

SUBSTITUTE FOR
HOUSE BILL NO. 4993

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 43532a (MCL 324.43532a), as added by 2013 PA
108, and by adding section 43532b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43532a. Beginning March 1, 2014, the department shall
2 charge an additional \$1.00 per base license under sections
3 43523a(3) and 43535(2), combination hunt and fish license under
4 section 43523b, and all-species fishing license under sections
5 43532(7) and 43536(2). The department shall ~~use~~**DEPOSIT** money
6 generated under this section ~~for marketing, education, and outreach~~
7 ~~activities.~~**IN THE MICHIGAN WILDLIFE MANAGEMENT PUBLIC EDUCATION**
8 **FUND CREATED IN SECTION 43532B.**

9 **SEC. 43532B. (1) THE MICHIGAN WILDLIFE MANAGEMENT PUBLIC**

1 EDUCATION FUND IS CREATED WITHIN THE STATE TREASURY.

2 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM
3 ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL
4 DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT
5 TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS.

6 (3) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL
7 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

8 (4) THE DEPARTMENT SHALL BE THE ADMINISTRATOR OF THE FUND FOR
9 AUDITING PURPOSES.

10 (5) THE MICHIGAN WILDLIFE COUNCIL SHALL EXPEND MONEY FROM THE
11 FUND, UPON APPROPRIATION, ONLY TO SUPPORT THE PROGRAM DESIGNED
12 UNDER SUBSECTION (18) AND TO PAY THE DEPARTMENT'S ADMINISTRATIVE
13 COSTS IN IMPLEMENTING THIS SECTION. NOT MORE THAN 5% OF THE ANNUAL
14 APPROPRIATIONS FROM THE FUND SHALL BE SPENT ON THE ADMINISTRATIVE
15 COSTS OF THE DEPARTMENT IN IMPLEMENTING THIS SECTION.

16 (6) THE MICHIGAN WILDLIFE COUNCIL IS CREATED WITHIN THE
17 DEPARTMENT.

18 (7) THE MICHIGAN WILDLIFE COUNCIL SHALL CONSIST OF THE
19 FOLLOWING 9 MEMBERS:

20 (A) THE DIRECTOR OR HIS OR HER DESIGNEE.

21 (B) FOUR INDIVIDUALS WHO HAVE PURCHASED HUNTING OR FISHING
22 LICENSES IN THIS STATE ON A REGULAR BASIS, INCLUDING AT LEAST ONCE
23 DURING EACH OF THE LAST 3 YEARS, AT LEAST 1 OF WHOM HAS PURCHASED A
24 HUNTING LICENSE AND AT LEAST 1 OF WHOM HAS PURCHASED A FISHING
25 LICENSE, APPOINTED BY THE DIRECTOR FROM A LIST RECOMMENDED BY
26 STATEWIDE SPORTSMEN'S ORGANIZATIONS.

27 (C) ONE INDIVIDUAL REPRESENTING LOCAL BUSINESSES IN THIS STATE

1 THAT ARE SUBSTANTIALLY IMPACTED BY HUNTING AND FISHING, APPOINTED
2 BY THE DIRECTOR.

3 (D) ONE INDIVIDUAL REPRESENTING AGRICULTURAL PRODUCERS IN THIS
4 STATE, APPOINTED BY THE DIRECTOR.

5 (E) ONE INDIVIDUAL WITH A MEDIA OR MARKETING BACKGROUND, WHO
6 IS NOT AN EMPLOYEE OF THE DEPARTMENT, APPOINTED BY THE DIRECTOR.

7 (F) ONE INDIVIDUAL REPRESENTING RURAL AREAS OF THIS STATE
8 WHOSE ECONOMIES ARE SUBSTANTIALLY IMPACTED BY HUNTING AND FISHING,
9 APPOINTED BY THE DIRECTOR.

10 (8) IN APPOINTING MEMBERS UNDER SUBSECTION (7), THE DIRECTOR
11 SHALL MAKE AN EFFORT TO APPOINT MEMBERS FROM ALL GEOGRAPHIC AREAS
12 OF THIS STATE, AT LEAST 1 OF WHOM IS FROM THE UPPER PENINSULA.

13 (9) THE MEMBERS FIRST APPOINTED TO THE MICHIGAN WILDLIFE
14 COUNCIL SHALL BE APPOINTED WITHIN 90 DAYS AFTER THE EFFECTIVE DATE
15 OF THIS SECTION.

16 (10) THE APPOINTED MEMBERS OF THE MICHIGAN WILDLIFE COUNCIL
17 SHALL SERVE FOR TERMS OF 4 YEARS OR UNTIL A SUCCESSOR IS APPOINTED,
18 WHICHEVER IS LATER, EXCEPT THAT OF THE MEMBERS FIRST APPOINTED 2
19 SHALL SERVE FOR 2 YEARS, 3 SHALL SERVE FOR 3 YEARS, AND 3 SHALL
20 SERVE FOR 4 YEARS. THE APPOINTED MEMBERS SHALL NOT SERVE MORE THAN
21 2 FULL TERMS.

22 (11) IF A VACANCY OCCURS ON THE MICHIGAN WILDLIFE COUNCIL, THE
23 DIRECTOR SHALL MAKE AN APPOINTMENT FOR THE UNEXPIRED TERM IN THE
24 SAME MANNER AS THE ORIGINAL APPOINTMENT.

25 (12) THE DIRECTOR, WITH THE APPROVAL OF THE MAJORITY OF THE
26 COUNCIL, MAY REMOVE A MEMBER OF THE MICHIGAN WILDLIFE COUNCIL FOR
27 INCOMPETENCE, DERELICTION OF DUTY, MALFEASANCE, MISFEASANCE, OR

1 NONFEASANCE IN OFFICE, OR ANY OTHER GOOD CAUSE.

2 (13) THE FIRST MEETING OF THE MICHIGAN WILDLIFE COUNCIL SHALL
3 BE CALLED BY THE DIRECTOR. AT THE FIRST MEETING, THE MICHIGAN
4 WILDLIFE COUNCIL SHALL ADOPT BYLAWS AND THEN ELECT FROM AMONG ITS
5 MEMBERS A CHAIRPERSON AND OTHER OFFICERS AS IT CONSIDERS NECESSARY
6 OR APPROPRIATE. AFTER THE FIRST MEETING, THE MICHIGAN WILDLIFE
7 COUNCIL SHALL MEET AT LEAST QUARTERLY, OR MORE FREQUENTLY AT THE
8 CALL OF THE CHAIRPERSON OR IF REQUESTED BY A MAJORITY OF THE
9 MEMBERS SERVING.

10 (14) A MAJORITY OF THE MEMBERS OF THE MICHIGAN WILDLIFE
11 COUNCIL CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS AT A
12 MEETING OF THE MICHIGAN WILDLIFE COUNCIL. A MAJORITY OF THE MEMBERS
13 SERVING ARE REQUIRED FOR OFFICIAL ACTION OF THE MICHIGAN WILDLIFE
14 COUNCIL.

15 (15) THE BUSINESS THAT THE MICHIGAN WILDLIFE COUNCIL MAY
16 PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING OF THE MICHIGAN
17 WILDLIFE COUNCIL HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT,
18 1976 PA 267, MCL 15.261 TO 15.275.

19 (16) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
20 RETAINED BY THE MICHIGAN WILDLIFE COUNCIL IN THE PERFORMANCE OF AN
21 OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT,
22 1976 PA 442, MCL 15.231 TO 15.246.

23 (17) MEMBERS OF THE MICHIGAN WILDLIFE COUNCIL SHALL SERVE
24 WITHOUT COMPENSATION. HOWEVER, MEMBERS OF THE MICHIGAN WILDLIFE
25 COUNCIL MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY EXPENSES
26 INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS MEMBERS OF
27 THE MICHIGAN WILDLIFE COUNCIL.

1 (18) THE MICHIGAN WILDLIFE COUNCIL SHALL DO ALL OF THE
2 FOLLOWING:

3 (A) DEVELOP AND IMPLEMENT, IN CONJUNCTION WITH A THIRD-PARTY
4 MARKETING OR ADVERTISING AGENCY, A COMPREHENSIVE MEDIA-BASED PUBLIC
5 INFORMATION PROGRAM TO PROMOTE THE ESSENTIAL ROLE THAT SPORTSMEN
6 AND SPORTSWOMEN PLAY IN FURTHERING WILDLIFE CONSERVATION AND TO
7 EDUCATE THE GENERAL PUBLIC ABOUT HUNTING, FISHING, AND THE TAKING
8 OF GAME. THAT EDUCATION MAY INCLUDE, BUT IS NOT LIMITED TO,
9 TEACHING THAT HUNTING, FISHING, AND THE TAKING OF GAME ARE ANY OF
10 THE FOLLOWING:

11 (i) NECESSARY FOR THE CONSERVATION, PRESERVATION, AND
12 MANAGEMENT OF THIS STATE'S NATURAL RESOURCES.

13 (ii) A VALUED AND INTEGRAL PART OF THE CULTURAL HERITAGE OF
14 THIS STATE AND SHOULD FOREVER BE PRESERVED.

15 (iii) AN IMPORTANT PART OF THIS STATE'S ECONOMY.

16 (B) PROVIDE A SEMIANNUAL REPORT TO THE LEGISLATURE ON THE
17 PROGRAM AND EXPENDITURES UNDER THIS SECTION.

18 (C) PREPARE AN OPERATIONAL PLAN NO LATER THAN 120 DAYS AFTER
19 THE FIRST MEETING OF THE MICHIGAN WILDLIFE COUNCIL AND NO LATER
20 THAN APRIL 30 IN SUBSEQUENT YEARS.

21 (D) EXPEND MONEY FROM THE MICHIGAN WILDLIFE MANAGEMENT PUBLIC
22 EDUCATION FUND IN ACCORDANCE WITH THE OPERATIONAL PLAN AND IN
23 COMPLIANCE WITH SECTION 40501, EXCEPT THAT ALL EXPENDITURES SHALL
24 BE WITHIN THE SCOPE OF THE ACTIVITIES AND FUNDING LEVELS AUTHORIZED
25 IN THE OPERATIONAL PLAN.

26 (19) THE MICHIGAN WILDLIFE COUNCIL MAY GIVE PREFERENCE TO
27 MICHIGAN-BASED FIRMS WHEN HIRING A THIRD-PARTY MARKETING OR

1 **ADVERTISING AGENCY UNDER SUBSECTION (18).**

2 Enacting section 1. This amendatory act takes effect upon the
3 expiration of 90 days after the date it is enacted into law.