



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

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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

PA 288 of 2016 (HB 5275) – Forest Roads, Pack & Saddle and ORV Use – Rep. Cole

This new act amends sections 72101, 72115, 81127, and 81133, adds section 72118, and repeals acts and parts of acts of the Natural Resources and Environmental Protection Act to allow for the use of pack and saddle animals only for the off-trail retrieval of harvested deer, bear, and elk from state public land on which hunting is permitted and where pack and saddle trails are open for access by pack and saddle animals. The new act does not allow pack and saddle animals to be used for any purpose on lands that are not open for access by pack and saddle animals. The new act also allows for the use of an ORV only for the retrieval of harvested deer, bear or elk from public land on which hunting is permitted and ORV use is allowed. The act does not allow ORVs to be used for hunting or otherwise traversing state-owned lands. In addition, the act sets forth a timeline for the Department to complete an inventory of forest roads and requires that forest roads be open to motorized use by the public unless designated otherwise. The Department will complete the two most northern regions in the Lower Peninsula by the end of 2017, and the remaining regions by the end of 2018.

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 of the Whole.
- 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 of the Whole.
- The Administration opposes this legislation.

SB 1036 – Trail Sponsor and Limited Liability – Sen. Hansen

This bill seeks to amend the Natural Resources and Environmental Protection Act by amending sections 72108 and 73301 and adding section 73302 to allow the Department to become a rail-trail sponsor and to expand liability coverage to individuals conducting work on Department trails and other lands.

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

SB 1070-1072 – Requirements and Application Fee for Commercial Fishing & Hunting Guides – Sen. Zorn, Sen. Green

Senate Bills 1070 and 1072 seek to add section 48714a and amend section 43528c, respectively, of the Natural Resources and Environmental Protection Act to require an individual to obtain a permit (subject to specific requirements) from the Department in order to act as a commercial fishing or hunting guide, beginning March 1, 2017. Senate Bill 1071 seeks to amend section 40113a of the Natural Resources and Environmental Protection Act to establish an application fee for a commercial hunting guide or commercial fishing guide permit. These bills are tie-barred to each other.

- These bills are before the Senate Committee on Outdoor Recreation and Tourism.
- The Administration supports this legislation.

SB 1073-1075 – Display Certain Licenses with an Electronic Device – Sen. Meekhof, Sen. Zorn, Sen. Schmidt

These bills seek to amend sections 43516, 43523a, 43525b, 43532, 43533, and 43536, add sections 43525b and 43526b, and repeal acts and parts of acts of the Natural Resources and Environmental Protection Act to allow an individual who has been issued a hunting, fur harvester's, waterfowl or fishing license, to display the license electronically. In addition, the bills require the Department to develop an electronic license for non-kill tag species licenses not later than March 1, 2018. The bills also allow for the Department to work on the potential for hunters to use the application to show proof of their kill tag. In addition, each bill contains a provision that requires the Department to continue to expand the use of mobile electronic technology to begin to adopt other services that will further enhance hunting and fishing experiences for individuals in this state.

- These bills are before the Senate Committee of the Whole.
- The Administration supports this legislation.

SB 1093 – Extend Period for Development of Aquatic Permitted Species List – Sen. Kowall

This bill seeks to amend section 41302a of the Natural Resources and Environmental Protection Act to extend the period of time for the Department to create a permitted aquatic species list for commercial trade and aquaculture purposes.

- The bill was referred to the Senate Committee on Natural Resources
- The Administration has not taken a position on 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 increase penalties against an individual who imports deer or elk carcasses. While these restrictions are currently contained in WCO, this bill would increase the penalty to not less than \$500 or more than \$2000, and/or up to 90 days imprisonment, and the costs of prosecution.

- This bill is before the Senate Committee of the Whole.
- The Administration supports 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 authorize the issuance of permits for the taking of animals to control disease. In addition, this bill establishes that the taking of animals pursuant to permits issued under this section is not considered hunting.

- This bill is before the House Committee of the Whole.
- The Administration supports this legislation.

HB 5862 – Eliminate Permit Requirement for Recreational Gold Prospecting – Rep. LaFontaine

This bill seeks to amend sections 30101 and 30103 of the Natural Resources and Environmental Protection Act to allow small scale non-commercial gold mining to take place without a Part 301 Inland Lakes and Streams permit issued by the Department of Environmental Quality.

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

HB 5863 – Eliminate Sunset for License Fees – Rep. Bumstead

This bill seeks to repeal section 43545 of the Natural Resources and Environmental Protection Act to eliminate the sunset on hunting and fishing license fees.

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

HB 5882 – Require Notification of Department Prescribed Burns – Rep. Whiteford

This bill seeks to amend section 51501 and add section 51503c of the Natural Resources and Environmental Protection Act to require 24 hour notice to a township supervisor and primary point of emergency contact of prescribed burns.

- The 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.