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House Bill 4071 (Substitute H-3 as passed by the House)  
House Bill 4145 (Substitute H-3 as passed by the House)  
Sponsor: Representative Dave Hildenbrand (H.B. 4071)  
Representative Tory Rocca (H.B. 4145)  
House Committee: Conservation, Forestry, and Outdoor Recreation  
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 6-27-05

**CONTENT**

**The bills would amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to provide for a "Sportsmen Against Hunger Program", under which the Department of Natural Resources (DNR) would distribute donated wild game to people in need, and collect \$1 donations with hunting and fishing licenses for deposit into a proposed "Sportsmen Against Hunger Fund".**

The bills are tie-barred to each other.

**House Bill 4071 (H-3)**

The bill would require the DNR, by January 1, 2007, to implement the Sportsmen Against Hunger Program in order to distribute wild game to people in need. Under the program, the DNR would have to collect donations of legally taken game that complied with all State and Federal game laws, including any requirement that the parts of the game be intact.

The DNR would have to contract for the processing of the game, and distribute the processed game to food banks, soup kitchens, and other charitable organizations that provide meals or food to people free of charge. The Department could request financial donations to offset the processing cost. The donations would be tax deductible.

The DNR also would have to promote the program through the license distribution system and other means that would further the program's mission.

The Department could contract for the administration of the program by a nonprofit organization that was exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, if the DNR determined that it was more efficient to do so. Payments under the contract would have to be adequate to cover the organization's costs in administering the program, but could not exceed the amount of revenue available for the payments in the proposed Sportsmen Against Hunger Fund.

To qualify for a contract to administer the program, a nonprofit organization would have to have demonstrated a commitment to the goals of the program and have at least five years' experience in providing wild game or other food to people free of charge. The contract would have to require the organization to maintain a license under the Charitable

Organizations and Solicitations Act; maintain adequate staff to perform the tasks outlined in the contract; and annually undergo an independent financial audit and provide the audit information and report to all of the following:

- The DNR.
- The subcommittees of the House and Senate Appropriations Committees with responsibility for the DNR budget.
- The House and Senate committees with responsibility for natural resources issues.

### **House Bill 4145 (H-3)**

The bill would require the DNR or its agent, when a person applied for a license under Part 435, to ask whether he or she would like to donate \$1 to the Sportsmen Against Hunger Program. If so, the DNR would have to collect the donation with the license fee. A person designated by the DNR to issue licenses could not receive a commission for the donation. These provisions would apply to license applications beginning January 1, 2006.

The bill specifies that a donation would be in addition to the license fee.

The bill would create the Sportsmen Against Hunger Fund, and require the DNR to transfer donations to the State Treasurer for deposit in the Fund. The DNR could spend money in the Fund, upon appropriation, only for one or both of the following:

- The costs of administering the Fund, including the costs of collecting donations.
- The administration of the Sportsmen Against Hunger Program, including, if applicable, the costs of a contract with a nonprofit organization to administer the program.

The State Treasurer could receive money or other assets from any source for deposit into the Fund. The Treasurer 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 not lapse to the General Fund.

Proposed MCL 324.43540a (H.B. 4071)  
Proposed MCL 324.43540c (H.B. 4145)

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

The bills would cost the State an indeterminate amount. The DNR would be required to administer a new program and pay for the processing of donated game in preparation for distribution to food banks or similar, charitable organizations. It is not known how much revenue the donations would generate. If the donations received into the new Fund were insufficient to cover the costs of the program, other financial means would be necessary.

Fiscal Analyst: Jessica Runnels

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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.