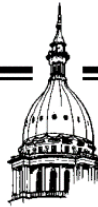




**Senate Fiscal Agency**  
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BILL



ANALYSIS

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House Bill 4993 (Substitute H-2 as passed by the House)  
Sponsor: Representative Jon Bumstead  
House Committee: Natural Resources  
Senate Committee: Natural Resources, Environment and Great Lakes

Date Completed: 10-16-13

### **CONTENT**

**The bill would amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to do the following:**

- **Create the "Michigan Wildlife Management Public Education Fund" and the Michigan Wildlife Council.**
- **Require the Council to spend Fund money to develop and implement a media-based public information program to promote the role of sportsmen and sportswomen in wildlife conservation and to educate the public about hunting, fishing, and the taking of game.**
- **Require an extra dollar that will be added to particular hunting and fishing license fees for marketing, education, and outreach activities beginning March 1, 2014, to be deposited in the proposed Fund.**

The bill would take effect 90 days after it was enacted.

Part 435 prescribes fees for various hunting and fishing licenses, effective March 1, 2014, as shown in Table 1.

Table 1

<b>License Type</b>	<b>Fee</b>
Base (for small game, except for animals or birds that require a special license) <sup>1</sup>	Resident: \$10 Nonresident: \$150 Resident/nonresident minor child: \$5
All-species fishing	Resident: \$25 Nonresident: \$75
Combination hunt and fish (includes all of the privileges conferred by base license, two deer licenses, and all-species fishing license) <sup>1</sup>	Resident: \$75 Nonresident: \$265

<sup>1</sup> A Michigan resident who is at least 65 years old may obtain a senior license. The fee is discounted 60% from the fee for a resident license.

Beginning March 1, 2014, Part 435 requires the Department of Natural Resources (DNR) to charge an additional \$1 for each of these licenses, including the senior licenses, and use that money for marketing, education, and outreach activities. The bill, instead, would require the DNR to deposit this money in the proposed Michigan Wildlife Management Public Education Fund.

The bill would create the Fund within the State Treasury. The State Treasurer could receive money or other assets from any source for deposit into the Fund, and would have to credit to the Fund interest and earnings from Fund investments. 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 DNR would be the administrator of the Fund for auditing purposes.

The Michigan Wildlife Council would have to spend money from the Fund, upon appropriation, only to support the public information program described below and to pay the DNR's administrative costs in implementing the bill's requirements. A maximum of 5% of the annual appropriations from the Fund could be spent on administrative costs.

The bill would create the Council within the DNR. The Council would consist of nine members, including the DNR Director or his or her designee, and four individuals who have purchased hunting or fishing licenses in Michigan on a regular basis, appointed by the Director from a list recommended by statewide sportsmen's organizations. These appointed members would have to have purchased a license at least once during each of the last three years, and include at least one member who purchased a hunting license and at least one who purchased a fishing license.

In addition, the Council would have to include the following people, appointed by the DNR Director:

- One individual representing local businesses in Michigan that are affected substantially by hunting and fishing.
- One individual representing Michigan agricultural producers.
- One individual with a media or marketing background who was not a DNR employee.
- One individual representing rural areas of the State whose economies are affected substantially by hunting and fishing.

In appointing members, the DNR Director would have to make an effort to appoint people from all geographic areas of the State. At least one member would have to be from the Upper Peninsula.

The members first appointed to the Council would have to be appointed within 90 days after the bill took effect.

The appointed members would serve for terms of four years or until a successor was appointed, whichever was later, except that of the members first appointed, two would serve for two years, three would serve for three years, and three would serve for four years. Appointed members could not serve more than two full terms.

The Director would have to call the Council's first meeting, where the Council would have to adopt bylaws and elect a chairperson and other officers it considered necessary or appropriate. The Council then would have to meet at least quarterly, or more frequently at the call of the chairperson or if requested by a majority of the members serving.

The Council would be subject to the Open Meetings Act and the Freedom of Information Act.

Council members would serve without compensation, but could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members.

The Council would have to develop and implement, in conjunction with a third-party marketing or advertising agency, a comprehensive media-based public information program "to promote the essential role that sportsmen and sportswomen play in furthering wildlife conservation" and to educate the general public about hunting, fishing, and the taking of

game. The education provided under the program could include "teaching that hunting, fishing, and the taking of game are any of the following":

- "Necessary for the conservation, preservation, and management of this state's natural resources."
- "A valued and integral part of the cultural heritage of this state and should be preserved forever."
- "An important part of this state's economy."

The Council could give preference to Michigan-based firms when hiring a third-party marketing or advertising agency.

Additionally, the Council would have to do the following:

- Give the Legislature a semiannual report on the program and related expenditures.
- Prepare an operational plan within 120 days after the Council's first meeting and by April 30 in subsequent years.
- Spend money from the proposed Fund in accordance with the operational plan and in compliance with Section 40501, except that all expenditures would have to be within the scope of the activities and funding levels authorized in the operational plan.

(Section 40501 requires the DNR to perform acts necessary to conduct and establish wildlife restoration, management, and research projects and areas in cooperation with the Federal government under the Pittman-Robertson Wildlife Restoration Act and regulations promulgated under that Act. In compliance with that Act, funds accruing to the State from license fees paid by hunters may not be used for any purpose other than game and fish activities under the DNR's administration.)

MCL 324.43532a et al.

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

The bill would have a neutral fiscal impact on the Department of Natural Resources and no fiscal impact on local units of government. Under the bill, revenue generated from a \$1 surcharge levied on hunting and fishing licenses under the new hunting and fishing license fee structure enacted earlier in 2013 would be directed to the proposed Michigan Wildlife Management Public Education Fund. It is expected that approximately \$1.6 million will be collected annually from these surcharges. Statute currently requires this revenue to be spent on marketing, education, and outreach activities, but since the surcharge will not take effect until March 1, 2014, the changes in the bill would have no practical fiscal impact on the DNR as that revenue has yet to be collected.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.