

# HOUSE BILL No. 4405

March 4, 1997, Introduced by Reps. Geiger, Rhead, LeTarte, Llewellyn, Goschka, Brackenridge, McBryde, Crissman, Sikkema, London, McNutt and Cropsey and referred to the Committee on Conservation, Environment and Recreation.

A bill to provide for the removal of certain dead animals from certain areas open to vehicular traffic in this state; and to prescribe the powers and duties of certain state agencies and officials.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. As used in this act:

2       (a) "Person" means an individual, partnership, corporation,  
3 association, governmental entity, or other legal entity.

4       (b) "Roadway" means the entire width between the boundary  
5 lines of every way publicly maintained when any part is improved,  
6 designed, or ordinarily used for public vehicular travel.

7       (c) "Shoulder" means that portion of the roadway that is  
8 contiguous to the roadway and generally extends the contour of  
9 the roadway and that is not designed for vehicular traffic but is

1 maintained for the temporary accommodation of disabled or stopped  
2 vehicles otherwise permitted on the roadway.

3       Sec. 2. (1) Except as otherwise provided in subsection (2),  
4 as soon as practical after receiving notice from a person, the  
5 department of natural resources shall remove the carcass of a  
6 deer, bear, elk, or moose from the traveled portion or the shoul-  
7 der of any public roadway or bridge in this state.

8       (2) The department of natural resources may enter into a  
9 contract with the county board of commissioners of any county  
10 that seeks to undertake in that county the responsibilities of  
11 the department provided under subsection (1).

12       (3) Contracts authorized under subsection (2) shall be nego-  
13 tiated by the department of natural resources with individual  
14 counties and shall provide reasonable compensation to a county in  
15 exchange for the service provided by the county.