

HOUSE BILL No. 4875

June 24, 2003, Introduced by Rep. Richardville and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 40104 and 40114 (MCL 324.40104 and
324.40114), as added by 1995 PA 57, and by adding section 40115.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40104. (1) "Senior citizen" means that term as defined
2 in section 43507.

3 (2) ~~—(1)—~~ "Take" means to hunt with any weapon, dog, raptor,
4 or other wild or domestic animal trained for that purpose; kill;
5 chase; follow; harass; harm; pursue; shoot; rob; trap; capture;
6 or collect animals, or to attempt to engage in such an activity.

7 (3) ~~—(2)—~~ "Transport" means to carry or ship animals within
8 this state or to points outside this state.

9 (4) ~~—(3)—~~ "Trap" means taking or attempting to take animals
10 by means of a trap or other device designed to kill or capture

1 animals.

2 (5) ~~—(4)—~~ "Vehicle" means every device in, upon, or by which
3 any person or property is or may be transported, except devices
4 exclusively moved by human power.

5 Sec. 40114. (1) The department may issue a permit to a
6 person who is unable to walk due to being a paraplegic or an
7 amputee, or being permanently disabled and unable to walk because
8 of other disease or injury. A permit issued under this
9 subsection authorizes the person to take game during the open
10 season for that game, including deer of either sex, from or upon
11 a standing vehicle if that person holds a license to take that
12 game issued pursuant to part 435 and complies with all other laws
13 and rules for the taking of game.

14 (2) The department may issue a permit to a person who is
15 permanently disabled and who has full use of only 1 arm and who
16 upon investigation is unable to hold, aim, and shoot a bow. A
17 permit issued under this subsection authorizes the person to take
18 game during the open season for that game with a bow that has
19 been modified so that the bow may be held, aimed, and shot with 1
20 arm, if that person holds a license to take that game issued
21 pursuant to part 435 and complies with all other laws and rules
22 for the taking of game.

23 (3) In addition, the department may issue permits authorizing
24 1 or more of the following:

25 (a) The taking or possession of animals for the purpose of
26 rehabilitating animals.

27 (b) The taking of animals to prevent or control damage and

1 nuisance caused by the animals.

2 (c) The collection, transportation, possession, or
3 disposition of animals and parts of animals for scientific
4 purposes.

5 (d) The public exhibition of animals.

6 (e) Taxidermy.

7 (f) The disposition of accidentally or unlawfully taken or
8 injured animals or animals that are unlawfully possessed.

9 (g) The taking of game with a crossbow by a person who is
10 permanently disabled. ~~as provided in section 40115.~~

11 (4) A permit issued under this section ~~or section 40115~~ may
12 be suspended, revoked, annulled, withdrawn, recalled, canceled,
13 or amended pursuant to the administrative procedures act of 1969,
14 ~~Act No. 306 of the Public Acts of 1969, being sections 24.201 to~~
15 ~~24.328 of the Michigan Compiled Laws~~ **1969 PA 306, MCL 24.201 to**
16 **24.328.** If the holder of a permit is convicted of violating this
17 section, his or her permit or license may be revoked and any
18 animal and the parts of any animal in his or her possession shall
19 be disposed of in a manner approved by the department.

20 (5) ~~Except as otherwise provided in section 40115 for a~~
21 ~~permit described in subsection (3)(g), all fees~~ **Fees** received
22 for permits and licenses issued under this section shall be
23 forwarded by the department to the state treasurer to be credited
24 to the game and fish protection fund created in part 435.

25 **Sec. 40115. Subject to section 43527, a senior citizen may**
26 **take deer with a crossbow during the bow and arrow deer season.**