Legislative Analysis

SPORTSMEN AGAINST HUNGER

House Bill 4145
Sponsor: Rep. Tory Rocca
Committee: Conservation, Forestry, and Outdoor Recreation

Complete to 5-25-05

A SUMMARY OF HOUSE BILL 4145 AS INTRODUCED 2-2-05

House Bill 4145 would amend the Natural Resources and Environmental Protection Act (NREPA) to allow hunters and fishers to donate $1 to the Sportsmen Against Hunger Program when they apply for a license. The donation would be in addition to the license fee, and the opportunity to donate would be available for license applications made through the Internet (or other authorized means such as kiosks) starting March 1, 2005, and for license applications made in person starting November 1, 2005.

Under the bill, the Department of Natural Resources would create a Sportsmen Against Hunger Program to distribute wild game or other food to people in need. The bill requires that the department do all of the following:

- collect from licensed hunters donations of legally taken game that complies with all state and federal game laws, including any requirements that the parts of the game be intact;

- contract for processing the donated game;

- distribute the processed game to food banks, soup kitchens, and other charitable organizations that provide meals or food to people free of charge; and

- promote the program through the hunting license distribution system and other means that will further the mission of the program.

Further, the bill specifies that the department may request financial donations from hunters to offset the cost of processing donated game, and that those financial donations will be tax deductible. The department also may contract for the administration of the program by a nonprofit organization that is exempt from taxation under section 501(c)(3) of the Internal Revenue Code. Payments under the contract would have to be adequate to cover the nonprofit organization's costs in administering the program; however, they could not exceed the amount of revenue available from the fund.

To qualify to enter a contract, a nonprofit organization would need to demonstrate a commitment to the goals of the program and have at least five years of business experience in providing meals or food to people free of charge. The contract would have to require that the nonprofit organization do all of the following: a) maintain a license under the Charitable Organizations and Solicitations Act, b) maintain adequate staff to

perform the tasks outlined in the contract; and c) undergo an annual financial audit and make the audit information and report available to the department.

All donations would be deposited into a newly-created Sportsmen Against Hunger Fund. Like other funds, the state treasurer could receive money and other assets for deposit into the fund, direct investment of the fund, and credit to the fund any interest and earnings. Also, any money remaining in the fund at the close of the fiscal year would remain in the fund and not lapse to the General Fund.

The department would be allowed to expend money from the fund for two purposes: the costs of administering the fund, including the costs of collecting donations; and, the administration of the program, including, if applicable, the costs of any contract with a nonprofit organization to administer the program.

MCL 324.43540a et al

FISCAL IMPACT:

The apparent intent of the legislation is to generate through donations sufficient revenue to pay for the gathering, processing, and distribution of donated game. There would be an indeterminate fiscal impact on the Department of Natural Resources if sufficient revenue is not collected, and the department is expected to implement the program. There would be no fiscal impact on local units of government.

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