

Act No. 116
Public Acts of 2005
Approved by the Governor
September 21, 2005
Filed with the Secretary of State
September 22, 2005
EFFECTIVE DATE: September 22, 2005

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005**

Introduced by Rep. Hildenbrand

ENROLLED HOUSE BILL No. 4071

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding section 43540a.

The People of the State of Michigan enact:

TITLE

An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

Sec. 43540a. (1) Subject to subsection (4), by January 1, 2007, the department shall implement a program to distribute wild game to people in need. The program shall be known as the sportsmen against hunger program.

(2) Under the program, the department shall do all of the following:

(a) Collect donations of legally taken game that complies with all state and federal game laws, including any requirement that the parts of the game be intact.

(b) Contract for processing the donated game.

(c) Distribute the processed game to food banks, soup kitchens, and other charitable organizations that provide meals or food to people free of charge.

(d) Promote the program through the license distribution system and other means that will further the mission of the program.

(3) Under the program, the department may request financial donations to offset the cost of processing donated game. The financial donations are tax deductible.

(4) The department may contract for the administration of the program by a nonprofit organization that is exempt from taxation under section 501(c)(3) of the internal revenue code, 26 USC 501, if the department determines that it is more efficient to do so. Subject to section 43540c(9), payments under the contract shall be adequate to cover the nonprofit organization's costs in administering the program. Before entering such a contract, the department shall issue a request for proposals. If the request for proposals does not yield a bid that meets the requirements of this section, both of the following apply:

(a) The department is not required to implement the sportsmen against hunger program.

(b) The department shall, within 30 days, submit a report to the standing committees of the senate and house of representatives with primary responsibility for hunting issues. The report, as applicable, shall explain that no bids were received or shall specify why each bid received was unacceptable. The report shall also indicate whether the department intends to implement the sportsmen against hunger program.

(5) To qualify to enter a contract under subsection (4), a nonprofit organization must have demonstrated a commitment to the goals of the program and have at least 5 years of experience in providing wild game or other food to people free of charge. The contract shall require that the contracting nonprofit organization do all of the following:

(a) Maintain a license under the charitable organizations and solicitations act, 1975 PA 169, MCL 400.271 to 400.294.

(b) Maintain adequate staff to perform the tasks outlined in the contract.

(c) Annually undergo an independent financial audit and provide the audit information and report to all of the following:

(i) The department.

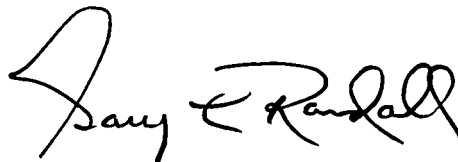
(ii) The subcommittee of the senate appropriations committee and the subcommittee of the house of representatives appropriations committee with responsibility for the budget of the department.

(iii) The committees of the senate and house of representatives with primary responsibility for natural resources issues.

(6) As used in this section, "program" means the sportsmen against hunger program created under subsection (1).

Enacting section 1. This amendatory act does not take effect unless House Bill No. 4145 of the 93rd Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor