

SENATE 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 **SUBACCOUNT CREATED IN SECTION 43532B.**

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

1 EDUCATION SUBACCOUNT IS CREATED WITHIN THE GAME AND FISH PROTECTION
2 ACCOUNT.

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

8 (3) MONEY IN THE SUBACCOUNT AT THE CLOSE OF THE FISCAL YEAR
9 SHALL REMAIN IN THE SUBACCOUNT AND SHALL NOT LAPSE TO THE GAME AND
10 FISH PROTECTION ACCOUNT OR THE GENERAL FUND.

11 (4) THE DEPARTMENT SHALL BE THE ADMINISTRATOR OF THE
12 SUBACCOUNT FOR AUDITING PURPOSES.

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

20 (6) THE MICHIGAN WILDLIFE COUNCIL IS CREATED WITHIN THE
21 DEPARTMENT.

22 (7) THE MICHIGAN WILDLIFE COUNCIL SHALL CONSIST OF THE
23 FOLLOWING 9 MEMBERS:

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

25 (B) FOUR INDIVIDUALS WHO HAVE PURCHASED HUNTING OR FISHING
26 LICENSES IN THIS STATE ON A REGULAR BASIS, INCLUDING AT LEAST ONCE
27 DURING EACH OF THE LAST 3 YEARS, AT LEAST 1 OF WHOM HAS PURCHASED A

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1 HUNTING LICENSE AND AT LEAST 1 OF WHOM HAS PURCHASED A FISHING
2 LICENSE, APPOINTED BY THE GOVERNOR <<WITH THE ADVICE AND CONSENT OF
3 THE SENATE>> FROM A LIST RECOMMENDED BY
4 STATEWIDE SPORTSMEN'S ORGANIZATIONS.

5 (C) ONE INDIVIDUAL REPRESENTING LOCAL BUSINESSES IN THIS STATE
6 THAT ARE SUBSTANTIALLY IMPACTED BY HUNTING AND FISHING, APPOINTED
7 BY THE GOVERNOR <<WITH THE ADVICE AND CONSENT OF THE SENATE>>.

8 (D) ONE INDIVIDUAL REPRESENTING AGRICULTURAL PRODUCERS IN THIS
9 STATE, APPOINTED BY THE GOVERNOR <<WITH THE ADVICE AND CONSENT OF THE
10 SENATE>>.

11 (E) ONE INDIVIDUAL WITH A MEDIA OR MARKETING BACKGROUND, WHO
12 IS NOT AN EMPLOYEE OF THE DEPARTMENT, APPOINTED BY THE GOVERNOR
13 <<WITH THE ADVICE AND CONSENT OF THE SENATE>>.

14 (F) ONE INDIVIDUAL REPRESENTING RURAL AREAS OF THIS STATE
15 WHOSE ECONOMIES ARE SUBSTANTIALLY IMPACTED BY HUNTING AND FISHING,
16 APPOINTED BY THE GOVERNOR <<WITH THE ADVICE AND CONSENT OF THE SENATE>>.

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

20 (9) THE MEMBERS FIRST APPOINTED TO THE MICHIGAN WILDLIFE
21 COUNCIL SHALL BE APPOINTED WITHIN 90 DAYS AFTER THE EFFECTIVE DATE
22 OF THIS SECTION.

23 (10) THE APPOINTED MEMBERS OF THE MICHIGAN WILDLIFE COUNCIL
24 SHALL SERVE FOR TERMS OF 4 YEARS OR UNTIL A SUCCESSOR IS APPOINTED,
25 WHICHEVER IS LATER, EXCEPT THAT OF THE MEMBERS FIRST APPOINTED 2
26 SHALL SERVE FOR 2 YEARS, 3 SHALL SERVE FOR 3 YEARS, AND 3 SHALL
27 SERVE FOR 4 YEARS. THE APPOINTED MEMBERS SHALL NOT SERVE MORE THAN
28 2 FULL TERMS.

29 (11) IF A VACANCY OCCURS ON THE MICHIGAN WILDLIFE COUNCIL, THE
30 GOVERNOR SHALL MAKE AN APPOINTMENT FOR THE UNEXPIRED TERM IN THE

1 SAME MANNER AS THE ORIGINAL APPOINTMENT.

2 (12) THE GOVERNOR MAY REMOVE A MEMBER OF THE MICHIGAN WILDLIFE
3 COUNCIL FOR INCOMPETENCE, DERELICTION OF DUTY, MALFEASANCE,
4 MISFEASANCE, OR NONFEASANCE IN OFFICE, OR ANY OTHER GOOD CAUSE.

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

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

18 (15) THE BUSINESS THAT THE MICHIGAN WILDLIFE COUNCIL MAY
19 PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING OF THE MICHIGAN
20 WILDLIFE COUNCIL HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT,
21 1976 PA 267, MCL 15.261 TO 15.275.

22 (16) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
23 RETAINED BY THE MICHIGAN WILDLIFE COUNCIL IN THE PERFORMANCE OF AN
24 OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT,
25 1976 PA 442, MCL 15.231 TO 15.246.

26 (17) MEMBERS OF THE MICHIGAN WILDLIFE COUNCIL SHALL SERVE
27 WITHOUT COMPENSATION. HOWEVER, MEMBERS OF THE MICHIGAN WILDLIFE

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1 COUNCIL MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY EXPENSES
2 INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS MEMBERS OF
3 THE MICHIGAN WILDLIFE COUNCIL.

4 (18) THE MICHIGAN WILDLIFE COUNCIL SHALL DO ALL OF THE
5 FOLLOWING:

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

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

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

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

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

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

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

1 IN THE OPERATIONAL PLAN.

2 (19) THE MICHIGAN WILDLIFE COUNCIL MAY GIVE PREFERENCE TO
3 MICHIGAN-BASED FIRMS WHEN HIRING A THIRD-PARTY MARKETING OR
4 ADVERTISING AGENCY UNDER SUBSECTION (18).

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