

# HOUSE BILL No. 5309

September 2, 2009, Introduced by Reps. Proos, Kurtz, Ball, Lori, Haveman, Tyler, Stamas, Daley, Agema, Spade, Wayne Schmidt, Lund, Walsh, Calley, Denby and Pavlov and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 40114 (MCL 324.40114), as amended by 2008 PA  
169.

## 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 because the person is a paraplegic or an  
3 amputee or because of a disease or injury that has rendered the  
4 person permanently disabled. A permit issued under this subsection  
5 authorizes the person to take game during the open season for that  
6 game, including deer of either sex, from or upon a standing vehicle  
7 if that person holds a license to take that game issued pursuant to

1 part 435 and complies with all other laws and rules for the taking  
2 of game.

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

12 (3) The commission may issue an order under section 40113a  
13 regulating the taking of game with a modified bow that may be shot  
14 with 1 arm. Subsection (2) does not apply on or after the effective  
15 date of such an order.

16 (4) In addition, the department may issue permits authorizing  
17 1 or more of the following:

18 (a) The taking or possession of animals for the purpose of  
19 rehabilitating animals.

20 (b) The taking of animals to prevent or control damage and  
21 nuisance caused by the animals. **A PERMITTEE UNDER A DEER DAMAGE**  
22 **SHOOTING PERMIT MAY DESIGNATE NOT MORE THAN 15 AUTHORIZED SHOOTERS**  
23 **TO IMPLEMENT THE PROVISIONS OF THE PERMIT.**

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

26 (d) The public exhibition of animals.

27 (e) Taxidermy.

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

3           (g) The taking of game with a crossbow by a person who is  
4 permanently disabled.

5           (5) A permit issued under this section may be suspended,  
6 revoked, annulled, withdrawn, recalled, canceled, or amended  
7 pursuant to the administrative procedures act of 1969, 1969 PA 306,  
8 MCL 24.201 to 24.328. If the holder of a permit is convicted of  
9 violating the permit or this section, his or her permit or license  
10 may be revoked and any animal and the parts of any animal in his or  
11 her possession shall be disposed of in a manner approved by the  
12 department.

13           (6) Fees received for permits and licenses issued under this  
14 section shall be forwarded by the department to the state treasurer  
15 to be credited to the game and fish protection account of the  
16 Michigan conservation and recreation legacy fund provided for in  
17 section 2010.