

RESOLUTIONS

HR 108 primary sponsor Peter Pettalia (R) District 106, introduced a House Resolution on June 28, 2011 to encourage the MDNR and the NRC to allow baiting for a 2 year trail period in the Northeast portion of Michigan specifically: Alcona, Alpena, Iosco, Montmorency, Oscoda, and Presque Isle counties. The reason given is

- 1) hunters will be more willing to hunt in the six-county area knowing that they have an equal opportunity to attract deer as their fellow hunters in other areas of the state
- 2) baiting will encourage hunters to harvest more deer thereby further decreasing the incidents of bovine TB in both deer and cattle.

This House Resolution is currently in the House Committee of Natural Resources, Tourism and Outdoor Recreation.

LEGISLATIVE BILLS

HB 4021, HB 4028 primary sponsor Dave Agema (R)
Are designed to raid funds from the Natural Resources Trust Funds by changing state spending priorities. Roads are to get 60 percent of the trust fund revenues. Airports would get 20 percent and parks and trails or state parks would get the remaining 20 percent.

The NRTF was created in 1976 to buy lands for public recreation or to protect land for their environmental importance or scenic beauty and help local communities develop land for public use. MBH opposes these bills.

HB 4259 primary sponsor Kevin Cotter (R)
Deer hunting season; establish to begin on the Saturday closest to November 15. MBH has contacted the legislator who sponsored this bill as well as the vice chairman of the committee it has been referred to in opposition as written and suggest that if Saturday opener is deemed needed to have it the closest Saturday AFTER the traditional November 15th opening date. This bill at this writing remains in the House committee of Natural Resources and Outdoor Recreation where it was introduced in February 2011.

SWINE HOUSEBILLS

These Bills are tie barred together HB 4504-4505-4506 -4507 & 4699.

HB 4503 primary sponsor House Representative Ed Broom (R) creates a new act, "the Sporting Swine Marketing Act," which would require a person operating a sporting swine livestock operation to obtain a three year registration from the Department of Natural Resources. That department could conduct activities to develop and assist the sporting swine industry and would have to administer the act in consultation with the Department of Agriculture and Rural Development. This Bill passed the House with substitutes by a 61-47 vote and referred to the Senate Committee of Agriculture.

HB 4504 primary sponsor House Representative Sharon Tyler (R) would amend the Natural Resources and Environmental Protection Act to exclude sporting swine species from the definition of "game." It would also exclude sporting swine in sporting swine operations from provisions that allow

the Department of Natural Resources to regulate the taking or killing of all fish, game and fur-bearing animals, and game birds. (These exemptions are similar to those provided to privately owned Cervidae.) Additionally, it would prohibit the Natural Resources Commission from listing sporting swine regulated under the Sporting Swine Marketing Act as a prohibited or restricted species. This bill passed the House with substitutes by a 61 to 47 vote and was referred to the Senate Committee of Agriculture.

HB 4505 primary sponsor House Representative Sharon Tyler (R) would amend the Cervidae Act to allow a Cervidae livestock operation to be operated as both a Cervidae livestock operation and a sporting swine livestock operation provided the owner meets the requirements of both the Cervidae Act and the Sporting Swine Marketing Act. Additionally, a Cervidae livestock operation that is also registered as a sporting swine livestock operation would not be subject to the fees under the Cervidae Act as long as it has paid all fees associated with the Sporting Swine Marketing Act. This Bill passed the House with substitutes by a 62-46 vote and referred to the Senate Committee of Agriculture.

HB 4506 primary sponsor House Representative Ed McBroom (R) would amend the Code of Criminal Procedure to put felony penalties contained in the Sporting Swine Marketing Act into sentencing guidelines. (It would also rewrite some existing descriptions of felonies.) This bill passed the house with substitutes by a 61 to 47 vote and was referred to the Senate Committee of Agriculture

HB 4507 primary sponsor House Representative Ed McBroom (R) would transfer the administration of the Cervidae Act from the Department of Natural Resources to the Department of Agriculture and Rural Development. It also adds language to the act to make it consistent with provisions in the proposed Sporting Swine Marketing Act, regarding local ordinances and variances from ordinances and to specify that an application for registration is good for three years. THIS Bill was going on its third reading in the House and was POSTPONED TEMPORARLY on 6-30-2011

HB 4699 primary sponsor House Representative Ed McBroom (R) would amend the Animal Industry Act to prohibit indemnification payments from being made for sporting swine on a sporting swine livestock operation. However, if a disease eradication effort is ordered by the director for a sporting swine operation, the department would be required to develop a herd depopulation plan. This Bill was tie barred at a later date to those above, passed the house with substitutes by a 62-46 vote and referred to the Senate Committee of Agriculture

At this writing, these bills passed the House of Representatives and have been referred to the Senate Committee of Agriculture.

SB 307 primary sponsor Joseph Hune (R), tie bars with bills 308-310 to create the Sporting Swine Marketing Act to provide for the regulation of sporting swine livestock operations (breeding operations or hunting operations, or both). The bill would do the following:

- Identify a sporting swine livestock operation as an agricultural enterprise.
- Require the Michigan Department of Agriculture and Rural Development (MDARD) to administer the Act in consultation with the Department of Natural Resources (DNR).

- Prohibit a person from operating a sporting swine livestock operation unless it was registered by MDARD.
- Apply the registration requirement to existing operations beginning 90 days after the bill's effective date.
- Require an applicant for registration to submit a business plan, including biosecurity measures, a proposed site plan, and the current zoning of the property.
- Require an application to be shared with the local unit of government, as a rule, and require the applicant to obtain a variance if the operation would violate an ordinance.
- Provide for the conditional registration of a livestock operation for nine months if it met specified criteria.
- Require the DNR to review the proposed site plan for a new sporting swine livestock operation on a proposed site of 200 acres or larger.
- Require MDARD to inspect an operation after it was constructed, and to issue a registration if it complied with the Act.
- Provide that a registration would be valid for three years.
- Require MDARD to establish an expedited process for registration renewal.
- Require MDARD to contract with people trained by the Department to conduct an inspection during the second and third years of a registration to confirm that barriers were in place to prevent the escape of swine, and to confirm compliance with the Act.
- Establish criteria for fencing at livestock operations, and require fencing to be approved by MDARD.
- Require sporting swine at a livestock operation to have a negative pseudorabies test or originate from a qualified negative herd.
- Prohibit feral swine from being captured and used in sporting swine livestock operations.
- Require a blood sample of hunter-killed swine to be tested for disease.
- Require any movement, importing, or exporting of sporting swine to be in compliance with the Animal Industry Act.
- Require sporting swine to have identification.
- Prescribe administrative sanctions for a violation of the Act, and allow MDARD to file an action for a declaratory judgment or an injunction.
- Establish criminal penalties for violations of the Act.

SB 248 primary sponsor Tom Casperson (R)

Property; land sales; purchase of state land using state funds; modify criteria. Amends sec. 503 of [1994 PA 451](#) (MCL [324.503](#)).

This bill passed the Senate by a 24 to 14 vote on June 22nd and at the time of this writing is in the House Committee of Natural Resources, Outdoor Recreation and Tourism. This Senate Bill would impose a permanent a limit on the amount of land the MDNR could acquire for public recreation. Exceptions to this are limited to:

- A right-of-way for gaining access to other land owned by or under the control of the DNR.
- Land that was commercial forestland on the bill's effective date.
- Land acquired by the DNR through gift or litigation.
- Land in which the Department had acquired a conservation easement.
- A trail.

IMPORTANT

As written, this Senate Bill would also force the sale of over 250,000 acres of land the MDNR has.

Once the proposed SB 248 cap is reached, the State would be required to sell lands that exceed the cap. If a willing buyer does not come forward, the bill requires tax-reverted lands to be auctioned off to the highest bidder with no reserve price – in other words land could sell for pennies on the dollar.

Last legislative session, there was an attempt in the form of HB 5058 and SB 730 to force the sale of a parcel of publicly-owned land in Iosco County to a developer looking to build a new golf course, even though the land was not considered excess.

MBH members are encouraged to contact their House Representative and request they vote **NO** on Senate Bill 248 introduced to limit the amount of land the MDNR may own for public recreation.

SIGNED BILLS

HB 4371 primary sponsor Peter Pettilla (R)

Natural resources; hunting; minimum hunting age; eliminate, and create mentored youth hunting program.

This house bill introduced in March of 2011 and tie barred with SB 207 passed through the House of Representatives and the Senate and returned to the House of Representatives which concurred the Senate Substitute on June 30th. The bill has been approved by the Governor on 7-20-2011.

This bill will;

Amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to do the following:

- Eliminate the minimum hunting age.
- Require the Natural Resources Commission to establish a mentored youth hunting program.
- Establish a mentored youth hunting license for a person younger than 10, and allow a licensee to hunt with a mentor who was at least 21 in accordance with the program.
- Lower the age to 10 for certain discounted hunting license fees, and set a fee of \$7.50 for a mentored youth hunting license.
- Require the Department of Natural Resources to report to the Legislature every four years regarding the adequacy of the revenue from mentored youth hunting licenses.

SB 0207 primary sponsor Joseph Hune (R)

Minimum hunting age; eliminate, and create mentored youth hunting program.

This bill tie barred with HB 4371 has passed both house and Senate and was approved by the Governor on 7-20-1011

This Bill will;

Allow a hunting license to be issued to a child under 10 years old as part of a Mentored Youth Hunting Program to be established by the Natural Resources Commission. The mentored youth hunting license would be established with a \$7.50 fee.

The license would include a resident small game license, combination deer license, all species fishing license, spring and fall turkey hunting licenses, and a resident fur harvester license.

Under Senate Bill 207, the Natural Resources Commission would be required to establish by order a Mentored Youth Hunting Program within one year after the bill's effective date of September 1, 2011. The order would have to provide that: (1) a mentor be at least 21 years of age; (2) a mentor possess a valid

license to hunt, other than an apprentice license, before participating in the program; and (3) an individual could not be a mentor without presenting proof of previous hunting experience in the form of a previous hunting license, other than an apprentice license, or a certification of completion of training in hunter safety issued by Michigan, another state, a province of Canada, or another country.

HB 4577 primary sponsor Joel Johnson (R)

Funds from the Natural Resource Trust Funds directed by Legislature to pay PILT funds.

Payments in Lieu of Taxes (PILT) are State of Michigan payments to local units of government in lieu of property taxes for the land owned by the State and administered by the Department of Natural Resources (DNRE). The payments are made by the Department of Treasury, and only on those public lands administered by the DNRE.

The bill would require the Legislature to make appropriations from the Trust Fund each State fiscal year to make full PILT on State-owned land purchased through the Trust Fund, as provided in Section 2154 of the Act. This bill at the time of this writing passed from the House of Representatives passed the senate and returned as a concurred Bill in the House and ordered enrolled on June 30th and will approved by the Governor on 7-20-2011.

HB 4579 primary sponsor Frank Foster (R)

Property tax; other; PILT payments; revise funds against which payments are charged.

Payments in Lieu of Taxes (PILT) are State of Michigan payments to local units of government in lieu of property taxes for the land owned by the State and administered by the Department of Natural Resources (DNRE). The payments are made by the Department of Treasury, and only on those public lands administered by the DNRE.

This bill would require PILT for land purchased through the Natural Resources Trust Fund to be paid in full from the Trust Fund, beginning in 2012.

Previously, the aggregate amount for all PILT to all assessing districts, the portion of the payment that represents an assessment by a local school district, intermediate school district (ISD), or community college district was charged against the School Aid Fund. Up to 50% of the balance of any remaining payment was charged from restricted revenue sources of the Department of Natural Resources (DNR), and the rest was charged from the General Fund.

This Bill was approved by the Governor on 7-20-2011

MDNR UPDATES

DNR Director Rescinds Order to Close 23 State Forest Campgrounds

Department of Natural Resources Director Rodney Stokes withdrew a previous order to close 23 state forest campgrounds this summer at June 9th NRC meeting. Review to be done of the entire state forest campground system for possible local partnerships and interdepartmental agreements to operate state forest campgrounds.

Announcement of the first lease agreement with a local unit of government earlier in the week, turning over operation of the McCollum Lake State Forest Campground in Oscoda County to Clinton Township. Talks continue with other local units of government on some of the campgrounds that were slated for closure, The DNR Parks and Recreation Division will assume management of Lime Island State Forest Campground, and will conduct a pilot project with the DNR Forest Management Division to co-manage the Munuscong River State Forest Campground in Chippewa County.

The DNR will continue to operate the remaining campgrounds this year, Stokes said. He has asked Forest Management Division to develop a comprehensive cost estimate for operating the campgrounds slated for closure.

Michigan DNR, U.S. Fish and Wildlife Announce Information Meeting on Wolf Delisting Proposal

The Michigan Department of Natural Resources and the U.S. Fish and Wildlife Service held a public information meeting on June 16, 2011 about the Service's recent proposal to remove Endangered Species Act protection for the gray wolf in the western Great Lakes region, including Michigan, Wisconsin and Minnesota.

Members of the public will have the opportunity to view a presentation, receive information and ask questions about the Service's proposal. The proposal, published May 5, 2011, in the *Federal Register*, identifies the Western Great Lakes Distinct Population Segment (DPS) of wolves, which includes a core area of Minnesota, Michigan, and Wisconsin, as well as parts of adjacent states that are within the range of wolves dispersing from the core recovery area. The proposal would remove ESA protection and return wolf management to appropriate state and tribal authorities.

The proposal also recognizes the presence of two species of wolves in the western Great Lakes area: the gray wolf (*Canis lupus*), the wolf species currently listed under the ESA, and the eastern wolf (*Canis lycaon*), with a historical range that includes portions of eastern Canada and the northeastern United States. Recent wolf genetic studies indicate that what was formerly thought to be a subspecies of gray wolf (*Canis lupus lycaon*) is actually a distinct species (*Canis lycaon*). To establish the status of this newly recognized species, the Service is initiating a review of *C. lycaon* throughout its range in the United States and Canada.

Written comments may be submitted by one of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments to Docket No. [FWS-R3-ES-2011-0029].

U.S. mail or hand-delivery: Public Comments Processing, Attn: Docket No. [FWS-R3-ES-2011-0029]; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

Following the close of the public comment period on **July 5, 2011**, the Service will analyze information received and develop a final rule. The final rule, which will include information gained from the status review of *Canis lycaon*, is expected by the end of 2011.

For more information on wolves in the western Great Lakes, visit www.fws.gov/midwest/wolf

MDNR GROUP MEETING REPORTS

Bear user group – The report from Jerry Keck who attended the last meeting in June stated that the Michigan Hunting Dog Federation are pressuring the MDNRE to have the increased ability for access unto Commercial Forests. They want gates opened, and berm's placed for reduced traffic to be leveled. Their reason for this is to increase access for those who can not walk long distances and because hound hunters harvest a smaller percentage of bear then others do. It should be noted that Commercial Forests are private land which commercial operations do leave open to the public for hunting, but also have the option to regulate entry to some areas or all areas.

Another item brought up at this meeting was the Michigan Hunting Dog Federation and Michigan Archery Bear Hunters asking to use large containers or 55 gallon drums to place bait into on public land. This is a revisited request which wasn't received to well the past couple of years by those concerned with individuals leaving trash or bait containers in the fields after the season.