

Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 628 (Substitute S-2 as passed by the Senate)
Sponsor: Senator Christopher D. Dingell
Committee: Hunting, Fishing and Forestry

Date Completed: 6-6-00

RATIONALE

Under the Wildlife Conservation Order issued by the Natural Resources Commission, a person must not make use of certain substances or items, including a crossbow, or mechanical devices (other than firearms, slingshots, or bows and arrows) for the purpose of taking an animal or driving an animal out of its hole or home. The Order, however, allows a blind person to use a laser sighting device to take an animal during lawful hunting hours for that animal if the blind person is accompanied and assisted by a sighted person who is at least 18 years of age and possesses a hunting license or certificate of completion of training in hunter safety issued by this State, another state, a province of Canada, or another country; and the blind person possesses proof of blindness in the form of an official State identification card.

In addition, the Natural Resources and Environmental Protection Act (NREPA) currently allows the Department of Natural Resources to issue a crossbow permit to a person who is certified as being permanently disabled if the person holds a hunting license under the Act. Some people believe that the statute also should specify that a blind person could use a crossbow equipped with a laser sighting device, to take an animal.

CONTENT

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to allow a blind person to use a crossbow to take game if the crossbow were equipped with a laser sighting device, and the blind person complied with an order issued under Part 401 that regulates the use of laser sighting devices for hunting.

The bill would incorporate the definition of "blind person" in Public Act 260 of 1978, which provides for the Commission for the Blind. That Act defines "blind person" as "an individual who has a visual acuity of 20/200 or less in the better eye with correction, or

has a limitation of his or her field of vision such that the widest diameter of the visual field subtends an angular distance not greater than 20 degrees, as determined by the commission".

MCL 324.40102 et al.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The current law prohibits a person from taking an animal with a crossbow, but permits the use of a crossbow by someone who is permanently disabled. The bill also would allow a blind person to take an animal with a crossbow under specific circumstances. A crossbow with a laser sighting device would provide an opportunity for a blind person to participate fully in the sport of bow hunting. In addition, the bill would make the NREPA consistent with the Wildlife Conservation Order in this respect.

Opposing Argument

Reportedly, there has been some controversy in states that allow crossbow hunting for all persons. Crossbows apparently do not provide the challenge of instinctive handbow aiming, since handbows are held at full draw with the shooter's muscles as he or she aims, while crossbows are held in the cocked position and released mechanically. Some bow hunters feel that crossbows are more accurate and easily mastered than handbows and that they provide an unfair advantage.

Response: Crossbow use during archery season would be limited to blind and physically disabled shooters, which should be less objectionable to crossbow opponents.

Legislative Analyst: N. Nagata

FISCAL IMPACT

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

Fiscal Analyst: P. Graham

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.