

WILDLIFE MANAGEMENT PUBLIC EDUCATION FUND

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House Bill 4993

Sponsor: Rep. Jon Bumstead

Committee: Natural Resources

Complete to 9-30-13

A SUMMARY OF HOUSE BILL 4993 AS INTRODUCED 9-18-13

This bill is understood to be associated with the creation of a new hunting and fishing license fee structure enacted by Public Act 108 of 2013 (House Bill 4668). That bill contained a provision stating:

Beginning March 1, 2014, the department shall charge an additional \$1.00 per base license . . . combination hunt and fish license . . . , and all-species fishing license. The department shall use money generated under this section for marketing, education, and outreach activities.

House Bill 4993 would appear to implement that provision by adding a new section to Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to do the following:

- Add a \$1 charge to base licenses, combination hunting and fishing licenses, and all-species fishing licenses to be deposited into the newly created Michigan Wildlife Management Public Education Fund;
- Establish the Michigan Wildlife Management Public Education Fund; and
- Create the Michigan Wildlife Council to develop a comprehensive media-based public information program about the benefits of wildlife and wildlife management.

Michigan Wildlife Management Public Education Fund

The bill would create the Michigan Wildlife Management Public Education Fund within the Department of Treasury. The State Treasurer would be responsible for directing the investment of the fund and all interest and earnings from fund investments would be credited back to the fund. Money in the fund at the close of the fiscal year would remain in the fund and would not lapse to the General Fund. The Michigan Wildlife Council would be responsible for spending money from the fund, as appropriated by the Legislature. Money could only be spent to support its program and pay administrative costs of the Department of Natural Resources (DNR) to implement this new section. Under the bill, the DNR could spend no more than 5% of the annual appropriations from the fund on administrative costs.

Michigan Wildlife Council

The bill would create the Michigan Wildlife Council within the DNR, consisting of the following members appointed by the director:

- Four individuals who have bought hunting or fishing licenses on a regular basis, including at least once during each of the previous three years, with at least one who has bought a hunting license and at least one who has bought a fishing license. These members would be appointed by the DNR director from a list recommended by statewide sportsmen's organizations.
- One individual representing local businesses substantially impacted by hunting and fishing.
- One individual representing agricultural producers.
- One individual with a media or marketing background who is not an employee of the DNR.
- One individual representing rural areas with economies that are substantially impacted by hunting and fishing.

The bill would direct the DNR director to make an effort to appoint members to the Council from all geographic areas of the state, with at least one member from the Upper Peninsula. Members would have to be appointed within 90 days after the bill was signed into law.

Terms of office

Council members would serve four-year terms and could serve additional time at the end of a term until a successor is appointed. Initial members of the Council would serve the following staggered terms: two serving two-year terms, three serving three-year terms, and three serving four-year terms. Appointed members would be limited to serving more than two full terms.

Removal of members

Members could be removed by the DNR director for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause, with the approval of a majority of the Council members.

Open Meetings Act and FOIA

At the first meeting of the Council, members would have to adopt bylaws and elect a chairperson and any other officers it deems appropriate. After its initial meeting the Council would be required to meet at least once every three months, but could meet more frequently at the request of the chairperson or a majority of the members. A majority of the members serving would be needed for official action. All business of the council would have to be conducted at public meetings held in compliance with the Open Meetings Act, and any writing used by the Council in the performance of an official function would be subject to the Freedom of Information Act.

Compensation of members

Members would not receive compensation for serving on the Council but could be reimbursed for actual and necessary expenses that are incurred in the performance of official duties.

Responsibilities of the Council

Under the bill, the Council would be charged with doing all of the following:

- Develop and implement a comprehensive media-based public information program, in conjunction with a third-party marketing agency, to educate the general public on the benefits of wildlife, wildlife management, and the role that licensed hunters, anglers, trappers, sportsmen, and sportswomen play in wildlife management.
- Provide a biannual report to the legislature on the program and its expenditures.
- Prepare an operational plan for the director's approval within at least 120 days after the Wildlife Council conducts its first meeting and by April 30 in each subsequent year.
- Spend money from the Wildlife Management Public Education Fund in accordance with the operational plan approved by the DNR director, except that all expenditures must be within the scope of the activities and funding levels authorized in the plan.

Enacting Section 1

The bill would take effect 90 days after being signed into law.

FISCAL IMPACT:

Beginning March 1, 2014, a new fee structure for Michigan's hunting and fishing licenses will be established that includes an increase in license fees and the need for a new base hunting license in order to hunt any species of wildlife (PA 108 of 2013). House Bill 4993 would require the DNR to charge an additional \$1.00 for each new hunting base license, combination hunting and fishing license, and all-species fishing license. It is estimated that the new \$1.00 charge will generate approximately \$1.6 million in additional revenue annually.

In FY 2011-12, the sale of hunting and fishing licenses in Michigan generated \$48.6 million. Because of the restructuring of the hunting and fishing license fee structure, when the new fee structures goes into effect, these fees are expected to generate an additional \$19.7 million annually. Of this amount, \$1.6 million would be from the additional \$1.00 charge to the specific licenses mentioned above.

The bill also creates a new fund, the Michigan Wildlife Management Public Education Fund, and requires that these new revenues be deposited into the fund. After appropriation by the Legislature, expenditures from the fund may be made by the Michigan Wildlife Council, a new council that would be created by the bill. The fund

may only be expended as dictated by the Council's operational plan which must first be approved by the Director of the DNR and for the Department's administrative costs for the program (up to 5% of the annual appropriations). The majority of the Council's expenditures will be used to fund a comprehensive media-based information program about wildlife management and the role hunters, anglers, trappers, sportsmen and sportswomen play. It is anticipated that this provision of up to 5% of the appropriations would be sufficient to fund any additional administrative costs to the DNR arising from the bill's provisions.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.