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BILL ANALYSIS

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Senate Bill 1177 (as introduced 4-29-04)

Sponsor: Senator Tony Stamas

Committee: Natural Resources and Environmental Affairs

Date Completed: 6-15-04

CONTENT

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to permit the Department of Natural Resources (DNR) to issue to a person with disabilities a permit authorizing the person to pursue, shoot, and retrieve game from a vehicle, under certain conditions.

Currently, the DNR may issue a hunting permit to a person who is unable to walk because he or she is a paraplegic or an amputee, or is permanently disabled and unable to walk because of other disease or injury. The permit authorizes the person to take game during the open season for that game, including deer of either sex, from or on a standing vehicle. The bill would delete these provisions.

Instead, under the bill, the DNR could issue to a person with disabilities a permit authorizing the person to pursue game from a vehicle, shoot game from a standing vehicle, and retrieve game with a vehicle, and to operate the vehicle cross-country for any of those purposes, if it were open season for that game. As is currently required, the person would have to hold a hunting or fishing license issued under Part 435 of the Act, and comply with all other laws and rules for the taking of game.

"Person with disabilities" would mean that term is defined in Section 81101 of the Act, but would not include a blind person. Under Section 81101, "person with disabilities" means a person who has one or more of the following physical characteristics:

- Blindness.
- Inability to ambulate more than 200 feet without having to stop and rest during any time of the year.
- Loss of use of one or both legs or feet.
- Inability to ambulate without the prolonged use of a wheelchair, walker, crutches, braces, or other device required to aid mobility.
- A lung disease from which the person's expiratory volume for one second, when measured by spirometry, is less than one liter, or from which the person's arterial oxygen tension is less than 60 mm/hg of room air at rest.
- A cardiovascular disease from which the person measures between 3 and 4 on the New York heart classification scale, or from which a marked limitation of physical activity causes fatigue, palpitation, dyspnea, or anginal pain.
- Other diagnosed disease or disorder including, but not limited to, severe arthritis or a neurological or orthopedic impairment that creates a severe mobility limitation.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

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