

HOUSE BILL No. 5631

June 4, 2014, Introduced by Rep. Kosowski and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 40102 and 40111c (MCL 324.40102 and
324.40111c), section 40102 as amended by 2007 PA 48 and section
40111c as added by 2008 PA 301.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40102. (1) "AERIAL DRONE" MEANS AN UNMANNED VEHICLE OR
2 DEVICE THAT USES AERODYNAMIC FORCES TO ACHIEVE FLIGHT.

3 (2) ~~(1)~~—"Animals" means wild birds and wild mammals.

4 (3) ~~(2)~~—"Bag limit" means the number of animals that may be
5 taken and possessed as determined by the department.

6 (4) ~~(3)~~—"Bow" means a device for propelling an arrow from a
7 string drawn, held, and released by hand where the force used to
8 hold the string in the drawn position is provided by the archer's

1 muscles.

2 (5) ~~(4)~~—"Buy" or "sell" means an exchange or attempt or offer
3 to exchange for money, barter, or anything of value.

4 (6) ~~(5)~~—"Chase" means to follow animals with dogs or other
5 wild or domestic animals trained for that purpose.

6 (7) ~~(6)~~—"Cormorant damage" means adverse impacts of double-
7 crested cormorants on fish, fish hatchery stock, wildlife, plants,
8 and their habitats and on man-made structures.

9 (8) ~~(7)~~—"Cormorant depredation order" means the depredation
10 order for double-crested cormorants to protect public resources, 50
11 CFR 21.48, issued by the United States department of the interior,
12 fish and wildlife service.

13 (9) ~~(8)~~—"Crossbow" means a weapon consisting of a bow mounted
14 transversely on a stock or frame and designed to fire an arrow,
15 bolt, or quarrel by the release of a bow string that is controlled
16 by a mechanical or electric trigger and has a working safety and a
17 draw weight of 100 pounds or greater.

18 (10) ~~(9)~~—"Deer or elk feeding" means the depositing,
19 distributing, or tending of feed in an area frequented by wild,
20 free-ranging white-tailed deer or elk. Deer or elk feeding does not
21 include any of the following:

22 (a) Feeding wild birds or other wildlife if done in such a
23 manner as to exclude wild, free-ranging white-tailed deer and elk
24 from gaining access to the feed.

25 (b) The scattering of feed solely as the result of normal
26 logging practices or normal agricultural practices.

27 (c) The storage or use of feed for agricultural purposes if 1

1 or more of the following apply:

2 (i) The area is occupied by livestock actively consuming the
3 feed on a daily basis.

4 (ii) The feed is covered to deter wild, free-ranging white-
5 tailed deer or elk from gaining access to the feed.

6 (iii) The feed is in a storage facility that is consistent with
7 normal agricultural practices.

8 (d) Baiting to take game as provided by an order of the
9 commission under section 40113a.

10 (11) ~~(10)~~ "Disability" means a determinable physical
11 characteristic of an individual that may result from disease,
12 injury, congenital condition of birth, or functional disorder.

13 (12) ~~(11)~~ "Feed" means a substance composed of grain, mineral,
14 salt, fruit, vegetable, hay, or any other food material or
15 combination of these materials, whether natural or manufactured,
16 that may attract white-tailed deer or elk. Feed does not include
17 any of the following:

18 (a) Plantings for wildlife.

19 (b) Standing farm crops under normal agricultural practices.

20 (c) Agricultural commodities scattered solely as the result of
21 normal agricultural practices.

22 (13) ~~(12)~~ "Firearm" means a weapon from which a dangerous
23 projectile may be propelled by using explosives, gas, or air.
24 Firearm does not include a smooth bore rifle or handgun designed
25 and manufactured exclusively for propelling ~~BB's~~ **BBS** not exceeding
26 .177 caliber by means of a spring, air, or gas.

27 Sec. 40111c. (1) A person other than the department shall not

1 take game using a tranquilizer propelled from a bow or firearm.

2 (2) AN INDIVIDUAL SHALL NOT TAKE GAME USING AN AERIAL DRONE.