

Act No. 246
Public Acts of 2013
Approved by the Governor
December 21, 2013
Filed with the Secretary of State
December 26, 2013
EFFECTIVE DATE: March 27, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Reps. Bumstead, Rendon, Kivela, McBroom, Heise, Kurtz, Johnson, Leonard, Goike, VerHeulen, MacGregor, Crawford, Dianda, Haines, Nesbitt, Pettalia, Foster, Glardon, McCready, Haveman, Outman, Callton, Forlini, Schmidt, Potvin, Hooker, Brown, LaVoy, Pscholka, MacMaster, Victory, Genetski, Franz, Somerville, Yonker, Muxlow, Pagel, Jacobsen, Graves, Price, Zorn, Shirkey, Daley, Lyons, Cotter, Denby, LaFontaine and Lane

ENROLLED HOUSE BILL No. 4993

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," 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:

Sec. 43532a. Beginning March 1, 2014, the department shall charge an additional \$1.00 per base license under sections 43523a(3) and 43535(2), combination hunt and fish license under section 43523b, and all-species fishing license under sections 43532(7) and 43536(2). The department shall deposit money generated under this section in the Michigan wildlife management public education subaccount created in section 43532b.

Sec. 43532b. (1) The Michigan wildlife management public education subaccount is created within the game and fish protection account.

(2) The state treasurer may receive money or other assets from any source for deposit into the subaccount. The state treasurer shall direct the investment of the subaccount. The state treasurer shall credit to the subaccount interest and earnings from subaccount investments.

(3) Money in the subaccount at the close of the fiscal year shall remain in the subaccount and shall not lapse to the game and fish protection account or the general fund.

(4) The department shall be the administrator of the subaccount for auditing purposes.

(5) The Michigan wildlife council shall expend money from the subaccount, upon appropriation, only to support the program designed under subsection (18) and to pay the department's administrative costs in implementing this section. Not more than 5% of the annual appropriations from the subaccount shall be spent on the administrative costs of the department in implementing this section.

(6) The Michigan wildlife council is created within the department.

(7) The Michigan wildlife council shall consist of the following 9 members:

(a) The director or his or her designee.

(b) Four individuals who have purchased hunting or fishing licenses in this state on a regular basis, including at least once during each of the last 3 years, at least 1 of whom has purchased a hunting license and at least 1 of whom has purchased a fishing license, appointed by the governor with the advice and consent of the senate from a list recommended by statewide sportsmen's organizations.

(c) One individual representing local businesses in this state that are substantially impacted by hunting and fishing, appointed by the governor with the advice and consent of the senate.

(d) One individual representing agricultural producers in this state, appointed by the governor with the advice and consent of the senate.

(e) One individual with a media or marketing background, who is not an employee of the department, appointed by the governor with the advice and consent of the senate.

(f) One individual representing rural areas of this state whose economies are substantially impacted by hunting and fishing, appointed by the governor with the advice and consent of the senate.

(8) In appointing members under subsection (7), the governor shall make an effort to appoint members from all geographic areas of this state, at least 1 of whom is from the Upper Peninsula.

(9) The members first appointed to the Michigan wildlife council shall be appointed within 90 days after the effective date of this section.

(10) The appointed members of the Michigan wildlife council shall serve for terms of 4 years or until a successor is appointed, whichever is later, except that of the members first appointed 2 shall serve for 2 years, 3 shall serve for 3 years, and 3 shall serve for 4 years. The appointed members shall not serve more than 2 full terms.

(11) If a vacancy occurs on the Michigan wildlife council, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.

(12) The governor may remove a member of the Michigan wildlife council for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(13) The first meeting of the Michigan wildlife council shall be called by the director. At the first meeting, the Michigan wildlife council shall adopt bylaws and then elect from among its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the Michigan wildlife council shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by a majority of the members serving.

(14) A majority of the members of the Michigan wildlife council constitute a quorum for the transaction of business at a meeting of the Michigan wildlife council. A majority of the members serving are required for official action of the Michigan wildlife council.

(15) The business that the Michigan wildlife council may perform shall be conducted at a public meeting of the Michigan wildlife council held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(16) A writing prepared, owned, used, in the possession of, or retained by the Michigan wildlife council in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(17) Members of the Michigan wildlife council shall serve without compensation. However, members of the Michigan wildlife council may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the Michigan wildlife council.

(18) The Michigan wildlife council shall do all of the following:

(a) 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. That education shall include, but is not limited to, teaching that hunting, fishing, and the taking of game are any of the following:

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

(b) Provide a semiannual report to the legislature on the program and expenditures under this section.

(c) Prepare an operational plan no later than 120 days after the first meeting of the Michigan wildlife council and no later than April 30 in subsequent years.

(d) Expend money from the Michigan wildlife management public education subaccount in accordance with the operational plan and in compliance with section 40501, except that all expenditures shall be within the scope of the activities and funding levels authorized in the operational plan.

(19) The Michigan wildlife council may give preference to Michigan-based firms when hiring a third-party marketing or advertising agency under subsection (18).

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor