antlerless licenses for any deer management unit with antlerless licenses available.

(10) For deer management units 452 and 487, an individual shall not purchase more than 5 antlerless deer licenses per calendar day until the quota has been met. For all other deer management units an individual shall not purchase more than 2 antlerless deer licenses per calendar day until the quota has been met.

(11) For deer management units 452 and 487, an individual may purchase up to a season limit of 10 private land antlerless deer licenses until the quota has been met. For all other deer management units an individual may purchase up to a season limit of 5 private land antlerless deer licenses until the quota has been met.

### **3.108 North Manitou Island deer management unit, deer hunting regulations.**

Sec. 3.108 (1) A special permit along with a current deer license for the appropriate season shall be required to hunt deer during any open season within the North Manitou Island deer management unit. Permits to hunt on North Manitou Island shall be applied for by contacting the park superintendent, Sleeping Bear Dunes National Lakeshore. A valid deer license is required in order to apply. In issuing these free permits, the park superintendent shall serve as the agent of the department to implement the deer hunt on North Manitou Island.

(2) An individual shall not sell, lend, or allow another person to use their North Manitou Island special permit, nor shall an individual use or attempt to use another person's North Manitou Island special permit.

(3) The park superintendent or his agents shall affix a validation tag to each legally taken deer at the time the hunter leaves North Manitou Island with the deer.

### **3.109 North Manitou Island deer management unit, season limit, exemption.**

Sec. 3.109 An individual shall not be limited on the number of deer taken from the North Manitou island deer management unit. Deer taken from the North Manitou island deer management unit shall not be included in the season limit as defined in section 3.101(8) of this order. Deer taken on North Manitou island shall not be tagged using a deer license.

### **3.205 Bear; unlawful acts.**

Sec. 3.205 (1) It shall be unlawful for an individual to purchase a bear license unless the individual holds a current base license and is not licensed under the mentored youth program.

(2) In zones 2 and 3 it shall be unlawful to take a bear without the aid of dogs on the seventh and eighth day after the first Friday following September 15.

(3) It shall be unlawful to establish or tend a bait station that attracts bear prior to 31 days before the bear hunting season in any management unit. It also shall be unlawful to tend or establish a bait station for the purposes of attracting bear after the close of bear season in any management unit. For the purposes of this section, "bait station" means a site where food or lure is placed that may attract bear.

(4) It shall be unlawful to hunt over a bait that attracts bear that was established prior to 31 days before the bear hunting season in any management unit. It shall be unlawful to hunt over a bait is not placed on the ground on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws; or contains plastic, any wood products, paper, glass, rubber, concrete, or metal on public or commercial forest lands; or has, within 100 yards of the bait site, any containers used to transport bait to the baiting site.

(5) It shall be unlawful to hunt over bait that contains any food materials other than meats, meat products, fish, fish products, or bakery products if the bait is placed in an area unlawful to feed deer or elk or bait deer. In an area where the baiting of deer, or feeding of deer or elk, is lawful, a person may hunt over, place, establish or tend a bait station using food materials that lure, entice or attract deer or elk only if the person uses these food materials in compliance with the season, volume, bait type, placement, scattering and other requirements which apply to the baiting or feeding of deer. In an area in which it is lawful to bait for deer, a person may use up to 2 gallons of grains at any 1 point in time per bait station prior to the legal deer baiting season if the grains are placed on the ground in such a manner as to exclude wild, free-ranging white-tailed deer and elk from gaining access to the grains.

(6) It shall be unlawful to use metal containers, tires, plastic, wood, glass, fabric, cloth, concrete, or paper at a bait station on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(7) It shall be unlawful to place bait other than on the ground at bait stations on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(8) Any containers used to transport bait to the bait station must be removed and disposed of properly.

(9) It shall be unlawful for any licensed bear hunter or their designee to establish or tend more than 3 bait stations per hunter.

(a) It shall be unlawful for any individual to establish or tend more than a total of 12 bait stations,

(10) It shall be unlawful for any nonresident to assist in any manner another person in taking bear for a fee or other consideration or service of value, either directly or indirectly.

(11) It shall be unlawful for an individual that transfers their success in the bear lottery to a minor hunter or adult hunter with an advanced illness to assist the minor hunter or adult hunter with an advanced illness in any manner in taking bear for a fee or other consideration or service of value, either directly or indirectly.

(12) It shall be unlawful for an individual to buy or sell success in the bear license lottery, or an adult to acquire a license after being unsuccessful in the lottery, unless the individual has received from a physician a written statement of advanced illness which shall be produced upon the request of a peace officer.

(13) It shall be unlawful to take a cub bear. "Cub bear" means a bear less than 1 year of age. It shall be unlawful to take a female bear accompanied by a cub bear.

(14) It shall be unlawful to disturb, harm, or molest a bear in its den at any time.

(15) An individual shall not pursue, capture, shoot, kill, chase, follow, harass, or harm a bear while the bear is swimming in a pond, lake, stream, or other body of water.

### **3.301 Wild turkey hunting, unlawful acts; exceptions.**

Sec. 3.301 (1) An individual hunting wild turkey shall not use or possess afield an electronic device to simulate, replicate or imitate wild turkey calls or sounds, or an electronic, mechanical or live decoy. It shall be unlawful to use a dog to hunt wild turkey during the spring wild turkey season. It shall be unlawful to take a wild turkey while the wild turkey is in a tree. It shall be unlawful to make use of bait to aid in the taking of a wild turkey. For the purposes of this regulation, "bait" means a substance composed of grain, fruit, vegetables, or other food placed to lure or entice wild turkeys. This does not apply to standing farm crops under normal agricultural practices, or other natural growing grains, fruits, or vegetables. For the purposes of this section, "mechanical decoy" means any device that by design or construction uses motion as a visual stimulus to attract a wild turkey except a wind sock or similar decoy body anchored at a fixed point into the ground and whose only motion is derived exclusively by power of the natural wind.

(2) An individual 10 years of age and older may only take a wild turkey during the spring wild turkey season if the turkey has a beard and is taken within the unit and hunt period specified on the spring wild turkey license issued to that individual. Youth under 10 years of age may hunt wild turkey subject to the mentored youth hunting program as described in section 2.14 of this order and shall only take a turkey if the turkey has a beard during the spring wild turkey season. An individual shall not take or possess more than one bearded turkey during the spring wild turkey season.

(3) An individual 10 years of age and older may only take a wild turkey during the fall wild turkey season if the turkey is taken within the unit and hunt period specified on the fall wild turkey license issued to that individual. Youth under 10 years of age may hunt wild turkey subject to the mentored youth hunting program as described in section 2.14 of this order. An individual shall not take or possess more than one turkey during the fall wild turkey season for each kill tag issued to that individual.

(4) It shall be unlawful for an individual to purchase either a spring wild turkey license or a fall wild turkey license unless the individual holds a current base license.

### **3.308 Wild turkey licenses, applications, availability; partner application provided; application deadline; unlawful act.**

Sec. 3.308 (1) Applications for turkey licenses will be available one month prior to the application deadline. Only an individual who will be 10 years of age or older during a hunt period for taking wild turkey may make application for that hunt period. Youth under 10 years of age may hunt wild turkey subject to the mentored youth hunting program as described in section 2.14 of this order.

(2) The nonrefundable application fee for a wild turkey license is \$5.00.

(3) An option to apply with one partner will be provided.

(4) Applications must be made on or before February 1 of the calendar year for which the applicant desires a spring wild turkey license.

(5) Applications must be made on or before August 1 of the calendar year for which the applicant desires a fall wild turkey license.

(6) It shall be unlawful for any individual to apply more than once per calendar year for a Michigan spring wild turkey hunting license.

(7) It shall be unlawful for any individual to apply more than once per calendar year for a Michigan fall wild turkey hunting license.

**3.405 Migratory game birds; tagging requirements; transportation requirements.**

Sec. 3.405 (1) No individual shall give, put, or leave any migratory game birds at any place or in the custody of another individual, nor shall an individual receive or have in their custody migratory game birds, unless the birds are tagged by the hunter with all of the following information:

- (a) The hunter's signature.
- (b) The hunter's address.
- (c) The total number of birds involved by species.
- (d) The dates such birds were killed.
- (e) The identification used to purchase the base license.

(2) A person shall not transport any dressed or plucked migratory game bird unless one fully feathered wing is attached.

**3.419 Managed waterfowl areas, unlawful acts; designation of areas.**

Sec. 3.419 The following state game and wildlife areas, within the boundaries posted "state game area - hunting by permit only" are designated as managed waterfowl areas:

- (1) Allegan state game area (Fennville farm unit), Allegan county.
- (2) Fish point wildlife area, Tuscola county.
- (3) Nayanquing point wildlife area, Bay county.
- (4) Pointe Mouillee state game area (Long pond and Nelson units), Monroe county.
- (5) Shiawassee river state game area, Saginaw county.
- (6) St. Clair flats wildlife area (Harsens island unit), St. Clair county.

**3.600 Fur-bearing animals; use of firearms; traps and catching devices; use of bait; unlawful acts.**

Sec. 3.600 It shall be unlawful for any person:

(1) To use a firearm, crossbow, or bow and arrow to take marten, muskrat, beaver, otter, mink, fisher, or badger, except as permitted by authority of a nuisance control permit issued by the department. Rimfire firearms .22 caliber or smaller may be used to kill coyote, fox, raccoon, bobcat, and badger in traps except if the trapper is an individual that cannot lawfully hunt with a firearm, crossbow, or bow and arrow.

(2) Except as provided by subsection (3), to use or have in possession in areas frequented by animals, a catching device of any kind for the taking of animals unless the name and address in legible English or the complete Michigan driver license number or DNR sportcard number of the user or individual possessing the device is permanently etched in the catching device, or there shall be securely fastened to each catching device a metallic plate or tag bearing the name and address in legible English or the complete Michigan driver license number of the user or individual possessing the catching device.

(3) To use, carry afield, or have in possession 1 or more snares or 1 or more cable restraints unless they have attached a metallic tag or plate securely fastened which bears the name and address in legible English or the complete Michigan driver's license number of the user or individual possessing the catching device.

(4) To use or have in possession 1 or more snares or 1 or more cable restraints securely attached to a pole unless the uppermost end of the pole has a metallic plate or tag securely fastened which bears the name and address in

legible English or the complete Michigan driver license number of the user or individual possessing the catching device.

(5) To use a multiple catch or colony trap except for the taking of muskrat and provided that the trap is completely submerged below the water. Colony traps must be constructed of steel and shall be no larger than 8 inches in height, 8 inches in width, and 36 inches in depth. This order shall not be construed to prohibit use of colony or multiple catch traps used by nuisance control operators for species other than muskrat.

(6) To stake, put out, or set a catching device of any kind for the taking of a fur-bearing animal at any time preceding the day on which the open season for the taking of such fur-bearing animal begins.

(7) To use a foothold trap with a jaw spread exceeding a number 2 foothold trap for the taking of mink or muskrat except as may be provided by this order for the incidental take of muskrat during the beaver and otter season. It shall also be unlawful to use any kind of a trap other than a foothold or body gripping or conibear type trap to take fur-bearing animals except as permitted under the provisions of subsection (4).

(8) To use any portion of any protected animal or protected bird as bait for the purpose of trapping any animal in this state. This subsection shall not be construed to prohibit an individual from using the carcasses and parts thereof of game animals or game birds, lawfully taken and possessed during their open season, as bait, except as stated in Section 5.31 of this order.

(9) A trap or snare shall not be set on a beaver dam or lodge unless the trap is totally submerged below the water.

(10) To set a body gripping or conibear type trap larger than 5 and one half inches in width as measured inside the jaw hinges on dry land or over frozen submerged bottomlands, unless the trap is placed as follows:

(a) On private land and less than 7 and one half inches as measured inside the jaw hinges.

(b) On public or private lands 4 feet or more above dry ground or the frozen surface of ice, as applicable.

(c) On public lands:

(i) Less than 8 inches above the ground at the highest point, and in a way that does not use bait, lure, or attractant to entice an animal and the trap is between 5 and one half and 6 and one half inches as measured inside the jaw hinges.

(ii) In a box or similar container that is placed vertically on a tree or other structure so that the trap trigger is at least 4 inches from the container opening and the opening of the container is no more than 6 inches from the ground.

(iii) In a box or similar container with a maximum fixed opening of 6 inches measured from the inside bottom of the container opening to the lower edge of the top of the container opening with 8 inch slots to allow trap placement so that no part of the trap trigger is closer than 6 inches to the opening edge of the container and the trap is between 5 and one half inches and 7 and one half inches as measured inside the jaw hinges.

(11) To set a trap within 50 feet of any water in zone 1 before October 25, or within 50 feet of any water in zone 2 before November 1, or within 50 feet of any water in zone 3 before November 10, except for the following catching devices:

(a) A duffer-type, egg-type, or similarly designed leghold trap which by construction will selectively capture raccoon.

(b) A body gripping or conibear trap placed 4 feet or more above the ground.

(12) To set a catching device designed to hold an animal alive unless any catch is released or removed upon checking the catching device. Restraining type traps and cable restraints designed to hold an animal alive shall be checked at least once daily in zones 2 and 3 and within a 48 hour period in zone 1, except as noted in Section 5.52 (8).

(13) To use, carry afield, or set a trap with teeth or serrations.

**3.607 Beaver and otter trapping, resident and nonresident open seasons; season limits; requirements.**

Sec. 3.607 (1) The open seasons and season limits for taking beaver and otter by trap for each of the respective management units are as shown in table 12:

**TABLE 12  
Beaver and Otter Trapping Seasons and Limits**

| Resident Beaver and Otter Seasons   | Season Limits   |
|---|---|
| Unit A -- October 25 to the first Sunday following April 11, except the ending season date for all designated trout streams, as described in FO 210.03, shall be April 30 | No limit on beaver; 3 otter per resident fur harvester of which no more than 2 shall be taken in unit b and no more than 1 shall be taken in unit c |
| Unit B -- November 1 to the first Sunday following April 11   |   |
| Unit C -- November 10 to March 31   |   |
| Nonresident Beaver Seasons  | Season Limits   |
| Unit A -- November 15 to the first Sunday following April 11  | No limit on beaver  |
| Unit B -- November 24 to the first Sunday following April 11  |   |
| Unit C -- December 15 to March 31   |   |

(2) In addition to the requirements of section 3.600, an individual taking beaver and otter shall meet all of the following requirements:

(a) Through the last day of the open otter season, a resident issued a fur harvester's license may obtain a free otter kill tag. A resident who intends to trap otter shall request and be issued up to 3 free otter kill tags. A resident shall not sell, loan, or permit in any manner, another individual to use the otter kill tag or use or attempt to use another individual's otter kill tag. Free otter kill tags may be obtained only by a resident who is at least 8 years old, subject to section 2.14. An individual who kills an otter shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the otter from the upper jaw to the eye socket or through the lower jaw in a secure and permanent manner. An individual shall not tag an otter with a kill tag that is not valid for the unit in which the otter is taken. This kill tag shall remain attached to the otter until the animal is registered and sealed by the department. An individual shall not possess an otter or otter hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (b).

(b) An individual that kills an otter shall present the pelt and skull of the otter to the department to be registered and sealed no later than 10 days following the close of the season in which it was taken but no later than 3 business days following April 30. The pelt and skull shall be presented for sealing in person by the resident fur harvester that killed the animal and shall not be presented for sealing or registration by another individual. The individual presenting the otter pelt and skull shall display their fur harvester license; including identification used to acquire the license, and shall provide harvest information as requested by the department employee. The department employee shall retain the skull and attach an official seal to the pelt of each otter presented for examination and shall lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the otter pelt or damaging the seal. An official seal attached by the department, shall not be removed from the otter pelt until the otter pelt is processed or tanned. Subsequent to 3 business days following April 30, it shall be unlawful to possess an otter pelt without an official department seal attached unless the pelt has been processed or tanned or the otter season is open.

(c) Notwithstanding the other provisions of this order, up to 10 muskrat, taken in beaver or otter sets, may be considered part of the season limit.

(d) Notwithstanding the other provisions of this order, a snare may be used for taking beaver in water or under ice. Snares shall be made of 1/16 inch or larger cable. Snares not under ice must have a loop which is at least half submerged and be set in a fashion to hold the beaver completely submerged. Snares shall be removed from the water and made inoperative within 24 hours after the close of the period in which snares may be used to take beaver.

**3.608 Bobcat open seasons, season limit, closed areas, restrictions; kill tags and tagging requirements; registration requirements; unlawful acts.**

Sec. 3.608 (1) The open season for taking bobcat by trapping in bobcat management units A and B shall be December 1 to February 1. The open season for taking bobcat by hunting in bobcat management units A and B shall be from January 1 to March 1.

(2) The open season for taking bobcat by trapping in bobcat management units C and D shall be from December 10 to December 20, on private lands only, using foothold traps only. The open season for taking bobcat by hunting in management unit C shall be from January 1 to March 1. The open season for taking bobcat by hunting in management unit D shall be from January 1 to February 1.

(3) The open season for taking bobcat by trapping in bobcat management units E and F shall be from December 10 to December 20, using foothold traps only. The open season for taking bobcat by hunting in management units E and F shall be from January 1 to January 11.

(4) The season limit shall be 2 bobcats per licensed resident fur harvester except a individual shall take not more than 1 bobcat from bobcat management unit B, and not more than 1 bobcat in bobcat management units C, and D, E, and F combined.

(5) Through the last day of the open bobcat season, a resident issued a fur harvester's license may obtain a free bobcat kill tag. A resident who intends to hunt or trap bobcat shall request and be issued up to 2 free bobcat kill tags. A resident shall not sell, loan, or permit in any manner another individual to use the bobcat kill tag or use or attempt to use another individual's bobcat kill tag. Free bobcat kill tags may be obtained only by a resident who is at least 8 years old, subject to section 2.14. An individual who kills a bobcat shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the bobcat from the upper jaw to the eye socket or through the lower jaw of the bobcat in a secure and permanent manner. An individual shall not tag a bobcat with a kill tag that is not valid for the unit in which the bobcat is taken. This kill tag shall remain attached to the bobcat until the animal is registered and sealed by the department. An individual shall not possess a bobcat or bobcat hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (6).

(6) An individual that kills a bobcat shall present the pelt and skull of the bobcat to the department to be registered and sealed no later than 10 days following the close of the season in which it was taken. The pelt and skull shall be presented for sealing in person by the resident fur harvester that killed the animal and shall not be presented for sealing or registration by another individual. The individual presenting the bobcat pelt and skull shall display their fur harvester license, including identification used to acquire the license, and shall provide harvest information as requested by the department. The department shall retain at least one tooth or the skull, at the discretion of the department, and attach an official seal to the pelt of each bobcat presented for examination. The seal shall be locked upon the hide in such a manner that it cannot be removed without cutting or ripping the bobcat pelt or damaging the seal. An official seal attached by the department shall not be removed from the bobcat pelt until the bobcat pelt is processed or tanned. Subsequent to 10 days following March 1, it shall be unlawful to possess a bobcat pelt without an official department seal attached unless the pelt has been processed or tanned or the bobcat season is open.

**3.610 Coyote, open season; exceptions; person taking considered permittee; fur harvester's license not required to hunt.**

Sec. 3.610 (1) The open season for taking coyote by hunting shall be July 15 to April 15 except:

(a) Coyotes may be taken all year on private property by the property owner or their designee when coyotes are doing or about to do damage to their property. A written permit is not required, and the person shall be authorized to take coyote all year by otherwise lawful hunting and trapping methods.

(b) Coyotes shall not be taken in state park and recreation areas from April 1 to September 14.

(2) A resident possessing a base license may hunt coyote without securing a fur harvester's license.

### **3.611 Badger trapping seasons; season limits; unlawful acts.**

Sec. 3.611 (1) The open season for taking badger by trapping shall be from October 15 to November 14 in the zone 1 badger management unit as described in section 12.809, October 15 to November 14 in zone 2, and November 1 to March 1 in zone 3.

(2) The season limit shall be 1 badger per season per licensed resident only.

### **3.620 Fisher, open seasons, closed areas; registration requirements; unlawful acts.**

Sec. 3.620 (1) The open season for taking fisher by trapping shall be from December 1 to December 15 in all of Zone 1 except Drummond island.

(2) The season limit shall be a combined bag limit of 1 fisher or 1 marten per licensed resident only.

(3) Through the last day of the open fisher season, a resident issued a fur harvester's license may obtain a free fisher kill tag. A resident who intends to trap fisher shall request and be issued up to 3 free fisher kill tags. A resident shall not sell, loan, or permit in any manner, another individual to use the fisher kill tag or use or attempt to use another individual's fisher kill tag. Free fisher kill tags may be obtained only by a resident who is at least 8 years old, subject to section 2.14. An individual who kills a fisher shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the fisher from the upper jaw to the eye socket or through the lower jaw in a secure and permanent manner. An individual shall not tag a fisher with a kill tag that is not valid for the unit in which the fisher is taken. This kill tag shall remain attached to the fisher until the animal is registered and sealed by the department. An individual shall not possess a fisher or fisher hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (4).

(4) An individual that kills a fisher shall present the pelt and skull of the fisher to the department to be registered and sealed no later than 3 business days following December 15. The pelt and skull shall be presented for sealing in person by the resident fur harvester that killed the animal and shall not be presented for sealing or registration by another individual. The individual presenting the fisher pelt and skull shall display their resident fur harvester license, including identification used to acquire the license, and shall provide harvest information as requested by the department. The department shall retain the skull and attach an official seal to the pelt of each fisher presented for examination and shall lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the fisher pelt or damaging the seal. An official seal attached by the department, shall not be removed from the fisher pelt until the fisher pelt is processed or tanned. Subsequent to 3 business days following December 15, it shall be unlawful to possess a fisher pelt without an official department seal attached unless the pelt has been processed or tanned or the fisher season is open.

### **3.630 Marten, open season, exceptions; trapping permit; sealing requirements; unlawful acts.**

Sec. 3.630 (1) The open season for taking marten by trapping shall be from December 1 to December 15 in all of zone 1 except Drummond island.

(2) Through the last day of the open marten season, a resident issued a fur harvester's license may obtain a free marten kill tag. A resident who intends to trap marten shall request and be issued 1 free marten kill tag. A resident shall not sell, loan, or permit in any manner, another individual to use the marten kill tag or use or attempt to use another individual's marten kill tag. A free marten kill tag may be obtained only by a resident who is at least 8 years old, subject to section 2.14. An individual who kills a marten shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the marten from the upper jaw to the eye socket or through the lower jaw in a secure and permanent manner. This kill tag shall remain attached to the marten until the animal is registered and sealed by the department. An individual shall not possess a marten or marten hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (4).

(3) The season limit shall be a combined bag limit of 1 marten or 1 fisher per licensed resident only.

(4) An individual that kills a marten shall present the pelt and skull of the marten to the department to be registered and sealed no later than 3 business days following December 15. The pelt and skull shall be presented for sealing in person by the resident fur harvester that killed the animal and shall not be presented for sealing or registration by another individual. The individual presenting the marten pelt and skull shall display their resident fur harvester's license; including identification used to acquire the license, and shall provide harvest information as requested by the department. The department shall retain the skull, and, attach an official seal to the pelt of each marten presented for examination, and lock the seal upon the hide in such a manner that it cannot be removed

without cutting or ripping the marten pelt or damaging the seal. An official seal attached by the department, shall not be removed from the marten pelt until the marten pelt is processed or tanned. Subsequent to 3 business days following December 15, it shall be unlawful to possess a marten pelt without an official department seal attached unless the pelt has been processed or tanned or the marten season is open.

**3.700 Wolf hunt; establishment of open season; season closed; method of take; season limit.**

Sec. 3.700 (1) The natural resources commission hereby authorizes the establishment of the first open season for wolf.

(2) Unless otherwise specified in this order, an individual with a license to take wolf shall not do any of the following:

(a) Take a wolf other than during the open season from November 15 to December 31. The department may close the open season prior to December 31, by wolf management unit, if the department harvest objectives have been reached. It is the responsibility of the licensee to confirm, either at [www.michigan.gov/dnr](http://www.michigan.gov/dnr) or by calling the designated department telephone line, to ensure a wolf management unit remains open to hunting on the day of the licensee's hunt.

(b) Take a wolf by any method other than by firearm, bow and arrow, or crossbow.

(3) 1,200 licenses shall be available over the counter August 3 to October 31 of the year in which the wolf season occurs.

(4) Only an individual who holds a current, non-apprentice base license and is not licensed under the mentored youth program may purchase a wolf license.

**5.80 Deer management assistance (DMA) hunting permits; definitions, criteria for issuance, validity of permits, application procedures, restrictions and requirements; exception; unlawful acts.**

Sec. 5.80 (1) The terms in this section shall have the meaning described to them in this section.

(a) "Permit" means a deer management assistance (DMA) permit.

(b) "Permittee" means an individual who has applied for and been authorized to purchase deer management assistance permits by the department.

(c) "Authorized designee" means one individual who has been designated by the landowner and approved by the department, to act on behalf of the landowner to apply for and implement the provisions of deer management assistance permits. The department reserves the right to deny an individual, including the permittee, the authority to personally implement the provisions of a permit if such authority would conflict with a court order, administrative rule, or law.

(2) Permits may be issued statewide to owners of land, or their authorized designee, located in areas where current antlerless harvest methods are insufficient to achieve department deer management objectives or where one of the following conditions exist:

(a) The department has documented that the property owner has significant agricultural or horticultural crop damage caused by deer.

(b) The department has documented that a serious disease outbreak is a threat to the deer herd, livestock, or human health.

(c) The department has documented a significant safety hazard caused by deer.

(d) Current antlerless regulations are insufficient to achieve landowner deer management objectives.

(3) DMA permits are valid only during an open season for the taking of deer as established by this order and only upon the land for which issued.

(4) DMA permits are valid only for the taking of an antlerless deer. An individual hunting under the authority of a DMA permit shall carry the unused permit and shall exhibit the unused permit upon the request of a law enforcement officer.

(5) An individual owning land within a qualifying area as determined by the department, or their authorized designee, may apply for a DMA permit with the wildlife supervisor on a form provided by the department. This agreement will include an estimate of desired antlerless harvest and numbers of hunters needed to meet the desired harvest objective. A DMA permit shall be signed by both the permittee and wildlife supervisor. The number of DMA permits will be determined by the wildlife supervisor. A minimum of 5 DMA permits shall be issued per permittee. Failure to comply with the terms and conditions of the permit will make the permittee ineligible to receive a DMA permit for a period of 1 year.

(6) The permittee shall not purchase more DMA permits than approved by the department.

(7) DMA permits may be subsequently issued by the permittee. An individual shall not accept, carry afield, use or attempt to use a DMA permit unless in possession of a current base license and deer. A permittee shall not sell, lend, barter, or trade a DMA permit. Permittees shall inform hunters about rules pertaining to the use of DMA permits.

(8) A hunter issued a DMA permit by a permittee or authorized designee shall not sell, lend, barter, trade, or allow another individual to use the DMA permit. Unused permits may be reissued to hunters only by the permittee or authorized designee.

(9) The provisions of section 3.103 shall apply to a permit and kill tag issued under this section. In addition, unless otherwise provided in this section, an individual issued a DMA permit shall comply with lawful hunting hours and all regulatory requirements for the taking of deer for the season in which they are hunting.

(a) A firearm shall not be used with a DMA permit during archery season except from October 1 through October 14 with permission. This exception may be authorized on a case-by-case basis by the wildlife supervisor and district law enforcement supervisor if the department determines that take by archery methods will not be sufficient to reduce conflict due to unusual circumstances.

(10) A permittee shall report by January 15, on a form provided by the department, to the wildlife supervisor the name and address of all hunters and the number of deer harvested under the authority of DMA permits. Failure to comply with the terms and conditions of the permit will make the permittee ineligible to receive a DMA permit for a period of 1 year.

(a) A permittee authorized for firearm use as provided by subsection (9a) above shall adhere to additional reporting requirements. A permittee shall report, on a form provided by the department, by October 29 to the wildlife supervisor the name and address of all hunters, the number of deer harvested, and the method of take used under the authority of DMA permits from October 1 through October 14. Failure to comply with the terms and conditions of the permit will make the permittee ineligible to receive a DMA permit for a period of 1 year.

(11) Deer taken under the authority of a DMA permit shall not be included in the season limit as defined in section 3.101(8) of this order. The daily limit and season limit shall be 1 deer per DMA permit.

### **5.81 Managed deer hunting (MDH) permits; criteria for issuance, validity of permits, restrictions and requirements; unlawful acts.**

Sec. 5.81 (1) The sale of managed deer hunting (MDH) permits may be authorized by the wildlife division chief for public lands requiring an access permit and open to deer hunting by lottery. Individuals wishing to participate in a managed deer hunt must apply for a MDH permit through a lottery system in accordance with instructions provided by the land manager. A successful applicant in the lottery may purchase a MDH permit.

(2) MDH permits are valid only during the dates specified and upon those public lands specified on the permit. MDH permits are valid only for the taking of an antlerless deer.

(3) It shall be unlawful for an individual issued a MDH permit to take or attempt to take an antlered deer during the open season upon these public lands specified on the permit. An individual less than 14 years of age shall not

hunt deer with a firearm. An individual hunting under the authority of a MDH permit shall carry the unused permit and shall exhibit the unused permit upon the request of a law enforcement officer.

(4) A MDH permit shall be authorized only to an individual who holds a current base license and. An individual shall not acquire, carry afield, use or attempt to use a MDH permit unless they hold a current base license and deer license. Managers shall inform hunters about rules pertaining to the use of MDH permits.

(5) An individual authorized to purchase a MDH permit shall not sell, lend, or allow another individual to use or attempt to use the individual's MDH permit.

(6) The provisions of section 3.103 shall apply to a permit and kill tag authorized under this section. In addition, unless otherwise provided in this section, an individual authorized to purchase a MDH permit shall comply with all rules and regulations for the taking of deer for the season in which they are hunting.

(7) Deer taken under the authority of a MDH permit shall not be included in the season limit as defined in section 3.101(8) of this order. The daily limit and season limit shall be 1 deer per MDH permit.

#### **5.95 Permit to take game with a crossbow.**

Sec. 5.95 (1) The department may issue a permit to an individual who is certified as being permanently or temporarily disabled by a licensed physician or physical/occupational therapist as provided in this section. That permit shall be issued without cost to the applicant and shall authorize that individual to take deer with a crossbow or modified bow per section 2.1 (16) of this order during the open season for that game if that individual possesses a current base license and deer license and complies with all other laws and rules for the taking of game.

(2) An applicant for a permit under this section shall submit to the department a signed certification from a licensed physician or physical/occupational therapist indicating the disability determined to be present in the permit applicant. The licensed physician or physical/occupational therapist may certify that the applicant is permanently or temporarily disabled as required by this section if the licensed physician or physical/occupational therapist finds that the permit applicant has a disability that renders them unable to use conventional archery equipment. In support of such a determination, the licensed physician or physical/occupational therapist shall utilize the following standards and criteria:

(a) A functional draw test to simulate the drawback posture and/or position with a weight equivalent to 35 pounds of resistance for a 4-second duration.

(b) Manual muscle testing: Shoulder flexion, shoulder extension, shoulder abduction (horizontal plane) elbow flexion and elbow extension are graded equal to or less than 3 of 5 using a standard manual muscle grading scale or an equivalent test.

(c) Impaired range of motion: Goniometric measurements using the "American medical association guide to evaluation and permanent impairment rating," or other guidelines accepted by the American medical association or an equivalent test. If shoulder flexion is equal to or less than 90 degrees or shoulder extension is equal to or less than 10 degrees or shoulder abduction is equal to or less than 70 degrees or elbow flexion is equal to or less than 90 degrees or elbow extension is equal to or less than negative 20 degrees, the permit may be granted.

(d) Amputations involving body extremities required for stable function to use conventional archery equipment do not require objective test findings. However, the applicant is required to present a physician's certification to be qualified for a permit.

(e) Any spinal cord injury resulting in permanent or temporary disability to the lower extremities, leaving the applicant permanently or temporarily non-ambulatory or other disability resulting in a permanent or temporary wheelchair (mobility device) restriction, as diagnosed by a physician, do not require objective test findings.

(f) Coordination assessment. Coordination is the ability to execute smooth, accurate, controlled movement. Incoordination or coordination deficit describes abnormal motor function characterized by awkward, extraneous, uneven, or inaccurate movements, caused by central nervous disorders, including, but not limited to, Parkinson's disease, cerebral palsy, hemiplegia, hemiparesis, and closed head trauma, or by progressive neuromuscular diseases, such as muscular dystrophy, multiple sclerosis, and amyotrophic lateral sclerosis. Purpose: to assess the ability of muscles or groups of muscles to work together to perform a task.

(3) Any other permanent or temporary disability that renders the applicant unable to use conventional archery equipment as diagnosed by a licensed physician shall be sufficient grounds for granting the permit. The licensed physician must note in general terms how the disability prevents the applicant from using conventional archery equipment other than a crossbow or modified bow.

(4) An individual shall not seek diagnosis from a licensed physician or physical/occupational therapist for purposes of meeting the requirements of this section on more than 2 occasions within a 6-month period.

(5) Crossbow and modified bow permits for permanent disabilities issued pursuant to this section are valid unless revoked pursuant to the administrative procedures act, 1969 PA 306, MCL 24.201 to 24.328.

(6) Arrows, bolts, and quarrels used for taking deer, bear, elk, and turkey with a crossbow or modified bow under a permit issued under this section or as provided in section 2.1 are required to have a broadhead hunting type of point not less than 7/8 of an inch wide and must be a minimum of 14 inches in length.

**14.6 Relocating rabbits within enclosed dog training areas.**

Sec. 14.6 An individual possessing a current base license may trap up to 5 cottontail rabbits or hares during the open season for rabbits and hares and relocate them within a permitted dog training area provided:

- (a) The dog training area is fenced so as to keep cottontails and hares in confinement.
- (b) A current base license is also possessed and cottontails or hares are not captured outside of the small game season and bag limits are not exceeded as provided by sections 3.505 (1) and (2) of this order.
- (c) Cottontails and hares are captured from private lands only with landowner permission.
- (d) Box or cage type traps, capable of taking only one animal at a time, are used and are checked daily.
- (e) Cottontails and hares are not held longer than 24 hours and are not held or transported in any container other than a box, crate, or cage designed for safe and humane confinement.
- (f) Traps are marked as provided by section 3.600 of this order.
- (g) A record, available for department inspection and submission, of the number of cottontails and hares captured and released by date and location, is retained.

Issued on this 13th day of February, 2014.

Approved as to matters over which the Natural Resources Commission has authority.

J. R. Richardson, Chairman  
Natural Resources Commission

Approved as to matters over which the Director has authority.

Keith Creagh  
Director