

HOUSE BILL No. 4942

June 15, 2005, Introduced by Reps. Newell, Walker, Nofs, Meyer, Mortimer, Emmons, Hune, Stakoe, Casperson, Palsrok, Shaffer, Pearce, Booher, Gleason, McDowell, Espinoza, Accavitti, Adamini, Sheltroun, Moore and Nitz and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

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 person
2 who is unable to walk ~~due to being~~ **BECAUSE THE PERSON IS** a
3 paraplegic or an amputee ~~—, or being permanently disabled and~~
4 ~~unable to walk~~ because of ~~other~~ **A** disease or injury **THAT HAS**
5 **RENDERED THE PERSON PERMANENTLY DISABLED.** A permit issued under
6 this subsection authorizes the person to take game during the open
7 season for that game, including deer of either sex, from or upon a
8 standing vehicle if that person holds a license to take that game
9 issued pursuant to part 435 and complies with all other laws and

1 rules for the taking of game.

2 (2) The department may issue a permit to a person who is
3 permanently disabled and who has full use of only 1 arm and who
4 upon investigation is unable to hold, aim, and shoot a bow. A
5 permit issued under this subsection authorizes the person to take
6 game during the open season for that game with a bow that has been
7 modified so that the bow may be held, aimed, and shot with 1 arm,
8 if that person holds a license to take that game issued pursuant to
9 part 435 and complies with all other laws and rules for the taking
10 of game.

11 (3) In addition, the department may issue permits authorizing
12 1 or more of the following:

13 (a) The taking or possession of animals for the purpose of
14 rehabilitating animals.

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

17 (c) The collection, transportation, possession, or disposition
18 of animals and parts of animals for scientific purposes.

19 (d) The public exhibition of animals.

20 (e) Taxidermy.

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

23 (g) The taking of game with a crossbow. ~~by a person who is~~
24 ~~permanently disabled as provided in section 40115.~~ **A PERSON**

25 **QUALIFIES FOR A PERMIT UNDER THIS SUBDIVISION IF HE OR SHE PRESENTS**
26 **THE DEPARTMENT WITH A STATEMENT BY A PHYSICIAN THAT THE PERSON IS**
27 **PERMANENTLY DISABLED, HAS FULL USE OF ONLY 1 ARM, AND UPON**

1 INVESTIGATION IS UNABLE TO HOLD, AIM, AND SHOOT A BOW. A PERMIT
2 ISSUED UNDER THIS SUBDIVISION AUTHORIZES THE PERSON TO TAKE GAME
3 DURING THE OPEN SEASON FOR THAT GAME WITH A CROSSBOW, IF THAT
4 PERSON HOLDS A LICENSE TO TAKE THAT GAME ISSUED PURSUANT TO PART
5 435 AND COMPLIES WITH ALL OTHER LAWS AND RULES FOR THE TAKING OF
6 GAME.

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

16 (5) ~~Except as otherwise provided in section 40115 for a~~
17 ~~permit described in subsection (3)(g), all fees~~ FEES received for
18 permits and licenses issued under this section shall be forwarded
19 by the department to the state treasurer to be credited to the game
20 and fish protection fund created in part 435 OR, IF HOUSE JOINT
21 RESOLUTION Z OF THE 92ND LEGISLATURE BECOMES A PART OF THE STATE
22 CONSTITUTION OF 1963 AS PROVIDED IN SECTION 1 OF ARTICLE XII OF THE
23 STATE CONSTITUTION OF 1963, TO THE GAME AND FISH PROTECTION ACCOUNT
24 OF THE MICHIGAN CONSERVATION AND RECREATION LEGACY FUND PROVIDED
25 FOR IN SECTION 2010.