

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 685

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 40114 (MCL 324.40114), as amended by 2010 PA
87.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40114. (1) The department may issue a permit to a ~~person~~
2 **AN INDIVIDUAL** who is unable to walk because the ~~person~~**INDIVIDUAL**
3 is a paraplegic or an amputee or because of a disease or injury
4 that has rendered the ~~person~~**INDIVIDUAL** permanently disabled. A
5 permit issued under this subsection authorizes the ~~person~~
6 **INDIVIDUAL** to take game during the open season for that game,
7 including deer of either sex, from or upon a standing vehicle if
8 that ~~person~~**INDIVIDUAL** holds a license to take that game issued

1 ~~pursuant to~~ **UNDER** part 435 and complies with all other laws and
 2 rules for the taking of game.

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

22 **(i) EXCEPT DURING AN OPEN SEASON FOR DEER, DEER MAY BE TAKEN**
 23 **UNDER THIS SUBDIVISION IF THE DEPARTMENT DETERMINES THAT DEER HAVE**
 24 **CAUSED DAMAGE TO EMERGING, STANDING, OR HARVESTED CROPS OR TO FEED**
 25 **PROPERLY STORED IN ACCORDANCE WITH NORMAL AGRICULTURAL PRACTICES.**
 26 **IF THE DEPARTMENT RECEIVES A REQUEST FOR A PERMIT ISSUED UNDER THIS**
 27 **SUBDIVISION, THE DEPARTMENT SHALL, WITHIN 5 BUSINESS DAYS AFTER**

1 RECEIVING THE REQUEST, DETERMINE WHETHER A PERMIT SHOULD BE ISSUED.
2 IF THE DEPARTMENT DETERMINES THAT A PERMIT SHOULD NOT BE ISSUED
3 UNDER THIS SUBDIVISION, THE DEPARTMENT SHALL DENY THE REQUEST IN
4 WRITING WITHIN 10 BUSINESS DAYS AFTER RECEIVING THE REQUEST. IN
5 DENYING THE REQUEST FOR A PERMIT, THE DEPARTMENT SHALL ADVISE THE
6 APPLICANT ON OTHER TECHNIQUES FOR CONTROLLING OR PREVENTING DAMAGE
7 CAUSED BY DEER.

8 (ii) A PERMITTEE UNDER A DEER DAMAGE SHOOTING PERMIT MAY
9 DESIGNATE NOT MORE THAN 15 AUTHORIZED SHOOTERS TO IMPLEMENT THE
10 PROVISIONS OF THE PERMIT UNLESS THE DEPARTMENT AUTHORIZES
11 OTHERWISE.

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

14 (d) The public exhibition of animals.

15 (e) Taxidermy.

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

18 (g) The taking of game with a crossbow by ~~a person~~ **AN**
19 **INDIVIDUAL** who is permanently or temporarily disabled.

20 (h) The taking or possession of raptors for the purposes of
21 falconry.

22 (5) A permit issued under this section may be suspended,
23 revoked, annulled, withdrawn, recalled, canceled, or amended
24 pursuant to the administrative procedures act of 1969, 1969 PA 306,
25 MCL 24.201 to 24.328. If the holder of a permit is convicted of
26 violating the permit or this section, his or her permit or license
27 may be revoked and any animal and the parts of any animal in his or

1 her possession shall be disposed of in a manner approved by the
2 department.

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