

Legislative Analysis



PROHIBIT USE OF AERIAL AND UNDERWATER DEVICES IN CONNECTION WITH HUNTING/FISHING

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Senate Bill 54 (H-3 as adopted by the House)

Sponsor: Sen. Tom Casperson

(Enacted as Public Acts 12 and 13 of 2015)

Senate Bill 55 (H-2 as adopted by the House)

Sponsor: Sen. Phil Pavlov

House Committee: Tourism and Outdoor Recreation

Senate Committee: Tourism and Outdoor Recreation

Complete to 3-24-15

SUMMARY:

Senate Bill 54 would amend Sections 40112 and 48703a of the Natural Resources and Environmental Protection Act (NREPA) to prohibit the use of an unmanned vehicle or unmanned device that uses aerodynamic forces to achieve flight or that operates on the surface of water or underwater to affect animal or fish behavior in order to hinder or prevent the lawful taking of game.

Section 40112 of NREPA currently states "a person shall not obstruct or interfere in the lawful taking of animals by another person," and then lists specific actions which constitute obstruction or interference, as well as a general prohibition on engaging "in any other act or behavior for the purpose of violating this section."

The bill would amend Section 40112(2)(c) to prohibit using "a natural or artificial visual, aural, olfactory, gustatory, or physical stimulus *or an unmanned vehicle or unmanned device that uses aerodynamic forces to achieve flight or that operates on the surface of the water or underwater,* to affect animal *or fish* behavior in order to hinder or prevent the lawful taking of an animal *or a fish.*" [Italics indicate language that would be added by the bill.]

Senate Bill 55 would amend Section 40111c of NREPA to prohibit the use of an unmanned vehicle or unmanned device that uses aerodynamic forces to achieve flight or that operates on the surface of water or underwater to take game.

Presently, Section 4011c states that a person other than the DNR shall not take game using a tranquilizer propelled from a bow or firearm. The prohibition against an individual using the aforementioned unmanned craft to take game would be added as a new Subsection (2).

The bills also would make other wording changes which do not affect the content of the bill. Both bills would take effect 90 days after being enacted into law. The bills are tie-barred, meaning neither can take effect unless both are enacted into law.

FISCAL IMPACT:

Senate Bills 54 and 55 would have no fiscal impact on the Department of Natural Resources.

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