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LANSING



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June 9, 2016

TO: Natural Resources Commission
Department of Natural Resources Management Team

FROM: Trevor VanDyke, Director, Legislative & Legal Affairs Office

SUBJECT: Department of Natural Resources Legislative Update

SB 39 – Restrictions on Land Acquisitions, Land Sales and Land Management by the Department– Sen. Casperson

This bill seeks to amend the Natural Resources and Environmental Protection Act by prohibiting the Department from acquiring land north of the Mason-Arenac line if any state PILT payments, commercial forestland payments, or payments on tax-reverted land are not paid in full and on time. Further, the bill provides local units of government the ability to prohibit the Department from acquiring land where 33% of that local jurisdiction's land is either owned by the state, federal government, or in commercial forestland. The bill also urges the Department to provide motorized public access to all lands under the control of the Department, modifies the process for land exchanges, sales and appraisal valuations, and requires for each forest management area the establishment of an allowable sale quantity, a minimum sale quantity, and management goals.

- This bill is before the Senate Committee on Natural Resources.
- The Administration opposes this legislation.

SB 40 – Expands the Acceptable Uses of the Land Exchange Facilitation Fund to Pay Certain Costs – Sen. Booher

This bill seeks to amend the Natural Resources and Environmental Protection Act by amending Sections 2135, 2154 and 51106 to expand the acceptable uses of the land exchange facilitation fund to pay for maintenance and natural resource management costs, special assessments on lands owned by the Department, payments for the exchange of lands with the United States under section 2150, PILT payments under section 2154, and payments on commercial forestlands under section 51106. The bill further increases the payment amount per acre on commercial forestlands.

- This bill is before the Senate Committee on Natural Resources.
- The Administration opposes this legislation.

SBs 651 - 653 – Transitional Qualified Forest Property – Sens. Booher and Casperson

These bills seek to allow forestland to move from the Commercial Forest Program to the Qualified Forest Program, with the tax increase associated with the transfer to the QF program phased in over five years. SB 651 would create a new act, the Transitional Qualified Forest Property Specific Tax Act, which would allow forestland in the Commercial Forest Program to be considered "transitional" forest property for up to five years and be subject to a new annual specific tax. SB 652 seeks to amend the General Property Tax Act by amending Section 7jj and adding Section 7vv. SB 653 seeks to amend Section 51108 of the Natural Resources and Environmental Protection Act by adding the requirement that the Department of Agriculture and Rural Development and the DNR, within 30 days of the amendatory act, establish in writing a

basis of interdepartmental cooperation when an owner of forestland seeks to withdraw forestland from the CF program without penalty.

- These bills were referred to the full House for consideration.
- The Administration has not taken a position on this legislation.

SB 816 – Exempts all Veterans from the Recreation Passport Requirement – Sen. Colbeck

This bill seeks to amend Sections 74116 and 78119 of the Natural Resources and Environmental Protection Act, PA 451 of 1994, to exempt all military veterans who possess a valid, government-issued veteran identification, from the recreation passport requirement for entry into any state park, recreation area and/or state-operated boating access site.

- This bill is before the Senate Committee on Veterans, Military Affairs and Homeland Security.
- The Administration opposes this legislation.

SB 817 – Free Fishing License for Honorably Discharged Veterans or Active Duty Military – Sen. Colbeck

This bill seeks to amend Section 43537 of the Natural Resources and Environmental Protection Act, PA 451 of 1994, to allow an honorably discharged veteran or active member of the military to obtain an all-species fishing license free of charge.

- This bill is before the Senate Committee on Veterans, Military Affairs and Homeland Security.
- The Administration opposes this legislation.

HB 5146 – Possession of a Deer or Elk Carcass from a State Listed as Containing CWD – Rep. Kivela

This bill seeks to amend Section 40118 of the Natural Resources and Environmental Protection Act to establish as a misdemeanor and prescribes penalties against an individual who imports deer or elk carcasses from a state or providence detected to have CWD in free-range deer or elk populations. While these restrictions are currently contained in WCO, this bill would increase the penalty up to not less than \$500 or more than \$2000 and/or up to 90 days imprisonment.

- This bill was referred to the Senate Committee on Outdoor Recreation and Tourism.
- The Administration supports this legislation.

HB 5275 – Forest Roads, Pack & Saddle and ORV Use – Rep. Cole

This bill seeks to add a new Section 72117, amend Section 72115 of Part 721, amend Section 81133, and repeal Section 81126 of Part 811 of the Natural Resources and Environmental Protection Act to allow pack and saddle animals and ORVs to be used to retrieve legally harvested large game, to require that an inventory of forest roads be created, and to require that forest roads be open to motorized use by the public unless designated otherwise.

- The bill was referred to the Senate Committee of the Whole.
- The Administration supports this legislation.

HB 5484 – Allow Hunter Pink as a Hunting Apparel Color– Rep. Lyons

This bill seeks to amend Section 40116 of the Natural Resources and Environmental Protection Act to require the Natural Resource Commission (NRC) to determine by October 1, 2017, whether any additional colors, including hunter pink, are effective and safe for individuals to wear while hunting. Based on the determination made by the NRC, they shall then issue an order authorizing any additional safety garment colors may be worn while hunting.

- This bill was passed by the full House.
- The Administration has not taken a position on this legislation.

HB 5631 – Modify Allowable Uses of the Forest Development Fund – Rep. Pscholka

This bill seeks to amend Section 50507 of the Natural Resources and Environmental Protection Act to transfer \$3 million from the Forest Development Fund to the First Responder Presumed Coverage Fund for fiscal year 2015-2016 only. The First Responder Presumed Coverage Fund is to be used to fund workers' compensation benefits for eligible firefighters diagnosed with various forms of cancer that are ineligible for or denied other disability pension benefits.

- This bill was passed by the full House.
- The Administration opposes this legislation.

HB 5665 – Specify additional qualifications for membership of NRC, and update duties based on executive reorganization orders – Rep. Howrylak

This bill seeks to amend Section 501 of the Natural Resources and Environmental Protection Act to specify educational qualifications and impose term limits for members of the NRC. The bill also proposes to update Section 501 to reflect the changes found within Executive Orders 2009-45 & 54 and 2011-1 & 2 regarding the appointment of the Director of the Department of Natural Resources by the Governor and the advisory role of the NRC.

- This bill was referred to the House Committee on Natural Resources.
- The Administration has not taken a position on this legislation.

HB 5682 – Require the Department of Natural Resources to verify zoning classification – Rep. Glenn

This bill seeks to amend Section 6 of the Privately-Owned Cervidae Producers Marketing Act to require the Department, upon receipt of an application, to verify if use of the property for a cervidae livestock facility is allowed within the property's zoning classification.

- This bill was referred to the House Committee on Natural Resources.
- The Administration has not taken a position on this legislation.

HB 5683 – Require the Department of Natural Resources to confirm consistency with zoning classification – Rep. Glenn

This bill seeks to amend Section 42702 of the Natural Resources and Environmental Protection Act to require the Department to confirm with the local unit of government that a premises applying for propagation of game is zoned agricultural.

- This bill was referred to the House Committee on Natural Resources.
- The Administration has not taken a position on this legislation.

HB 5702 – Provide for issuance of permits to prevent or control damage, disease, or nuisance caused by animals – Rep. Bumstead

This bill seeks to amend Section 40114 of the Natural Resources and Environmental Protection Act to expand the issuance of permits for the taking of animals to include disease. In addition, this bill establishes that the taking of animals pursuant to permits issued under this section is not considered hunting.

- This bill was referred to the House Committee on Natural Resources.
- The Administration has not taken a position on this legislation.

If you would like to learn more about these and other bills, you can access the Michigan Legislature website at www.legislature.mi.gov.