

SENATE BILL No. 1177

April 29, 2004, Introduced by Senator STAMAS and referred to the Committee on Natural Resources and Environmental Affairs.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40114. (1) The department may issue ~~a permit to a~~
2 ~~person who is unable to walk due to being a paraplegic or an~~
3 ~~amputee, or being permanently disabled and unable to walk because~~
4 ~~of other disease or injury. A permit issued under this~~
5 ~~subsection authorizes the person to take game during the open~~
6 ~~season for that game, including deer of either sex, from or upon~~
7 ~~a standing vehicle if that~~ to a person with disabilities a
8 permit authorizing the person, on any land controlled by the
9 department and open to hunting, to pursue game from a vehicle,
10 shoot game from a standing vehicle, and retrieve game with a

1 vehicle, and to operate the vehicle cross-country for any of
2 those purposes, if all of the following requirements are met:

3 (a) It is open season for that game.

4 (b) The person holds a license to take that game issued
5 pursuant to part 435. ~~and~~

6 (c) The person complies with all other laws ~~and rules~~ for
7 the taking of game.

8 (2) "Person with disabilities", as used in subsection (1),
9 means that term as defined in section 81101, but does not include
10 a person who is blind.

11 (3) ~~—(2)—~~ The department may issue a permit to a person who
12 is permanently disabled, ~~and who~~ has full use of only 1 arm,
13 and, ~~who~~ upon investigation, is unable to hold, aim, and shoot
14 a bow. A permit issued under this subsection authorizes the
15 person to take game during the open season for that game with a
16 bow that has been modified so that the bow may be held, aimed,
17 and shot with 1 arm, if that person holds a license to take that
18 game issued pursuant to part 435 and complies with all other laws
19 ~~and rules~~ for the taking of game.

20 (4) ~~—(3)—~~ In addition, the department may issue permits
21 authorizing 1 or more of the following:

22 (a) The taking or possession of animals for the purpose of
23 rehabilitating animals.

24 (b) The taking of animals to prevent or control damage and
25 nuisance caused by the animals.

26 (c) The collection, transportation, possession, or
27 disposition of animals and parts of animals for scientific

1 purposes.

2 (d) The public exhibition of animals.

3 (e) Taxidermy.

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

6 (g) ~~The~~ Pursuant to an order issued by the commission, the
7 taking of game with a crossbow. ~~by a person who is permanently~~
8 ~~disabled as provided in section 40115.~~

9 (5) ~~(4)~~ A permit issued under this section ~~or section~~
10 ~~40115~~ may be suspended, revoked, annulled, withdrawn, recalled,
11 canceled, or amended pursuant to the administrative procedures
12 act of 1969, ~~Act No. 306 of the Public Acts of 1969, being~~
13 ~~sections 24.201 to 24.328 of the Michigan Compiled Laws 1969 PA~~
14 **306, MCL 24.201 to 24.328.** If the holder of a permit is
15 convicted of violating this section, his or her permit or license
16 may be revoked and any animal and the parts of any animal in his
17 or her possession shall be disposed of in a manner approved by
18 the department.

19 (6) ~~(5) Except as otherwise provided in section 40115 for a~~
20 ~~permit described in subsection (3)(g), all~~ Any fees received for
21 permits and licenses issued under this section shall be forwarded
22 by the department to the state treasurer to be credited to the
23 game and fish protection fund created in ~~part 435~~ **section**
24 **43553.**