

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

8 (2) AN INDIVIDUAL IN POSSESSION OF GAME UNDER SUBSECTION (1),
9 OTHER THAN SMALL GAME, SHALL DO 1 OF THE FOLLOWING:

10 (A) OBTAIN A SALVAGE TAG UNDER SUBSECTION (7).

11 (B) PROMPTLY NOTIFY THE DEPARTMENT OR A LOCAL LAW ENFORCEMENT

1 AGENCY OF HIS OR HER INTENT TO MAINTAIN POSSESSION OF THE GAME
2 UNDER SUBSECTION (1) BY TELEPHONE OR ON THE DEPARTMENT'S WEBSITE.

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

8 (3) AN INDIVIDUAL IN POSSESSION OF SMALL GAME UNDER SUBSECTION
9 (1) SHALL PREPARE A WRITTEN RECORD WITH ALL OF THE FOLLOWING
10 INFORMATION:

11 (A) THE DATE AND TIME THE INDIVIDUAL TOOK POSSESSION OF THE
12 GAME.

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

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

15 (D) WHETHER THE INDIVIDUAL HAS REQUESTED A SALVAGE TAG UNDER
16 SUBSECTION (7).

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

1 (A) THE DATE AND TIME THE INDIVIDUAL TOOK POSSESSION OF THE
2 GAME.

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

4 (C) THE TYPE OF GAME THE INDIVIDUAL SEEKS TO POSSESS. IF THE
5 GAME IS A DEER, IDENTIFY WHETHER THE DEER IS AN ANTLERED DEER OR
6 ANTLERLESS DEER. IF IT IS AN ANTLERED DEER, IDENTIFY THE NUMBER OF
7 ANTLER POINTS.

8 (D) WHETHER THE INDIVIDUAL HAS REQUESTED A SALVAGE TAG UNDER
9 SUBSECTION (7).

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

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

16 (5) FOR SMALL GAME, AN INDIVIDUAL SHALL MAINTAIN THE WRITTEN
17 RECORD PREPARED UNDER SUBSECTION (3) UNTIL THE INDIVIDUAL OBTAINS A
18 SALVAGE TAG UNDER SUBSECTION (7) OR UNTIL THE GAME AND ITS PARTS
19 ARE CONSUMED, ARE COMPOSTED, OR ARE NO LONGER POSSESSED BY ANY
20 PERSON. THE RECORD SHALL BE KEPT AT THE LOCATION WHERE THE GAME OR
21 ITS PARTS ARE KEPT. THE INDIVIDUAL SHALL EXHIBIT THE RECORD UPON
22 REQUEST OF A LAW ENFORCEMENT OFFICER.

23 (6) AN INDIVIDUAL IN POSSESSION OF THE GAME UNDER SUBSECTION
24 (1) SHALL NOT DELIVER THE GAME TO A BUSINESS FOR THE PURPOSE OF
25 TAXIDERMY OR TANNING UNLESS A SALVAGE TAG ISSUED UNDER SUBSECTION
26 (7) IS SECURELY ATTACHED TO THE GAME. THE PERSON IN POSSESSION OF
27 THE GAME SHALL ENSURE THAT THE SALVAGE TAG REMAINS ATTACHED TO THE

1 GAME AS LONG AS THE GAME REMAINS IN AN UNPROCESSED STATE OR IN
2 POSSESSION OF A BUSINESS FOR THE PURPOSE OF TAXIDERMY OR TANNING.

3 (7) THE DEPARTMENT SHALL PROMPTLY ISSUE A SALVAGE TAG IF
4 REQUESTED BY AN INDIVIDUAL IN POSSESSION OF GAME UNDER SUBSECTION
5 (1) .

6 (8) THE DIRECTOR MAY IMMEDIATELY SUSPEND ALL SALVAGE
7 MECHANISMS FOR DISEASE-AFFECTED AREAS BY ISSUING AN ORDER BASED ON
8 SOUND SCIENCE TO ADDRESS DISEASE CONTROL. THE DEPARTMENT SHALL
9 PROVIDE PUBLIC NOTICE OF THAT ORDER AND NOTIFY THE LEGISLATIVE
10 COMMITTEES WITH PRIMARY OVERSIGHT OF NATURAL RESOURCES BEFORE
11 ISSUING THAT ORDER. THE DIRECTOR SHALL REVOKE THE SUSPENSION AFTER
12 THE DEPARTMENT VERIFIES THE ABSENCE OF THE IDENTIFIED DISEASE IN
13 THE AFFECTED AREA. THE DEPARTMENT SHALL PROVIDE PUBLIC NOTICE OF
14 THE SUSPENSION AND OF THE REVOCATION OF THE SUSPENSION BY POSTING
15 NOTICE ON THE DEPARTMENT'S WEBSITE AND AT DEPARTMENT OFFICES
16 THROUGHOUT THE DISEASE-AFFECTED AREAS.

17 (9) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO
18 INTENTIONALLY USES A MOTOR VEHICLE TO KILL OR INJURE GAME.