

## **ALLOW POSSESSION OF CERTAIN GAME KILLED BY VEHICLE**

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**Senate Bill 613 (Substitute S-3)**

**Sponsor: Sen. Darwin L. Booher**

**House Committee: Natural Resources**

**Senate Committee: Natural Resources, Environment, and the Great Lakes**

**Complete to 5-30-14**

### **A SUMMARY OF SENATE BILL 613 AS PASSED BY THE SENATE 3-26-14**

Senate Bill 613 would allow individuals to take possession of game killed in a collision with a motor vehicle, or injured and subsequently euthanized. The driver of the vehicle would have first priority to take possession of the game.

The bill amend the Natural Resources and Environmental Protection Act (MCL 324.101-324.90106) by adding Section 40115. The bill would not apply to individuals who intentionally use a motor vehicle to kill or injure game.

#### ***Requirements for possessing game***

Under the bill, an individual in possession of such game (other than small game) would be required to do one of the following:

- Obtain a salvage tag
- Promptly notify the Department of Natural Resources (DNR) or a local law enforcement agency of the intent to possess the game by telephone or on the DNR website.
- For an individual who is the driver of the motor vehicle involved in the collision and calls 9-1-1 to report that collision an individual, state the intent to maintain possession of the game.

If an individual notified 9-1-1, the DNR, or a local law enforcement agency of the intent to legally maintain possession of the game, that individual would be required to provide the notified entity with the following:

- The date and time the individual took possession of the game.
- The location where the individual took possession.
- The type of game the individual seeks to possess. (If the game is a deer, then the report would have to identify whether the deer was antlered or not, and if antlered, identify the number of antler points.
- Whether the individual has requested a salvage tag.
- The individual's full name and middle initial, date of birth, mailing address, telephone number, and driver's license number.

- The intended purpose for obtaining possession of the game, including human consumption, bait, or other uses.

### ***Possessing small game***

An individual in possession of small game would have to prepare a written record containing the same information and maintain it until obtaining a salvage tag or until the game and its parts are consumed, composted, or otherwise no longer possessed by any person. The record would have to be kept at the location where the game or its parts are kept, and the individual would have to exhibit the record at the request of law enforcement.

### ***Taxidermy and tanning***

An individual must obtain a salvage tag and attach it to the game in order to take the carcass to a taxidermy or tanning business, and the person in possession of the game or business would have to ensure the tag remains attached to the game as long as the game remains unprocessed or in possession of a taxidermy or tanning business.

### ***Issuance of salvage tags and suspension of salvage by DNR***

The DNR would be required to promptly issue a salvage tag if one is requested by an individual. However, the bill also would allow the director of the DNR to immediately suspend all salvage mechanisms for areas affected by disease by issuing an order based on sound science to address disease control. Before issuing such an order, the DNR would be required to provide public notice of the order and notify the legislative committees with primary oversight of natural resources. After the DNR verifies the absence of the disease in the area which caused the order to be issued, the order would be lifted and the department would post public notice of the ban being lifted on the department's website and at department offices through the affected area(s).

### ***Exceptions***

The bill would not allow the following to be possessed following collision with a motor vehicle: brant, coot, crow, cub bear, duck, elk, Florida gallinule, geese, moose, snipe, sora rail, spotted fawn deer, Virginia rail, wolf, and woodcock.

## **FISCAL IMPACT:**

Senate Bill 613 would have minimal fiscal impact to the Department of Natural Resources and no fiscal impact to local units of government.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.