

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 613

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 40115.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 40115. (1) SUBJECT TO SUBSECTIONS (9) AND (10), AN
2 INDIVIDUAL MAY POSSESS GAME, OTHER THAN BADGER, BOBCAT, BRANT,
3 COOT, CROW, CUB BEAR, DUCK, ELK, FISHER, FLORIDA GALLINULE, GEESE,
4 MARTEN, MOOSE, OTTER, SNIPE, SORA RAIL, SPOTTED FAWN DEER, VIRGINIA
5 RAIL, WILD TURKEY, WOLF, AND WOODCOCK, THAT IS EITHER KILLED BY, OR
6 INJURED AND EUTHANIZED AS ALLOWED UNDER LAW FOLLOWING, A COLLISION
7 WITH A MOTOR VEHICLE. THE DRIVER OF THE MOTOR VEHICLE HAS FIRST
8 PRIORITY TO TAKE POSSESSION OF THE GAME.

1 (2) AN INDIVIDUAL IN POSSESSION OF DEER UNDER SUBSECTION (1)
2 SHALL DO 1 OF THE FOLLOWING:

3 (A) OBTAIN A SALVAGE TAG UNDER SUBSECTION (8).

4 (B) PROMPTLY NOTIFY THE DEPARTMENT OR A LOCAL LAW ENFORCEMENT
5 AGENCY OF HIS OR HER INTENT TO MAINTAIN POSSESSION OF THE GAME
6 UNDER SUBSECTION (1) BY TELEPHONE OR ON THE DEPARTMENT'S WEBSITE.

7 (C) IF THE INDIVIDUAL IS THE DRIVER OF THE MOTOR VEHICLE
8 INVOLVED IN THE COLLISION AND AS A RESULT OF THAT COLLISION IS
9 CALLING 9-1-1 TO REPORT THE COLLISION, THE INDIVIDUAL MUST STATE
10 HIS OR HER INTENT TO MAINTAIN POSSESSION OF THE GAME UNDER
11 SUBSECTION (1).

12 (3) AN INDIVIDUAL IN POSSESSION OF BEAVER, COYOTE, FOX, MINK,
13 MUSKRAT, OPOSSUM, RACCOON, SKUNK, WEASEL, OR SMALL GAME UNDER
14 SUBSECTION (1) SHALL PREPARE A WRITTEN RECORD WITH ALL OF THE
15 FOLLOWING INFORMATION:

16 (A) THE DATE AND TIME THE INDIVIDUAL TOOK POSSESSION OF THE
17 GAME.

18 (B) THE LOCATION WHERE THE POSSESSION OF THE GAME OCCURRED.

19 (C) THE TYPE OF GAME THE INDIVIDUAL SEEKS TO POSSESS.

20 (D) WHETHER THE INDIVIDUAL HAS REQUESTED A SALVAGE TAG UNDER
21 SUBSECTION (8).

22 (E) THE INDIVIDUAL'S FULL NAME, INCLUDING MIDDLE INITIAL, DATE
23 OF BIRTH, MAILING ADDRESS, TELEPHONE NUMBER, AND DRIVER LICENSE
24 NUMBER.

25 (F) THE INTENDED PURPOSE FOR OBTAINING POSSESSION OF THE GAME,
26 INCLUDING, BUT NOT LIMITED TO, HUMAN CONSUMPTION, BAIT, OR OTHER
27 USES.

1 (4) AN INDIVIDUAL IN POSSESSION OF BEAR UNDER SUBSECTION (1)
2 SHALL OBTAIN A SALVAGE TAG FOR THAT BEAR UNDER SUBSECTION (8) .

3 (5) IF AN INDIVIDUAL NOTIFIES 9-1-1, THE DEPARTMENT, OR A
4 LOCAL LAW ENFORCEMENT AGENCY UNDER SUBSECTION (2) OF HIS OR HER
5 INTENT TO LEGALLY MAINTAIN POSSESSION OF THE GAME UNDER SUBSECTION
6 (1), THAT INDIVIDUAL SHALL PROVIDE 9-1-1, THE DEPARTMENT, OR THE
7 LOCAL LAW ENFORCEMENT AGENCY WITH THE FOLLOWING INFORMATION:

8 (A) THE DATE AND TIME THE INDIVIDUAL TOOK POSSESSION OF THE
9 GAME.

10 (B) THE LOCATION WHERE THE POSSESSION OF THE GAME OCCURRED.

11 (C) THE TYPE OF GAME THE INDIVIDUAL SEEKS TO POSSESS. IF THE
12 GAME IS A DEER, IDENTIFY WHETHER THE DEER IS AN ANTLERED DEER OR
13 ANTLERLESS DEER. IF IT IS AN ANTLERED DEER, IDENTIFY THE NUMBER OF
14 ANTLER POINTS.

15 (D) WHETHER THE INDIVIDUAL HAS REQUESTED A SALVAGE TAG UNDER
16 SUBSECTION (8) .

17 (E) THE INDIVIDUAL'S FULL NAME, INCLUDING MIDDLE INITIAL, DATE
18 OF BIRTH, MAILING ADDRESS, TELEPHONE NUMBER, AND DRIVER LICENSE
19 NUMBER.

20 (F) THE INTENDED PURPOSE FOR OBTAINING POSSESSION OF THE GAME,
21 INCLUDING, BUT NOT LIMITED TO, HUMAN CONSUMPTION, BAIT, OR OTHER
22 USES.

23 (6) FOR BEAVER, COYOTE, FOX, MINK, MUSKRAT, OPOSSUM, RACCOON,
24 SKUNK, WEASEL, AND SMALL GAME, AN INDIVIDUAL SHALL MAINTAIN THE
25 WRITTEN RECORD PREPARED UNDER SUBSECTION (3) UNTIL THE INDIVIDUAL
26 OBTAINS A SALVAGE TAG UNDER SUBSECTION (8) OR UNTIL THE GAME AND
27 ITS PARTS ARE CONSUMED, ARE COMPOSTED, OR ARE NO LONGER POSSESSED

1 BY ANY PERSON. THE RECORD SHALL BE KEPT AT THE LOCATION WHERE THE
2 GAME OR ITS PARTS ARE KEPT. THE INDIVIDUAL SHALL EXHIBIT THE RECORD
3 UPON REQUEST OF A LAW ENFORCEMENT OFFICER.

4 (7) AN INDIVIDUAL IN POSSESSION OF GAME UNDER SUBSECTION (1)
5 WHO HAS OBTAINED A SALVAGE TAG UNDER SUBSECTION (2), (4), OR (8)
6 SHALL UPON THE REQUEST OF A CONSERVATION OFFICER OR PEACE OFFICER
7 PRODUCE THE SALVAGE TAG. IMMEDIATELY FOLLOWING THE ISSUANCE OF A
8 SALVAGE TAG, AN INDIVIDUAL POSSESSING GAME SHALL SECURELY ATTACH
9 THE SALVAGE TAG TO THE GAME. THE SALVAGE TAG SHALL REMAIN ATTACHED
10 UNTIL THE GAME IS PROCESSED, BUTCHERED FOR CONSUMPTION, OR
11 DELIVERED TO A BUSINESS FOR THE PURPOSE OF TAXIDERMY OR TANNING. IF
12 THE GAME IS USED FOR BAIT, THE SALVAGE TAG MAY BE REMOVED, BUT THE
13 INDIVIDUAL POSSESSING THAT GAME SHALL PRODUCE THE SALVAGE TAG IF
14 REQUESTED BY A CONSERVATION OFFICER OR PEACE OFFICER.

15 (8) THE DEPARTMENT SHALL PROMPTLY ISSUE A SALVAGE TAG IF
16 REQUESTED BY AN INDIVIDUAL IN POSSESSION OF GAME UNDER SUBSECTION
17 (1).

18 (9) THE DIRECTOR MAY IMMEDIATELY SUSPEND ALL SALVAGE
19 MECHANISMS FOR DISEASE-AFFECTED AREAS BY ISSUING AN ORDER BASED ON
20 SOUND SCIENCE TO ADDRESS DISEASE CONTROL. THE DEPARTMENT SHALL
21 PROVIDE PUBLIC NOTICE OF THAT ORDER AND NOTIFY THE LEGISLATIVE
22 COMMITTEES WITH PRIMARY OVERSIGHT OF NATURAL RESOURCES BEFORE
23 ISSUING THAT ORDER. THE DIRECTOR SHALL REVOKE THE SUSPENSION AFTER
24 THE DEPARTMENT VERIFIES THE ABSENCE OF THE IDENTIFIED DISEASE IN
25 THE AFFECTED AREA. THE DEPARTMENT SHALL PROVIDE PUBLIC NOTICE OF
26 THE SUSPENSION AND OF THE REVOCATION OF THE SUSPENSION BY POSTING
27 NOTICE ON THE DEPARTMENT'S WEBSITE AND AT DEPARTMENT OFFICES

1 THROUGHOUT THE DISEASE-AFFECTED AREAS.

2 (10) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO
3 INTENTIONALLY USES A MOTOR VEHICLE TO KILL OR INJURE GAME.

4 (11) THE DEPARTMENT SHALL ANNUALLY ISSUE A REPORT IN
5 ELECTRONIC FORM TO EACH MEMBER OF THE LEGISLATURE THAT INCLUDES ALL
6 OF THE FOLLOWING:

7 (A) THE NUMBER OF SALVAGE TAGS ISSUED UNDER SUBSECTION (8).

8 (B) THE NUMBER OF ANIMALS REPORTED TO THE DEPARTMENT UNDER
9 SUBSECTION (2) (B).

10 (C) IF AVAILABLE, THE NUMBER OF ANIMALS REPORTED TO LOCAL LAW
11 ENFORCEMENT AGENCIES OR 9-1-1 UNDER SUBSECTION (2) (B) AND (C).

12 Enacting section 1. This amendatory act takes effect 90 days
13 after the date it is enacted into law.