

SUBSTITUTE FOR
SENATE BILL NO. 628

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 40102 (MCL 324.40102), as amended by 1999 PA
66, 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)-~~ "Deer or elk feeding" means the depositing, dis-
7 tributing, or tending of feed in an area frequented by wild,
8 free-ranging white-tailed deer or elk. Deer or elk feeding does
9 not include any of the following:

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

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

15 (c) The storage or use of feed for agricultural purposes if
16 1 or more of the following apply:

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

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

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

23 (d) Baiting to take game as provided by an order of the com-
24 mission under section 40113a.

25 (9) ~~-(7)-~~ "Disability" means a determinable physical charac-
26 teristic of an individual that may result from disease, injury,
27 congenital condition of birth, or functional disorder.

1 (10) ~~—(8)—~~ "Feed" means a substance composed of grain,
2 mineral, salt, fruit, vegetable, hay, or any other food material
3 or combination of these materials, whether natural or manufac-
4 tured, that may attract white-tailed deer or elk. Feed does not
5 include any of the following:

6 (a) Plantings for wildlife.

7 (b) Standing farm crops under normal agricultural
8 practices.

9 (c) Agricultural commodities scattered solely as the result
10 of normal agricultural practices.

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

17 SEC. 40115A. A BLIND PERSON MAY USE A CROSSBOW TO TAKE GAME
18 IF BOTH OF THE FOLLOWING APPLY:

19 (A) THE CROSSBOW IS EQUIPPED WITH A LASER SIGHTING DEVICE.

20 (B) THE BLIND PERSON COMPLIES WITH AN ORDER ISSUED UNDER
21 THIS PART THAT REGULATES THE USE OF LASER SIGHTING DEVICES FOR
22 HUNTING.