

# Nimrod Society

Perpetuating Sportmen's Heritage and Wildlife Management Through Education

231.492.7514 | nick@nimrodsociety.org | 400 Apple Jack Ct, Sparta, MI 49345

## Model Wildlife Council Legislation

- (1) The \_\_\_\_\_ wildlife council is created within the department of \_\_\_\_\_ (hereinafter "Wildlife Council").
- (2) The 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 of individuals formally nominated 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.
- (3) In appointing members under subsection (2), the governor shall make an effort to appoint members from all geographic areas of this state.
- (4) The members first appointed to the Wildlife Council shall be appointed within 90 days after the effective date of this section.
- (5) The appointed members of the 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.
- (6) If a vacancy occurs on the Wildlife Council, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.
- (7) The governor may remove a member of the Wildlife Council for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

[State may prefer appointment by the director of the department rather than the governor with appropriate modification of language].

(8) The first meeting of the Wildlife Council shall be called by the director. At the first meeting, the 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 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.

(9) A majority of the members of the Wildlife Council constitute a quorum for the transaction of business at a meeting of the Wildlife Council. A majority of the members serving are required for official action of the Wildlife Council.

(10) The business that the Wildlife Council may perform shall be conducted at a public meeting of the Wildlife Council held in compliance with the open meetings act, \_\_\_\_\_ [state statute].

(11) A writing prepared, owned, used, in the possession of, or retained by the Wildlife Council in the performance of an official function is subject to the freedom of information act, \_\_\_\_\_ [state statute].

(12) Members of the Wildlife Council shall serve without compensation. However, members of the Wildlife Council may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the Wildlife Council pursuant to \_\_\_\_\_ [state statute].

(13) The 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 the value of 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 scientific 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 Wildlife Council and no later than April 30 in subsequent years.

(d) The Wildlife Council may give preference to \_\_\_\_\_-based firms when hiring a third-party marketing or advertising agency under subsection (a).

(14) The \_\_\_\_\_wildlife management public education subaccount is created within the \_\_\_\_\_ [state fish and game protection] account.

(15) The state treasurer shall deposit into the subaccount the designated surcharge on hunting and fishing licenses as specified in\_\_\_\_\_ [surcharge legislation].

(16) The state treasurer may also receive money or other assets from any source for deposit into the subaccount.

(17) The state treasurer shall direct the investment of the subaccount. The state treasurer shall credit to the subaccount interest and earnings from subaccount investments.

(18) Money in the subaccount at the close of the fiscal year shall remain in the subaccount and shall not lapse to the \_\_\_\_\_ [state fish and game protection] account or the general fund.

(19) The council shall expend money from the subaccount upon appropriation only:

(a) To support the program designated under subsection (13) and to pay the department's administrative costs in implementing this section, not to exceed 5% of the annual appropriations from the subaccount; and

(b) In accordance with the operational plan and within the scope of the activities and funding levels authorized by the operational plan; and

(c) In compliance with section(s)\_\_\_\_\_ [state assent statute] and \_\_\_\_\_ [state assent statute], being the assent legislation of the state to the provisions of the Pittman-Robertson Act, 16 U.S.C. §§ 669 – 669(j) and the Dingell-Johnson Act, 16 U.S.C. §§ 777 – 777(k).

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