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Senate Bill 572 (as introduced 6-7-07)

Sponsor: Senator Jim Barcia

Committee: Natural Resources and Environmental Affairs

Date Completed: 10-8-07

### **CONTENT**

**The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to do the following:**

- Authorize the Natural Resources Commission (NRC) to issue an order regulating the taking of game with a modified bow that may be shot with one arm.**
- Allow revocation of the permit of a person convicted of violating the permit, and require the disposal of any animal or animal parts in his or her possession.**

#### Modified Bow

Section 40114 of the Act allows the Department of Natural Resources (DNR) to issue a permit to a person who is permanently disabled, has full use of only one arm, and is unable to hold, aim, and shoot a bow. A permit authorizes the person to take game during the open season for that game with a bow that has been modified so that it may be held, aimed, and shot with one arm, if the person holds a license to take that game and complies with all other laws and rules for the taking of game.

The bill would allow the Natural Resources Commission to issue an order under Section 40113a regulating the taking of game with a modified bow that may be shot with one arm. The current provisions described above would not apply on or after the effective date of such an NRC order.

(Section 40113a provides that the NRC has the exclusive authority to regulate the taking of game in Michigan. To the greatest extent practicable, the Commission must use principles of sound scientific management in making decisions regarding the taking of game. Issuance of Commission orders regarding the taking of game must be made following a public meeting and an opportunity for public input. At least 30 days before issuing an order, the NRC must give a copy of it to all of the following:

- Each member of each standing committee of the Senate or House of Representatives that considers legislation pertaining to conservation, the environment, natural resources, recreation, tourism, or agriculture.
- The chairpersons of the Senate and House Appropriations Committees.
- The members of the subcommittees of the Appropriations Committees that consider the DNR budget.)

## Permit Violation

Section 40114 authorizes the DNR to issue a permit to hunt from a standing vehicle to a person who is unable to walk because he or she is a paraplegic or an amputee or because of a disease or injury that has rendered the person permanently disabled. The DNR also may issue permits authorizing any of the following:

- The taking or possession of animals for the purpose of rehabilitating them.
- The taking of animals to prevent or control damage and nuisance caused by them.
- The collection, transportation, possession, or disposition of animals and parts of animals for scientific purposes.
- The public exhibition of animals.
- Taxidermy.
- The disposition of accidentally or unlawfully taken or injured animals or animals that are unlawfully possessed.
- The taking of game with a crossbow by a person who is permanently disabled.

If a permit holder is convicted of violating Section 40114, his or her permit or license may be revoked and any animal and the parts of any animal in his or her possession must be disposed of in a manner approved by the DNR. Under the bill, this provision also would apply if a permit holder were convicted of violating the permit.

MCL 324.40114

Legislative Analyst: Julie Cassidy

## **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Jessica Runnels

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.