

Photo courtesy Theodore Roosevelt Medora Foundation Collection.



# Be Like Teddy

President Theodore Roosevelt was a champion for sportsmen, because he knew that hunting and fishing were crucial to preserving and protecting wildlife. Today, as fewer people hunt and fish and anti-hunting and animal rights groups campaign against our sports, we need you to Be Like Teddy. Help us educate the public about the true values of hunting and fishing.

Visit [BeLikeTeddy.org](http://BeLikeTeddy.org)

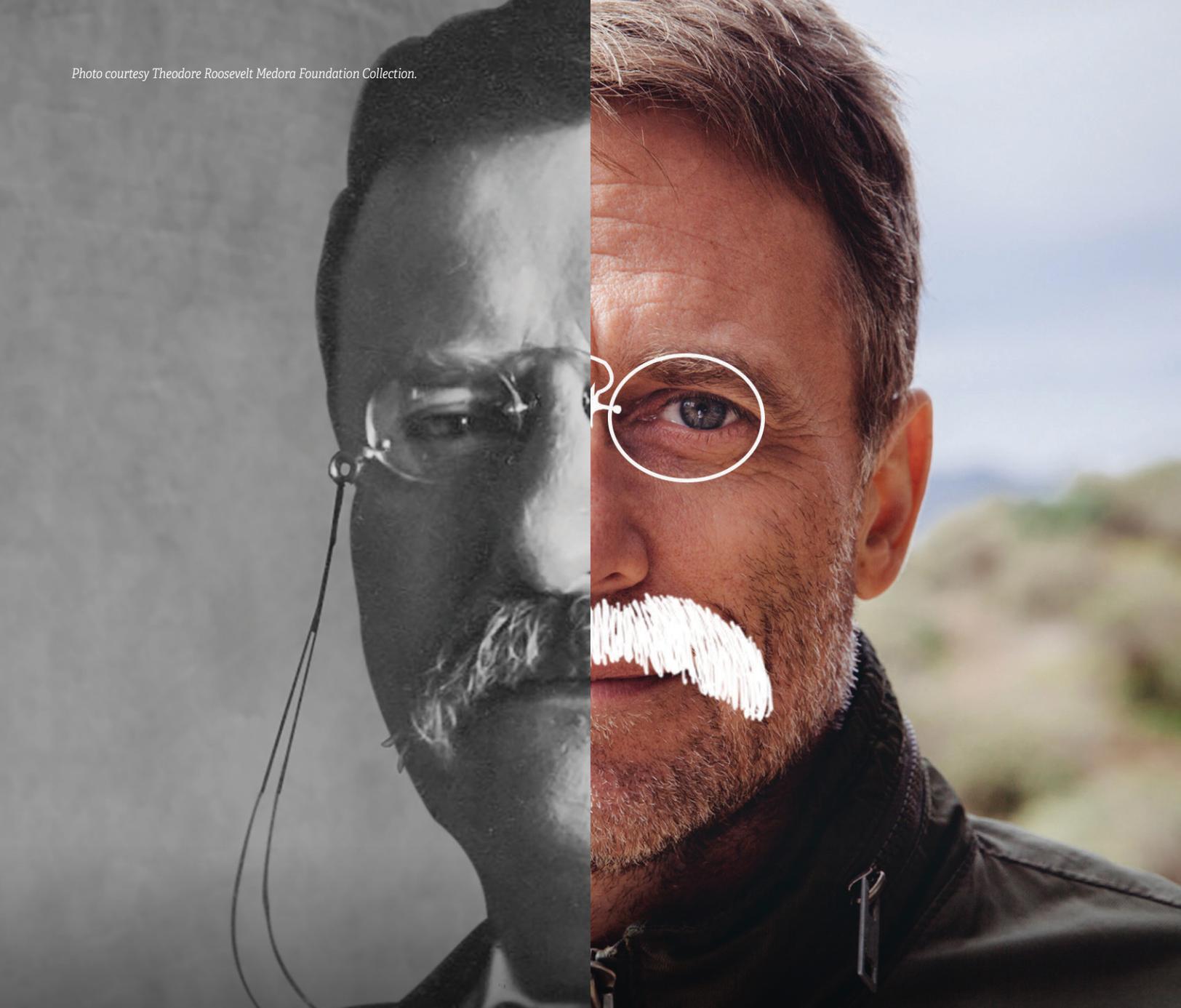
*Learn more about this important educational campaign started by sportsmen.*



# Be Like Teddy

- PRINT AD CAMPAIGN -

Photo courtesy Theodore Roosevelt Medora Foundation Collection.



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# Be Like Teddy

- CAMPAIGN INTRODUCTION PRESENTATION -

[www.BeLikeTeddy.org](http://www.BeLikeTeddy.org)



**In 1905, President Teddy Roosevelt spoke of the important role hunters and anglers play in maintaining our wildlife.**



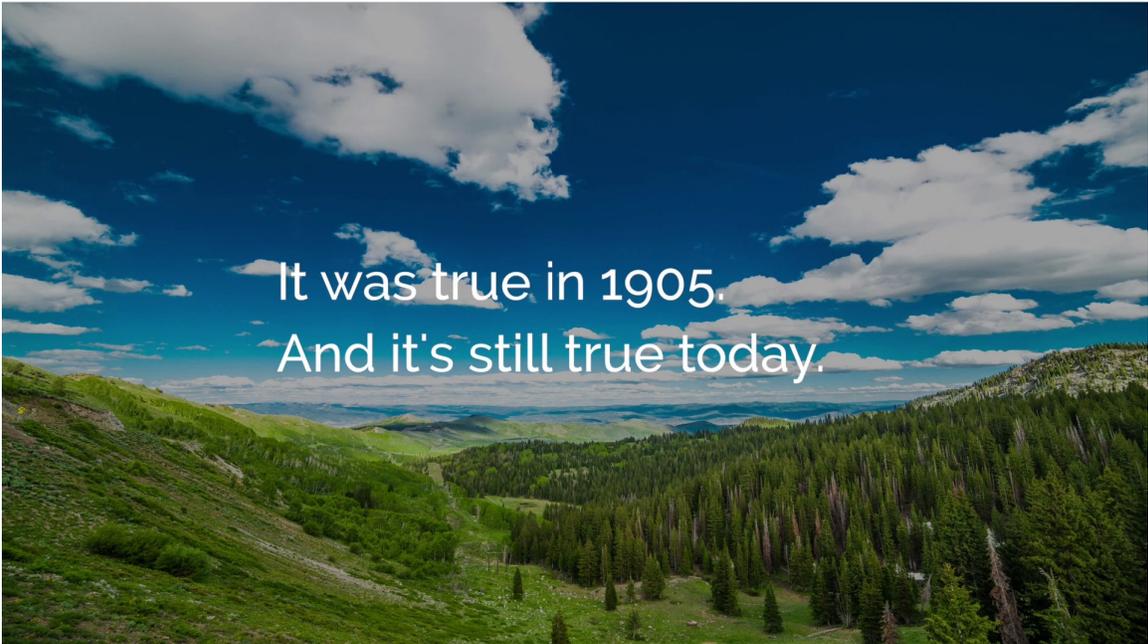
**He said:**

**"In a civilized and cultivated country, wild animals only continue to exist at all when preserved by sportsmen.**

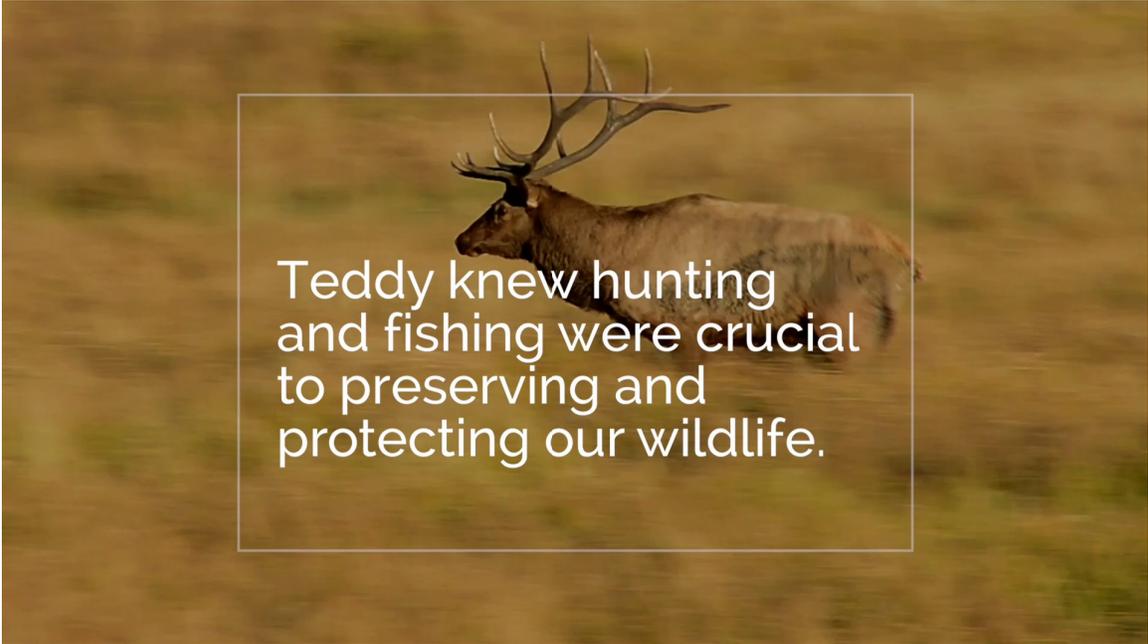


He said:

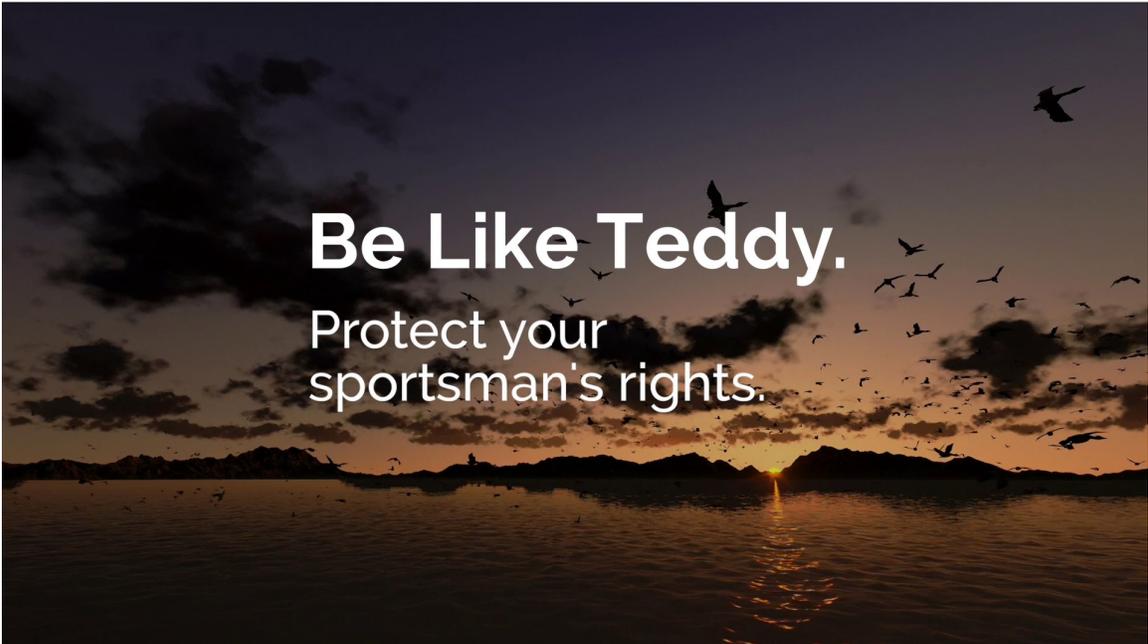
The genuine sportsman  
is the most important factor  
in keeping wild creatures  
from total extermination.”



It was true in 1905.  
And it's still true today.



Teddy knew hunting  
and fishing were crucial  
to preserving and  
protecting our wildlife.



**Be Like Teddy.**  
Protect your  
sportsman's rights.



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The percentage of Americans who hunt or fish grows smaller each year.



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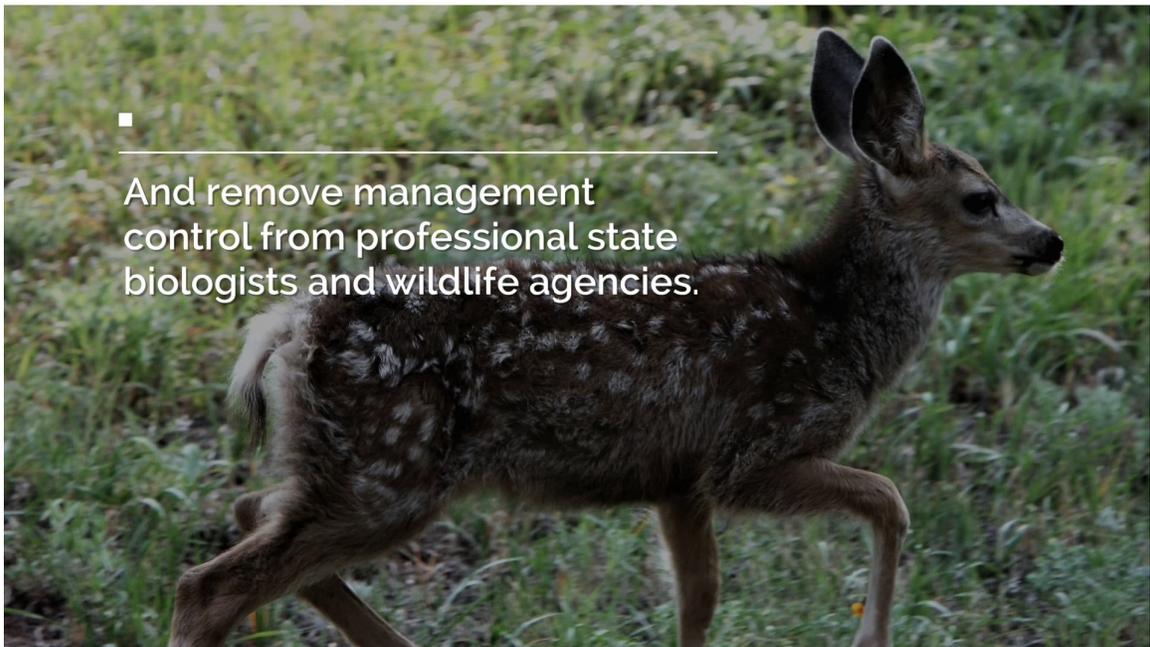
At the same time, anti-hunting and animal rights organizations use mass media and skewed data to influence the public.



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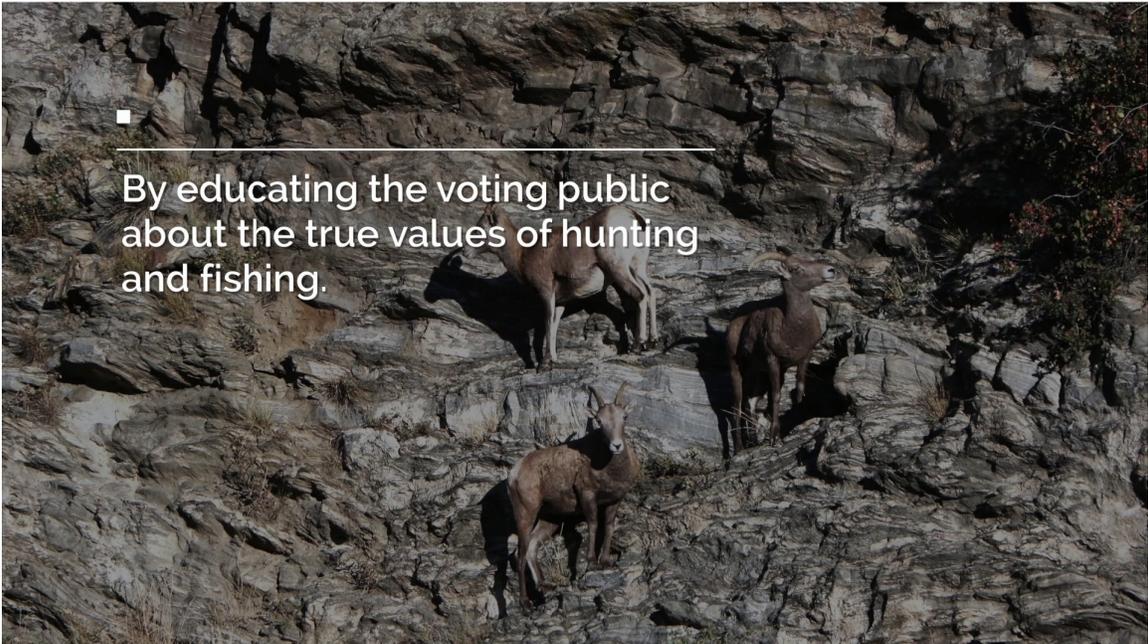
The result?  
More people are convinced to  
vote against hunting.



- 

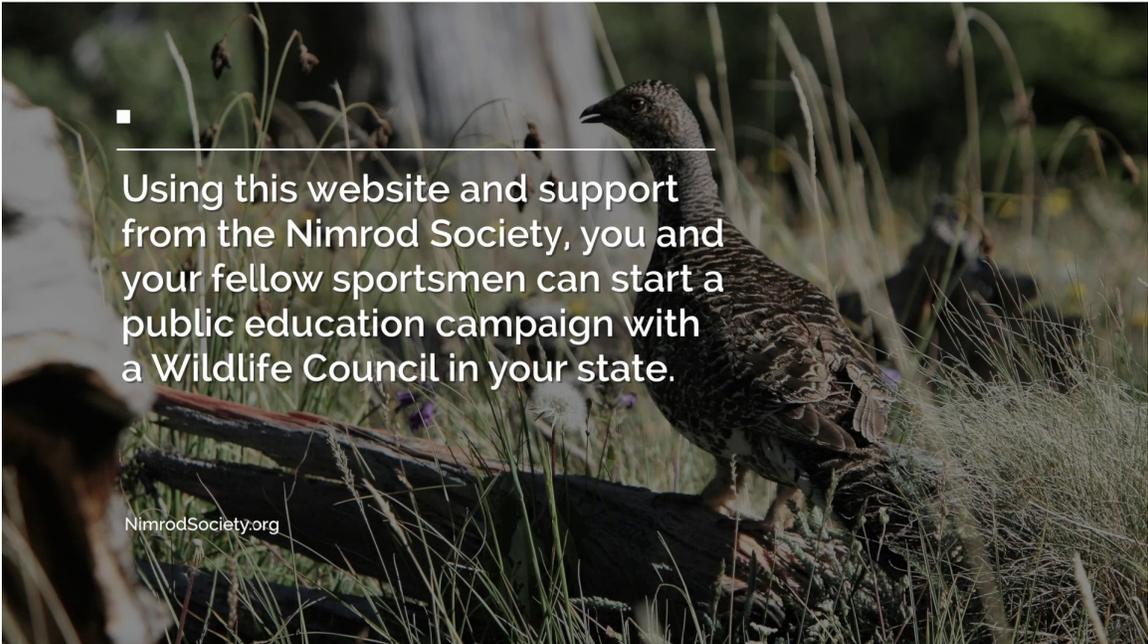
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And remove management  
control from professional state  
biologists and wildlife agencies.





■  
Using proven, professional,  
media-based educational and  
advertising campaigns.



■  
Using this website and support  
from the Nimrod Society, you and  
your fellow sportsmen can start a  
public education campaign with  
a Wildlife Council in your state.

NimrodSociety.org

A photograph of a sunset over a vast, flat field. The sky is filled with dark, dramatic clouds, and the sun is a bright, glowing orb just above the horizon, casting a warm, orange glow across the scene. The foreground is a dark, flat expanse of land.

**The Nimrod Society is here to support you. We've created the tools you need, and you can use them at no cost.**

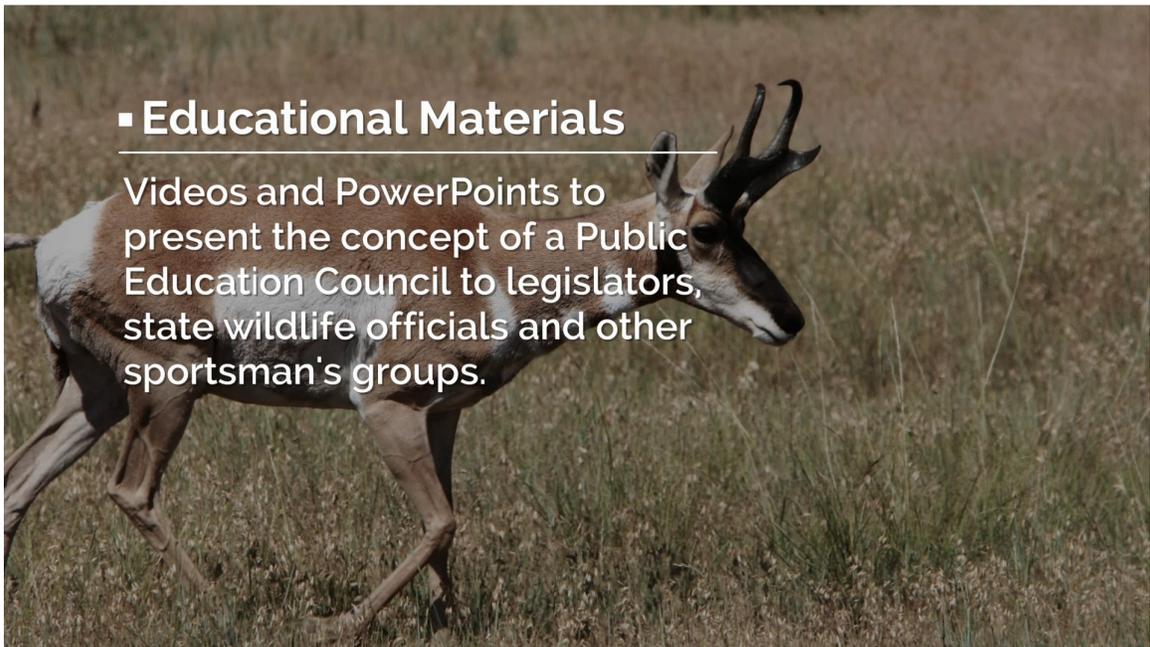
A photograph of a calm lake at dusk. The sky is a mix of deep blues and oranges, with scattered clouds. In the background, there are dark evergreen trees and snow-capped mountains. The water in the lake is still, reflecting the colors of the sky and the surrounding landscape. In the foreground, there are dark, jagged rocks.

**This program includes legislation creating your State Wildlife Council. Nimrod Society will provide the following support:**



## ▪ **Model Legislation**

Create an education program that conforms to federal license laws, and can be edited to fit your state's wildlife regulations.



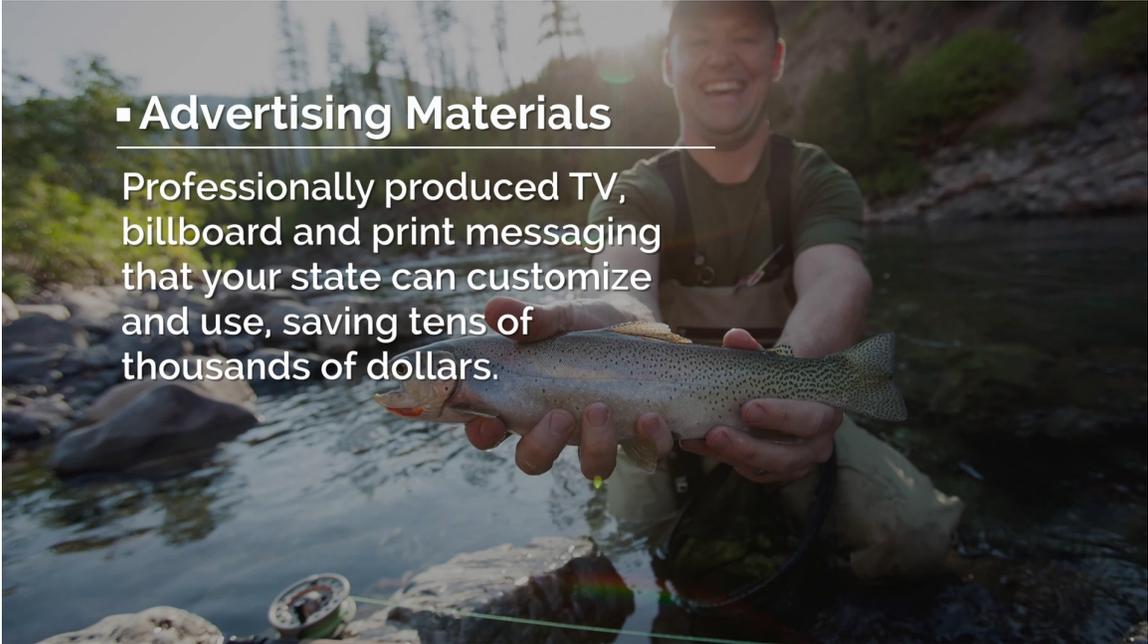
## ▪ **Educational Materials**

Videos and PowerPoints to present the concept of a Public Education Council to legislators, state wildlife officials and other sportsman's groups.



## ▪ Case Studies

Examples of successful programs and campaigns that began in Colorado in the late 1990's and in Michigan in 2013.



## ▪ Advertising Materials

Professionally produced TV, billboard and print messaging that your state can customize and use, saving tens of thousands of dollars.

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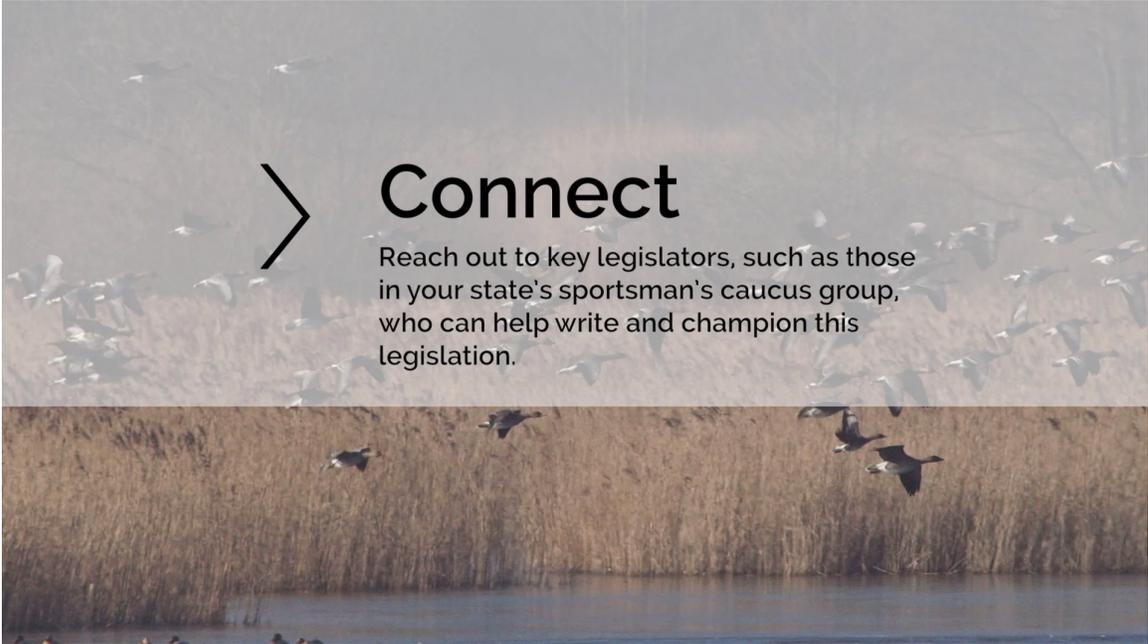
**Ready to  
Be Like Teddy?  
Here's how to get  
started.**

BeLikeTeddy.org



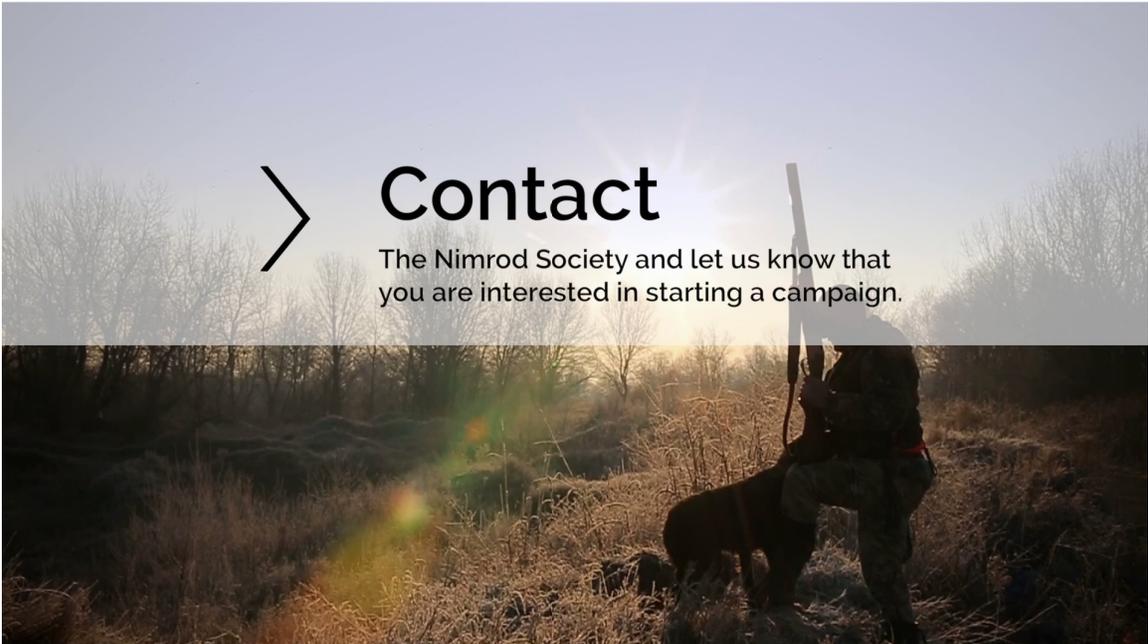
## **Identify**

Find activist sportsman groups in your state to take the lead on the legislative campaign.



## Connect

Reach out to key legislators, such as those in your state's sportsman's caucus group, who can help write and champion this legislation.



## Contact

Contact The Nimrod Society and let us know that you are interested in starting a campaign.



**Start right now.**



**Protect hunting, fishing  
and wildlife in your state  
for sportsmen today and  
for generations to come.**

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Let's make Teddy Proud.

*BeLikeTeddy.org*

*Photography courtesy Marv Glyncke.*

# Be Like Teddy

- WEBSITE -

[www.NimrodSociety.org/be-like-teddy/resources](http://www.NimrodSociety.org/be-like-teddy/resources)

## Be Like Teddy



President Theodore Roosevelt was a champion for sportsmen, because he knew that hunting and fishing were crucial to preserving and protecting wildlife. Today, as fewer people hunt and fish and anti-hunting and animal rights groups campaign against our sports, we need you to Be Like Teddy. Help us educate the public about the true values of hunting and fishing.

Now you can make a difference. Protect hunting, fishing, and wildlife in your state for sportsmen today and for generations to come.

The Nimrod Society is here to support you. We've created the tools you need, and you can use them at no cost.

## Watch the case study

The Colorado Wildlife Council's mission is to educate the general public about the benefits of wildlife, wildlife management, and wildlife-related recreational opportunities in Colorado, specifically hunting and fishing. The council is funded through a surcharge on hunting and fishing licenses, and managed by a citizen advisory board.



## Model Legislation



The Nimrod Society was created in order to facilitate programs to educate the general public on the positive role anglers and hunters play in society through accurate and factual education and media programs. Current education programs run by state wildlife agencies are narrowly focused on hunter education and wildlife education in schools. These agencies do not have the money or resources to properly educate the general public about the broader positive issues involving wildlife sports.

Our goal is to expand a public education program to all states nationally, therefore we have prepared a guide for Pittman-Robertson Act Compliance, and model legislation for your use.



# Marketing Toolkit

The Nimrod Society has prepared a media kit for state agencies to use and adopt. The media kit includes all the components and licensing required for broadcast, print, and billboard advertising. Fill out the form below to have this exclusive kit sent directly to you!

If there are other ways The Nimrod Society can be of assistance, make a note of it below, and we'll contact you as soon as possible!



## Contact Us

First Name	Last Name
Organization	
Address Line 1	Address Line 2
City	State
Zip Code	United States of America
Email Address	Phone Number
Additional Comments	
<input type="submit" value="Submit"/>	

### Call us...

Alan Taylor  
(616) 887 - 0400

Bob Radocy  
(303) 444 - 4720

### Write us...

The Nimrod Society  
400 Apple Jack CT  
Sparta, MI 49345-1708

# Be Like Teddy

- COLORADO CASE STUDY VIDEO -

[www.NimrodSociety.org/be-like-teddy/resources](http://www.NimrodSociety.org/be-like-teddy/resources)

*Nimrod Society*

PRESENTS:

**THE COLORADO MODEL**

How Colorado sportsmen created a perpetuating media campaign  
to protect their state's hunting and fishing heritage.





**9 OUT OF 10 AMERICANS  
DON'T FISH OR HUNT**



**9 OUT OF 10 AMERICANS  
DON'T FISH OR HUNT**

Debrah Reynolds, a senior biologist for the Wyoming Natural Diversity Database, left, and Ian Abernathy, an assistant biologist for the database, make notes on a stream bed they caught in a net July 23 along the Medicine Run River in southwest Wyoming. The change in processes caused by spinning wheel turbines can kill bats. Biologists are searching where bats live and migrate, and their research will be used to prevent bat deaths as future wind farm development.

## WYOMING TO DECIDE ON CONSTITUTIONAL RIGHT TO HUNT AND FISH

### Hunting rights come into question in the Wyoming state legislature

By CHRISTINE PETERSON  
*The Nature Conservancy*

**WINDLEY BOUND** — Catching bats requires long poles, water, yards and yards of rope — the scuttling and posturing.

Bats are agile, fast and can pinpoint and catch something as tiny as a gnat.

Debrah Reynolds and Ian Abernathy stand in flowing waters and lanes of willow the last night of July. They stretched out nets over sections of the Medicine Run River in southwest Wyoming, and the white meshed catches will about eight feet high.

Bats began to fly an hour before. They slowly swarmed the net, others swooped down to the water and swam back. They fell and heads back to the flow scuttling the

low to the willows night. Their spinning blades can be deadly to bats, leaving capsterns in their lungs before the blades hit their tiny bodies. These Wyoming bats are particularly susceptible when they migrate from summer to winter ranges.

Reynolds and Abernathy were looking for bats to tell them which, if any, species called the area home. Land managers can use that information to negotiate where turbines are placed and areas where they may be placed more cautiously.

What could be the largest wind project in the country has already been approved for the Horns Bluffs Range just north of Shoshone Basin, about 75 miles from the river. But conservation could help determine where facilities and individual turbines go to reduce

Good deeds: Celebrating unsung heroes

# Michigan Votes to Ban Hunting Mourning Doves

**■ Oakland County woman volunteers through HAVEN to counsel those who have experienced sexual assault.**

By Eric Isenstadt  
The Detroit News

**BLOOMFIELD HILLS** — It was 7:30 in the morning when Lori D. Becker's pager went off. The 35-year-old Bloomfield Hills woman grabbed her keys and rushed out the door. She was on her way to the hospital to counsel a rape victim.

For Becker, it was a typical weekend in her role as a First Response volunteer for HAVEN, or Help Against Violence Encounters. The organization works with women to eliminate domestic violence and sexual assault through treatment and prevention services across Oakland County and surrounding communities. Becker has volunteered there for six years.

"I wanted to do some kind of volunteer and do something with women," said Becker, a sexual assault

For Becker, it was a typical weekend in her role as a First Response volunteer for HAVEN, or Help Against Violence Encounters. The organization works with women to eliminate domestic violence and sexual assault. Becker is a sexual assault response worker who comes to speak with the survivor about her feelings and offers her emotional support and information on follow-up services.

"If they're being pushed through the system, they need someone by their side to hold their hand," Becker said.

HAVEN volunteers go through an extensive training, said Yellin, who has worked at HAVEN for 13 years. They are required to take classes to improve their listening skills and complete 20-40 hours of crisis intervention training. The First Response program runs 24 hours a day, seven days a week.

Lori D. Becker counsels rape victims.

of to the organization. "She's been very reliable and she's been able to do the best possible," said

to provide immediate support and information to survivors of domestic violence and sexual assault," said Julie Kleinberg, HAVEN volunteer and donation coordinator.

When a woman arrives at a hospital or police station because of domestic violence or a sexual assault, police and hospital workers page a First Response worker who comes to speak with the survivor about her feelings and offers her emotional support and information on follow-up services.

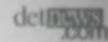
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"The fact that she fits in is every woman ... we really appreciate that"

### Contact us

■ Send us your good deeds in 500 words or less, and we'll publish them each Thursday.



■ E-mail us at [gooddeeds@detroitnews.com](mailto:gooddeeds@detroitnews.com)

■ Write to The Detroit News, Good Deeds, c/o Metro Desk, 615 W. Lafayette Blvd., Detroit, MI 48226. Please leave a daytime phone number.

■ To read past Good Deeds columns, go to [detroitnews.com/gooddeeds](http://detroitnews.com/gooddeeds).

voted people I have in the church," said Dave Paganini, Holy Name's youth director. "We're lucky to have her."

Becker facilitates a group of teens on different topics once a week at the church, said Paganini, who has been with the church for five years. He said he has read her connection with HAVEN on several occasions when girls come to him with concerns about pregnancy or sexual or physical abuse. "She's been a lot with her volun-



# Arizona first state to reject hunters' rights ballot initiative

By Andrew Ross  
The Arizona Republic

Arizona voters have rejected a ballot initiative that would have granted hunters the right to hunt on public lands. The initiative, known as Proposition 130, was defeated by a 57 percent to 43 percent margin.

A measure to grant hunters the right to hunt on public lands was rejected by voters in Arizona on Tuesday. The initiative, known as Proposition 130, was defeated by a 57 percent to 43 percent margin.

Proposition 130 would have granted hunters the right to hunt on public lands. The initiative was rejected by voters in Arizona on Tuesday.

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## Community saving every last piece of makeshift memorials



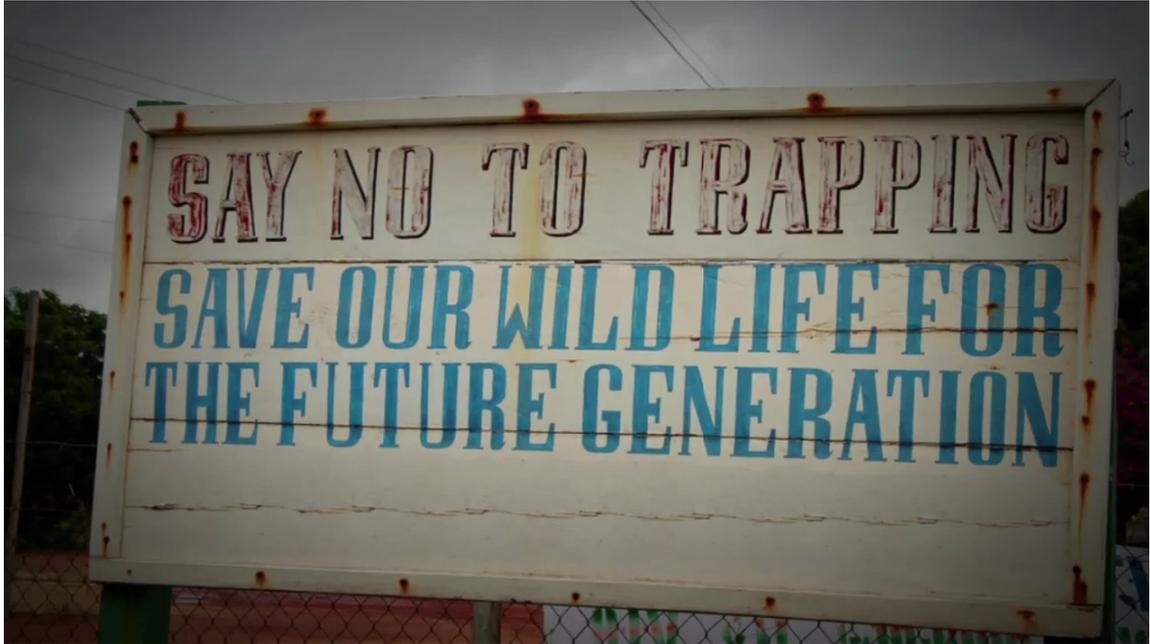
Kelly to go on NASA mission

## Unemployment rate in U.S. falls to 9%

Lowest in 21 months. The U.S. jobless rate fell to 9 percent in January, the lowest in 21 months, as a large number of people reported finding work after being unemployed for a long time.



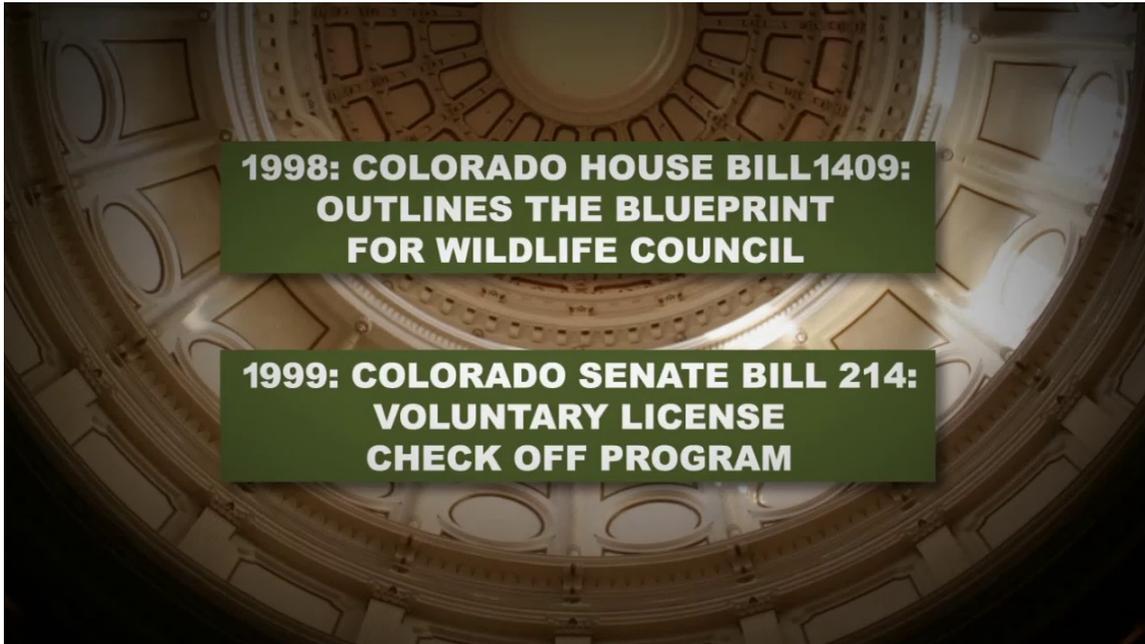












**1998: COLORADO HOUSE BILL 1409:  
OUTLINES THE BLUEPRINT  
FOR WILDLIFE COUNCIL**

**1999: COLORADO SENATE BILL 214:  
VOLUNTARY LICENSE  
CHECK OFF PROGRAM**



**MASS MEDIA CAMPAIGN**

- TELEVISION
- RADIO
- BILLBOARDS
- PRINT

THE SOLE REASON WE EXIST IS TO INFORM ALL COLORADO RESIDENTS OF THE CRITICAL ROLES FISHING AND HUNTING PLAY IN WILDLIFE MANAGEMENT. YOUR CONTRIBUTION IS OUR SOLE MEANS OF FINANCING THIS EFFORT. PLEASE CHECK THE APPROPRIATE BOX ON THE ENCLOSED LICENSE APPLICATION FORM. BECAUSE THE MORE VOTERS KNOW, THE BETTER DECISION THEY CAN MAKE.

**WILDLIFE MANAGEMENT EDUCATION FUND**

*Sportsmen educating non-sportsmen*

**VOLUNTARY CHECK OFF PROGRAM**

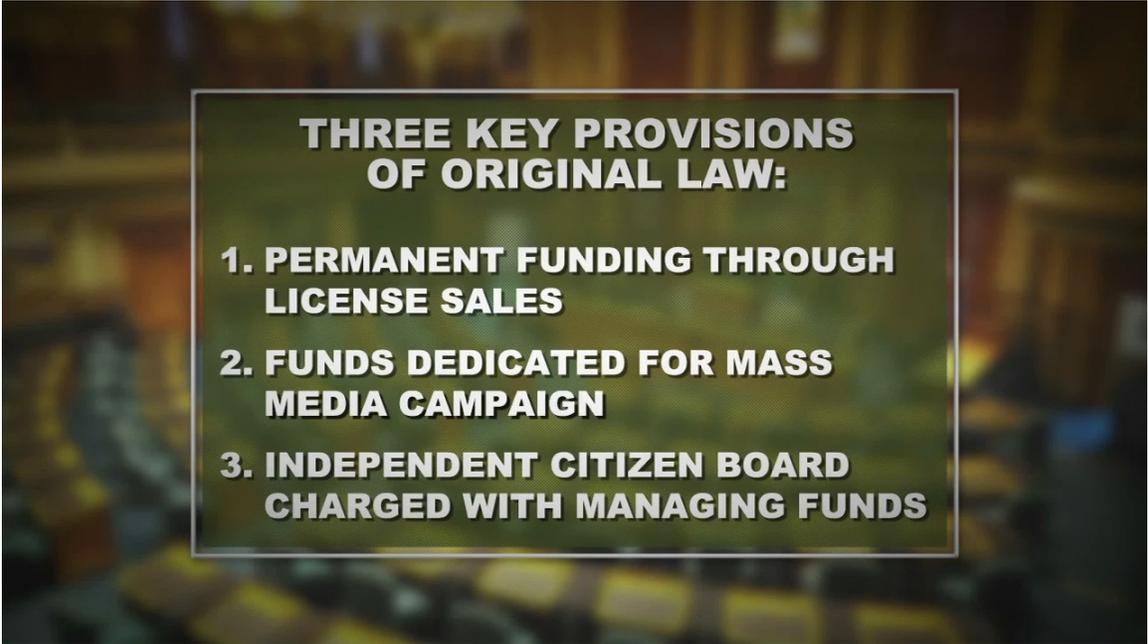
**\$200,000 RAISED FROM HUNTERS & ANGLERS**

A photograph of two hunters in a field of tall, golden-brown grass. They are wearing red and black gear and are holding rifles. The background is a hazy, overcast sky.

**SPORTSMEN SUPPORT  
SURCHARGE UP TO \$3**

A photograph showing a group of people in a meeting or conference room. In the foreground, the backs of several people's heads and shoulders are visible as they sit in chairs. In the background, a man in a suit is speaking at a podium. A large screen or banner is visible behind him.

**2005: HB 1266 PUBLIC EDUCATION  
LICENSE SURCHARGE APPROVED**



**THREE KEY PROVISIONS  
OF ORIGINAL LAW:**

- 1. PERMANENT FUNDING THROUGH  
LICENSE SALES**
- 2. FUNDS DEDICATED FOR MASS  
MEDIA CAMPAIGN**
- 3. INDEPENDENT CITIZEN BOARD  
CHARGED WITH MANAGING FUNDS**



**MISSION:**

**DEVELOP A COMPREHENSIVE  
MEDIA-BASED PROGRAM TO EDUCATE  
THE URBAN NON-SPORTSMEN PUBLIC.**



**COUNCIL MEMBERSHIP INCLUDES:**

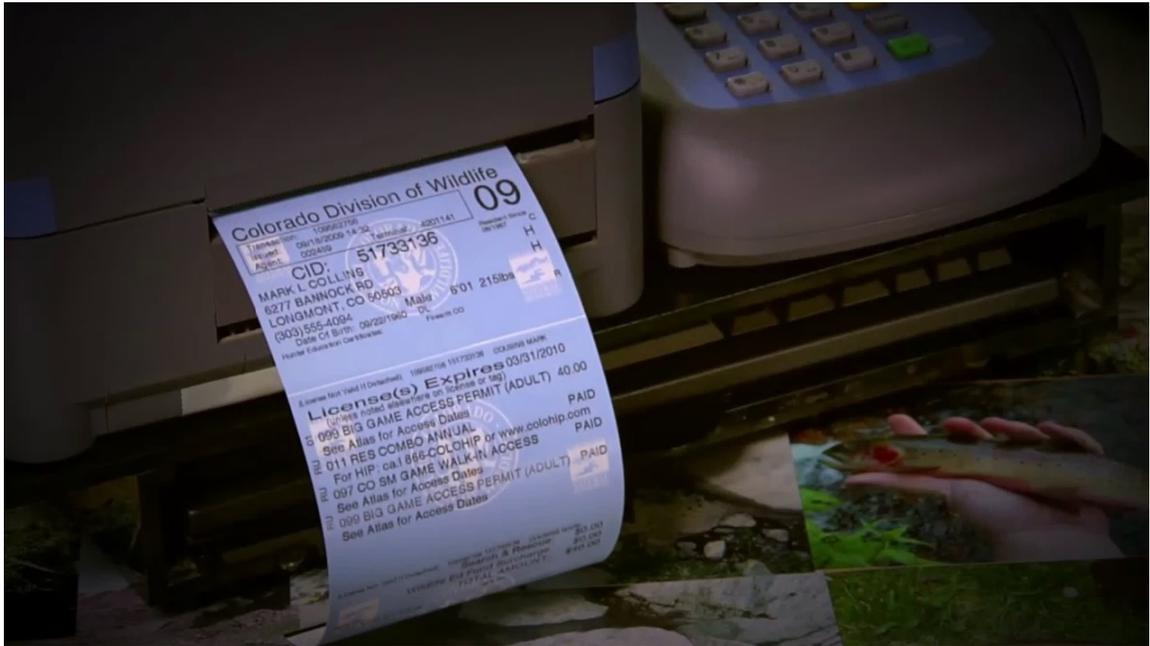
- |   |   |
|---|---|
| <b>2 HUNTERS AND ANGLERS FROM COLORADO'S FRONT RANGE</b>              | <b>1 MUNICIPALITIES</b>                             |
| <b>2 HUNTERS AND ANGLERS FROM THE WESTERN SLOPE</b>                   | <b>1 COUNTIES</b>                                   |
| <b>1 REPRESENTATIVE FROM THE AGRICULTURE AND LIVESTOCK INDUSTRIES</b> | <b>1 MARKETING EXPERT</b>                           |
|   | <b>1 COLORADO PARKS AND WILDLIFE REPRESENTATIVE</b> |



- **CITIZEN COUNCIL CHARGED WITH ADMINISTERING THE FUNDS**
- **INDEPENDENT OF STATE AGENCIES**
- **ANNUAL MARKETING PLAN**
- **OUTSIDE AD AGENCY**
- **BI-MONTHLY MEETINGS**
- **PLAN AND OVERSEE MASS MEDIA CAMPAIGN**









**Generations of familie:**

In many families it's a traditio to pass the knowledge of hunting and fishing from one generation to the next. It's one of the ties that binds strong families to each other and their roots.



**Colorado pride.**

Coloradans are proud of the thriving wildlife and natural beauty here in Colorado. And we have hunters and anglers to thank. Because hunting and fishing revenues provide most of the funding to protect the natural beauty of our wildlife and their pristine habitats.



**Creating jobs in small towns.**

Hunters and anglers provide 21,000 jobs in hundreds of rural communities across our state. Many outfitters, guides and other skilled workers owe their livelihood to this thriving industry.



**Primary source of funding.**

Revenues from hunting and fishing are the primary method of funding the protection and management of wildlife in Colorado.

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Brand Ignition Point

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Brand Ignition Point

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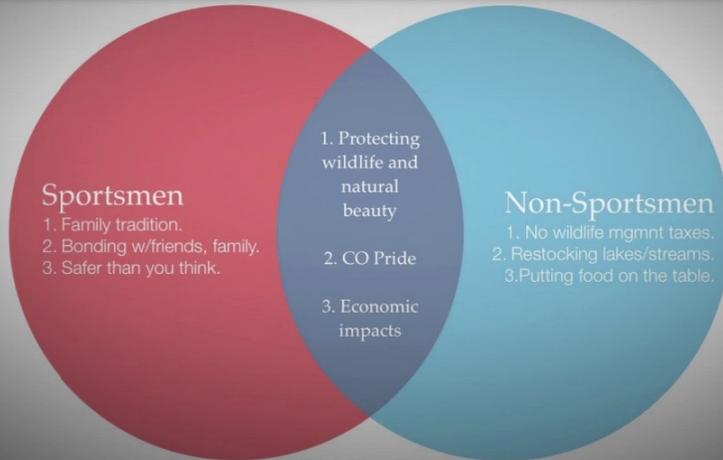
Brand Ignition Point

**RESEARCH FINDINGS:**

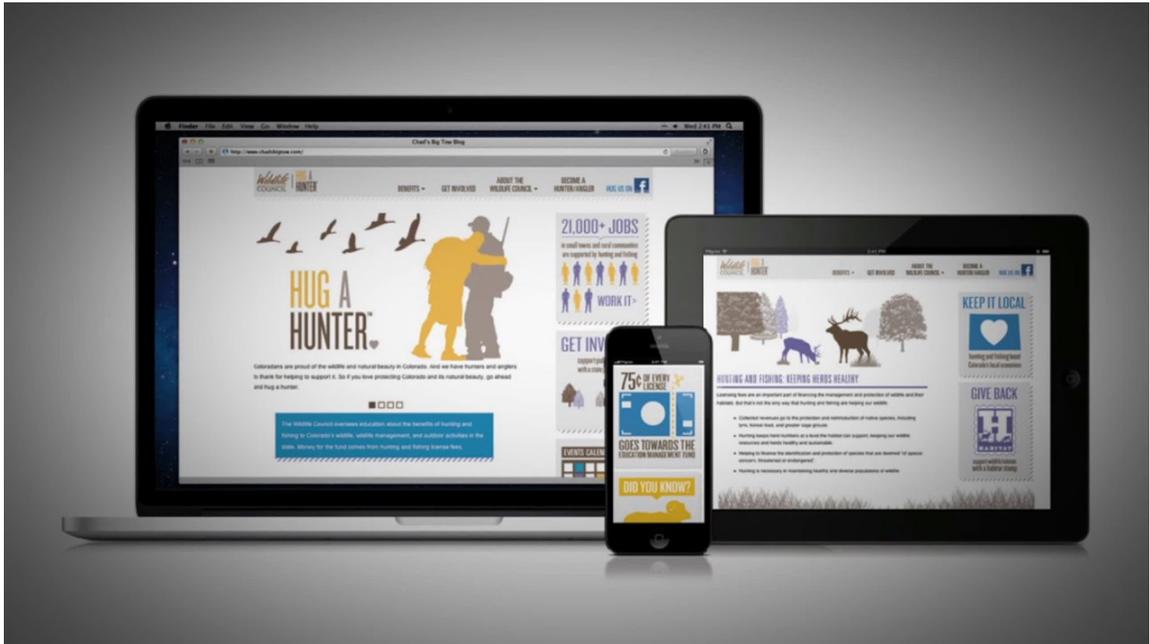
- 1. PUBLIC LOSING INTEREST IN COMMERCIALS**
- 2. LITTLE INTEREST IN BECOMING SPORTSMEN**
- 3. GENERAL PUBLIC INTERESTED IN DIFFERENT MESSAGES**



## FOCUS ON SHARED INTERESTS









### **CAMPAIGN RESULTS:**

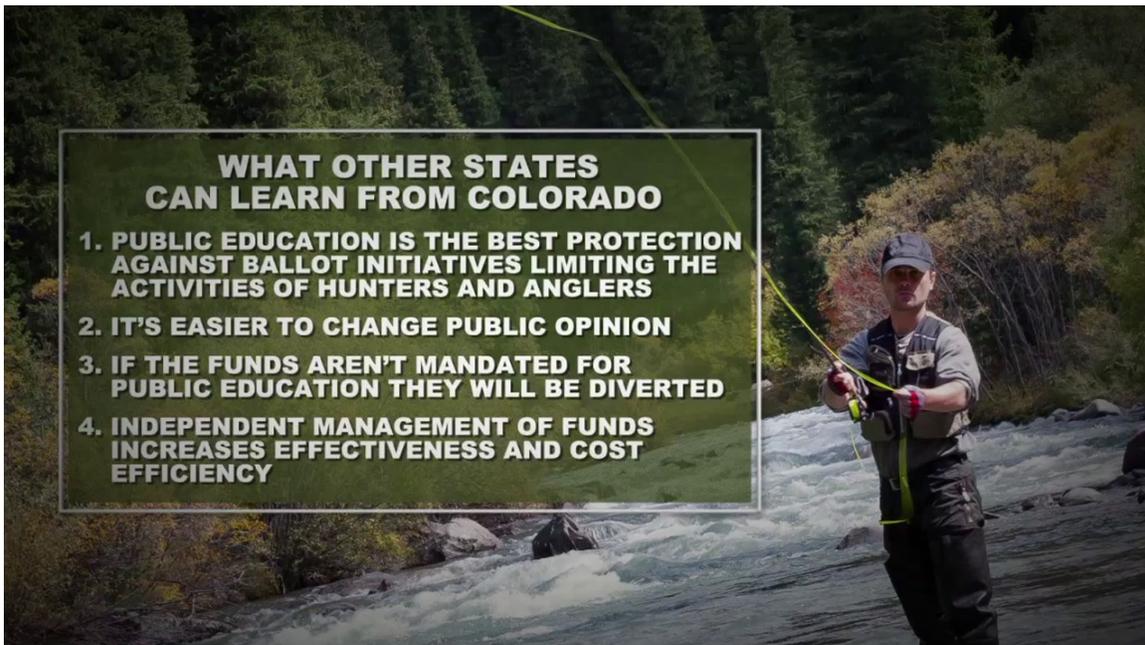
**7 OUT OF 10 WOULD VOTE AGAINST HUNTING RESTRICTIONS**

**8 OUT OF 10 WOULD VOTE AGAINST FISHING RESTRICTIONS**

**30% ARE NOW MORE SUPPORTIVE OF SPORTSMEN**

**THOUSANDS OF VISITS TO HUGAHUNTER.COM**

**NO ANTI-HUNTING OR ANTI-FISHING BALLOT INITIATIVES!**



### **WHAT OTHER STATES CAN LEARN FROM COLORADO**

- 1. PUBLIC EDUCATION IS THE BEST PROTECTION AGAINST BALLOT INITIATIVES LIMITING THE ACTIVITIES OF HUNTERS AND ANGLERS**
- 2. IT'S EASIER TO CHANGE PUBLIC OPINION**
- 3. IF THE FUNDS AREN'T MANDATED FOR PUBLIC EDUCATION THEY WILL BE DIVERTED**
- 4. INDEPENDENT MANAGEMENT OF FUNDS INCREASES EFFECTIVENESS AND COST EFFICIENCY**

# *Nimrod Society*

*Perpetuating Sportsmen's Heritage and Wildlife Management Through Education.*

[nimrodsociety.org](http://nimrodsociety.org)

# Be Like Teddy

- MODEL LEGISLATION -

[www.NimrodSociety.org/be-like-teddy/resources](http://www.NimrodSociety.org/be-like-teddy/resources)

# *Nimrod Society*

*Genesis 10:8-9*

*Perpetuating Sportsmen's Heritage and Wildlife Management Through Education.*

## **Model Wildlife Council Legislation**

- (1) The \_\_\_\_\_ wildlife council is created within the department of \_\_\_\_\_ (hereinafter "Wildlife Council").
- (2) The Wildlife Council shall consist of the following 9 members:
  - (a) The director or his or her designee.
  - (b) Four individuals who have purchased hunting or fishing licenses in this state on a regular basis, including at least once during each of the last 3 years, at least 1 of whom has purchased a hunting license and at least 1 of whom has purchased a fishing license, appointed by the governor with the advice and consent of the senate from a list of individuals formally nominated by statewide sportsmen's organizations.
  - (c) One individual representing local businesses in this state that are substantially impacted by hunting and fishing, appointed by the governor with the advice and consent of the senate.
  - (d) One individual representing agricultural producers in this state, appointed by the governor with the advice and consent of the senate.
  - (e) One individual with a media or marketing background, who is not an employee of the department, appointed by the governor with the advice and consent of the senate.
  - (f) One individual representing rural areas of this state whose economies are substantially impacted by hunting and fishing, appointed by the governor with the advice and consent of the senate.
- (3) In appointing members under subsection (2), the governor shall make an effort to appoint members from all geographic areas of this state.
- (4) The members first appointed to the Wildlife Council shall be appointed within 90 days after the effective date of this section.
- (5) The appointed members of the Wildlife Council shall serve for terms of 4 years or until a successor is appointed, whichever is later, except that of the members first appointed 2 shall serve for 2 years, 3 shall serve for 3 years, and 3 shall serve for 4 years. The appointed members shall not serve more than 2 full terms.
- (6) If a vacancy occurs on the Wildlife Council, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.
- (7) The governor may remove a member of the Wildlife Council for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

[State may prefer appointment by the director of the department rather than the governor with appropriate modification of language].

(8) The first meeting of the Wildlife Council shall be called by the director. At the first meeting, the Wildlife Council shall adopt bylaws and then elect from among its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the Wildlife Council shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by a majority of the members serving.

(9) A majority of the members of the Wildlife Council constitute a quorum for the transaction of business at a meeting of the Wildlife Council. A majority of the members serving are required for official action of the Wildlife Council.

(10) The business that the Wildlife Council may perform shall be conducted at a public meeting of the Wildlife Council held in compliance with the open meetings act, \_\_\_\_\_ [state statute].

(11) A writing prepared, owned, used, in the possession of, or retained by the Wildlife Council in the performance of an official function is subject to the freedom of information act, \_\_\_\_\_ [state statute].

(12) Members of the Wildlife Council shall serve without compensation. However, members of the Wildlife Council may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the Wildlife Council pursuant to \_\_\_\_\_ [state statute].

(13) The Wildlife Council shall do all of the following:

(a) Develop and implement, in conjunction with a third-party marketing or advertising agency, a comprehensive media-based public information program to promote the essential role that sportsmen and sportswomen play in furthering wildlife conservation and to educate the general public about the value of hunting, fishing, and the taking of game. That education shall include, but is not limited to, teaching that hunting, fishing, and the taking of game are any of the following:

(i) Necessary for the conservation, preservation, and scientific management of this state's natural resources.

(ii) A valued and integral part of the cultural heritage of this state and should forever be preserved.

(iii) An important part of this state's economy.

(b) Provide a semiannual report to the legislature on the program and expenditures under this section.

(c) Prepare an operational plan no later than 120 days after the first meeting of the Wildlife Council and no later than April 30 in subsequent years.

(d) The Wildlife Council may give preference to \_\_\_\_\_-based firms when hiring a third-party marketing or advertising agency under subsection (a).

(14) The \_\_\_\_\_wildlife management public education subaccount is created within the \_\_\_\_\_ [state fish and game protection] account.

(15) The state treasurer shall deposit into the subaccount the designated surcharge on hunting and fishing licenses as specified in\_\_\_\_\_ [surcharge legislation].

(16) The state treasurer may also receive money or other assets from any source for deposit into the subaccount.

(17) The state treasurer shall direct the investment of the subaccount. The state treasurer shall credit to the subaccount interest and earnings from subaccount investments.

(18) Money in the subaccount at the close of the fiscal year shall remain in the subaccount and shall not lapse to the \_\_\_\_\_ [state fish and game protection] account or the general fund.

(19) The council shall expend money from the subaccount upon appropriation only:

(a) To support the program designated under subsection (13) and to pay the department's administrative costs in implementing this section, not to exceed 5% of the annual appropriations from the subaccount; and

(b) In accordance with the operational plan and within the scope of the activities and funding levels authorized by the operational plan; and

(c) In compliance with section(s)\_\_\_\_\_ [state assent statute] and \_\_\_\_\_ [state assent statute], being the assent legislation of the state to the provisions of the Pittman-Robertson Act, 16 U.S.C. §§ 669 – 669(j) and the Dingell-Johnson Act, 16 U.S.C. §§ 777 – 777(k).

(20) The department shall be the sole administrator of the subaccount for auditing purposes.

# *Nimrod Society*

*Genesis 10:8-9*

*Perpetuating Sportsmen's Heritage and Wildlife Management Through Education.*

4/28/16  
SJVA

## State Wildlife Council Model Legislation

### **COMPLIANCE WITH PITTMAN-ROBERTSON ACT IN STATE LEGISLATION CREATING WILDLIFE COUNCILS FOR EDUCATION OF THE NON-SPORTING PUBLIC**

#### **INTRODUCTION**

Colorado and Michigan have enacted legislation creating wildlife councils. The mandate of each council is to educate the non-sporting public through comprehensive media based public information programs about the benefits to wildlife, wildlife management, and wildlife related recreational opportunities, from Sportsmen and Sportswomen activities. Funding for the media-based education programs is derived from hunting and fishing license surcharges in each state. While funding for wildlife council educational programs does not involve federal participation, any state legislation involving use of license fees must comply with the Pittman-Robertson Act to avoid a claimed diversion of license fees adversely affecting state eligibility for receipt of Pittman-Robertson funding. The purpose of this memorandum is to assist sportsman's organizations seeking to promote similar legislation in their states as well as state agencies and legislators drafting wildlife council legislation. Accompanying this memorandum is draft State Wildlife Council (SWC) model legislation designed to comply with Pittman-Robertson and allow states to tailor wildlife council legislation to each state's specific needs and requirements.

#### **CURRENT AND PROPOSED WILDLIFE COUNCIL LEGISLATION**

In 1998 Colorado became the first state to enact legislation creating the Public Education Advisory Council (C.R.S. 33-4-120). Utilizing Colorado as a model, in 2013 Michigan enacted wildlife council legislation creating the Michigan Wildlife Council (M.C.L. 324.43532b), effective April 2014. The duties and responsibilities of the Colorado and Michigan councils are similar:

##### Colorado:

Oversee the design of a comprehensive media-based public information program to educate the general public about the benefits of wildlife, wildlife management, and wildlife-related recreational opportunities in Colorado, specifically hunting and fishing;

C.R.S. 33-4-120(e)(I).

Michigan:

- (a) Develop and implement, in conjunction with a third-party marketing or advertising agency, a comprehensive media-based public information program to promote the essential role that sportsmen and sportswomen play in furthering wildlife conservation and to educate the general public about hunting, fishing and the taking of game. That education shall include, but is not limited to, teaching that hunting, fishing, and the taking of game are any of the following:
- (i) Necessary for the conservation, preservation, and management of this state's natural resources
  - (ii) A valued and integral part of the cultural heritage of this state and should forever be preserved.
  - (iii) An important part of this state's economy.

M.C.L. 324.43532b(18)(a)(i)-(iii).

Funding for the Colorado and Michigan educational programs is derived from a hunting and fishing license fee surcharge.

As of the date of this memorandum, legislation is pending in Nevada (Senate Bill No. 163) and in Oregon (House Bill 3529). The proposed legislation in Nevada and Oregon are in various legislative stages.

**PITTMAN-ROBERTSON/DINGELL-JOHNSON ACTS**

On September 2, 1937, Franklin Roosevelt signed into law the Federal Aid in Wildlife Restoration Act commonly called the Pittman-Robertson Act (16 U.S.C. 669-669i; 50 Stat. 917). After many years of private, uncontrolled hunting and depletion of wildlife resources, it was decided that the Government would, in effect, hold those responsible for depletion of wildlife liable for wildlife replenishment. The tools of hunting were to be taxed so that the users of the resources would pay for species management and recovery.

The principle movers behind the Act were Senator Key Pittman of Nevada and Representative A. Willis Robertson of Virginia. The stated purpose of the Act was to provide a stable source of funding for wildlife conservation which was to be financed by a 10% excise tax on firearms and ammunition. The statute has been amended several times, principally to expand the collection of an excise tax on pistols and archery parts and accessories.

On August 9, 1950, Congress passed the Federal Aid in Sport Fish Restoration Act commonly known as the Dingell-Johnson Act (16 U.S.C. 777-777k; 64 Stat. 430). The legislation was sponsored by Senator Edwin Johnson of Colorado and Representative John Dingell, Sr. of Michigan. The Act was modeled after the Pittman-Robertson Act to expand funding for management and restoration programs for sport fishing. Revenues are derived from excised taxes on sport fishing equipment, pleasure craft, and a portion of the gasoline fuel tax attributed to small engines and motorboats. The Dingell-Johnson Act has been amended several

times, generally to change tax rates or add taxable items. Eligibility for funding under the Pittman-Robertson and Dingell-Johnson Acts are essentially the same. Both Acts will here collectively be referred to as “P-R.”

The proposed use of the funds generated by P-R is to assist in the funding of state programs and activities which comport with programs and activities outlined in the Federal Code of Regulations. Funding is generally 75% federal and 25% state. Distribution amounts are generally based upon the number of hunting licenses sold and the population of the state. P-R funds are not only used for programs and activities, but a significant portion of the federal funds are utilized by the states to purchase, develop and maintain wildlife management areas. Recent estimates reflect that approximately 70% of the people using wildlife management areas are non-sportsmen. It is this segment of the population principally targeted by the educational programs of the state wildlife councils.

### **PITTMAN-ROBERTSON FUNDING ELIGIBILITY**

The United States Department of Interior has promulgated administrative rules and regulations for the administration of P-R. These administrative rules are codified in the Code of Federal Regulations (“CFR”) reported in the Federal Register. Title 50 of the CFR addresses all administrative rules and regulations dealing with Wildlife and Fisheries. Part 80 under Title 50 addresses “Administration Requirements, Pittman-Robertson Wildlife Restoration and Dingell-Johnson Sport Fish Restoration Acts.” 50 CFR 80.10 provides:

#### **§ 80.10 Who is eligible to receive the benefits of the Acts?**

States acting through their fish and wildlife agencies are eligible for benefits of the Acts only if they pass and maintain legislation that:

- (a) Assents to the provisions of the Acts;
- (b) Ensures the conservation of fish and wildlife; and
- (c) Requires that revenue from hunting and fishing licenses be:
  - (1) Controlled only by the State fish and wildlife agency; and
  - (2) Used only for administration of the State fish and wildlife agency, which includes only the functions required to manage the agency and the fish - and wildlife-related resources for which the agency has authority under State law.

This Section is immediately followed by Section 80.11 which provides:

#### **§ 80.11 How does a State become ineligible to receive the benefits of the Acts?**

A State becomes ineligible to receive the benefits of the Acts if it:

- (a) Fails materially to comply with any law, regulation, or term of a grant as it relates to acceptance and use of funds under the Acts;
- (b) Does not have legislation required at § 80.10 or passes legislation contrary to the Acts; or
- (c) Diverts hunting and fishing license revenue from:
  - (1) The control of the State fish and wildlife agency; or
  - (2) Purposes other than the agency's administration.

These Code provisions are essentially mirror-images of each other, setting forth eligibility and ineligibility to receive P-R funding.

State enabling legislation creating wildlife councils must create an administrative and control regulatory scheme which, on its face, supports eligibility for P-R revenue. If not, the Department of Interior may declare that a “diversion” has occurred in the use of state license fees. 50 CFR 80.21 provides:

**§ 80.21 What if a State diverts license revenue from the control of its fish and wildlife agency?**

The Director may declare a State to be in diversion if it violates the requirements of §80.10 by diverting license revenue from the control of its fish and wildlife agency to purposes other than the agency's administration. The State is then ineligible to receive benefits under the relevant Act from the date the Director signs the declaration until the State resolves the diversion. Only the Director may declare a State to be in diversion, and only the Director may rescind the declaration.

The Code requires three eligibility components of state legislation: 1) a purpose ensuring conservation of fish and wildlife; 2) enacted assent legislation to the provisions of P-R; and, 3) license revenue control by the state fish and wildlife agency.

**A. Model Legislation.**

The Nimrod Society’s State Wildlife Council (SWC) model legislation addresses the key P-R eligibility requirements of purpose, assent, and financial control. Individual states are free to adopt or modify non-P-R eligibility components of the model to fit the needs of each state. The number and the appointment mechanism of council members (Governor or Wildlife Director) may vary from state to state. The same is true for variations in council operating procedures such as meeting frequency, bylaw adoption and reporting responsibilities.

The SWC model legislation addresses the eligibility requirements of P-R as follows:

1. Purpose: Use of license revenue for educational purposes related to fish, wildlife and its management has long been an approved use under P-R. Model paragraph (19)(a) prohibits the expenditure of any license surcharge revenue for any purpose other than the program designated in model paragraph (13).
2. Assent: While most, if not all states, already have legislation assenting to the provisions of P-R, the model specifically references and incorporates assent legislation in model paragraph (19)(c).
3. Revenue Control: The model ensures control of the license surcharge revenue by:
  - (a) Creating a subaccount within an existing agency controlled fish and wildlife protection account (model paragraph (14));
  - (b) Requiring that all surcharge license revenue be deposited solely into this agency-controlled subaccount (model paragraph (15));
  - (c) Prohibiting a lapse or diversion of any license revenue in the subaccount to any other account or to a state's general fund (model paragraph (18)); and
  - (d) Providing that the department/agency shall be the sole administrator of the subaccount for auditing purposes (model paragraph (20)).

The historical and current benefits to state fish and wildlife conservation derived from the landmark Pittman-Robertson and Dingell-Johnson Acts are significant and cannot be overstated. These Acts are not and should not be considered “obstacles” to state wildlife education legislation. Careful drafting of state legislation preserving eligibility for Pittman-Robertson and Dingell-Johnson funds and programs is essential to maintain the benefits from the Acts while expanding state education programs to the non-sporting public. One of the stated objectives of the United States Fish and Wildlife Service is “administering a national program to provide the public opportunity to understand, appreciate, and wisely use fish and wildlife resources” ([www.fws.gov](http://www.fws.gov)). The model wildlife council legislation promotes the same objective on the state level as demonstrated by the success of the Colorado and Michigan education programs.

Steven J. Vander Ark, J.D.  
Director, Nimrod Society

# Be Like Teddy

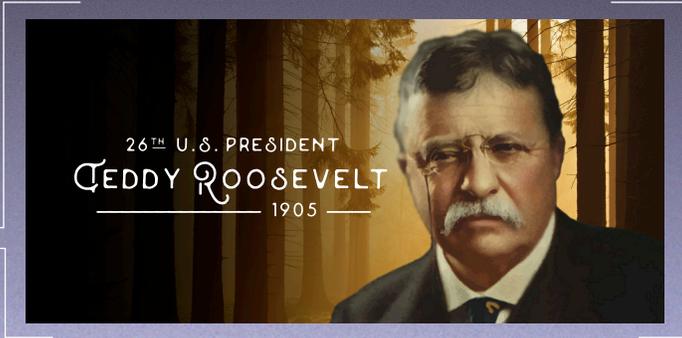
- "FOR THE LOVE OF WILDLIFE" MARKETING TOOL KIT -

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# For the Love of Wildlife

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“In a civilized and cultivated country, wild animals only continue to exist at all when preserved by sportsmen. In reality, the genuine sportsman is the most important factor in keeping wild creatures from total extermination.”



**T**heodore Roosevelt knew that hunting and fishing are crucial to preserving and protecting wildlife. And it's still the case today. Licensing fees from hunting, fishing and sportsmen help keep herds and habitats in check. That's what keeps the land and wildlife we love, more wildly beautiful for all of us.



# For the Love of Wildlife

- BILLBOARD CAMPAIGN -

Sportsmen's fees pay for  
everyone's wildlife.



# For the Love of Wildlife

- 30 SECOND TELEVISION SPOT -









Photo courtesy Theodore Roosevelt Medora Foundation Collection.



# Be Like Teddy

President Theodore Roosevelt was a champion for sportsmen, because he knew that hunting and fishing were crucial to preserving and protecting wildlife. Today, as fewer people hunt and fish and anti-hunting and animal rights groups campaign against our sports, we need you to Be Like Teddy. Help us educate the public about the true values of hunting and fishing.

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