

SENATE BILL NO. 1258

September 15, 1998, Introduced by Senator DINGELL and referred to the Committee on Hunting, Fishing and Forestry.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40102 (MCL 324.40102), as amended by 1998 PA 86, and by adding section 40115a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 40102. (1) "Animals" means wild birds and wild
2 mammals.
- 3 (2) "Bag limit" means the number of animals that may be
4 taken and possessed as determined by the department.
- 5 (3) "BLIND PERSON" MEANS THAT TERM AS DEFINED IN SECTION 1
6 OF 1978 PA 260, MCL 393.351.
- 7 (4) ~~(3)~~ "Bow" means a device for propelling an arrow from
8 a string drawn, held, and released by hand where the force used
9 to hold the string in the drawn position is provided by the
10 archer's muscles.

1 (5) ~~(4)~~ "Buy" or "sell" means an exchange or attempt or
2 offer to exchange for money, barter, or anything of value.

3 (6) ~~(5)~~ "Chase" means to follow animals with dogs or other
4 wild or domestic animals trained for that purpose.

5 (7) "CROSSBOW" MEANS THAT TERM AS DEFINED IN SECTION 40115.

6 (8) ~~(6)~~ "Disability" means a determinable physical charac-
7 teristic of an individual that may result from disease, injury,
8 congenital condition of birth, or functional disorder.

9 (9) ~~(7)~~ "Firearm" means a weapon from which a dangerous
10 projectile may be propelled by using explosives, gas, or air as a
11 means of propulsion. Firearm does not include a smooth bore
12 rifle or handgun designed and manufactured exclusively for pro-
13 pelling BB's not exceeding .177 caliber by means of a spring or
14 air or gas.

15 SEC. 40115A. A BLIND PERSON MAY USE A LASER SIGHTING DEVICE
16 TO TAKE AN ANIMAL IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

17 (A) THE BLIND PERSON HOLDS A LICENSE TO TAKE THE ANIMAL
18 UNDER PART 435 AND COMPLIES WITH ALL OTHER LAWS AND RULES FOR THE
19 TAKING OF THE ANIMAL.

20 (B) THE PERSON IS ACCOMPANIED AND ASSISTED BY A SIGHTED
21 PERSON. THE SIGHTED PERSON MUST BE AT LEAST 18 YEARS OF AGE.
22 THE SIGHTED PERSON SHALL POSSESS A HUNTING LICENSE ISSUED BY THIS
23 STATE, ANOTHER STATE, A PROVINCE OF CANADA, OR ANOTHER COUNTRY OR
24 A CERTIFICATE OF COMPLETION OF TRAINING IN HUNTER SAFETY ISSUED
25 BY THIS STATE, ANOTHER STATE, A PROVINCE OF CANADA, OR ANOTHER
26 COUNTRY. THE SIGHTED PERSON SHALL FURNISH THE LICENSE OR
27 CERTIFICATE UPON THE REQUEST OF A PEACE OFFICER.

1 (C) THE BLIND PERSON POSSESSES PROOF OF BLINDNESS IN THE
2 FORM OF AN IDENTIFICATION CARD ISSUED UNDER THE AUTHORITY OF SEC-
3 TION 2 OF 1972 PA 222, MCL 28.292, AND FURNISHES THE PROOF OF
4 BLINDNESS UPON THE REQUEST OF A PEACE OFFICER.

5 (D) IF THE ANIMAL IS A DEER, BEAR, ELK, OR TURKEY, THE
6 ARROW, BOLT, OR QUARREL USED HAS A BROADHEAD HUNTING TYPE OF
7 POINT NOT LESS THAN 7/8 OF AN INCH WIDE AND IS AT LEAST 14 INCHES
8 LONG.