



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

SPLIT NAT. RESOURCES COMM'N.

House Bills 4167 - 4225

Sponsor: Rep. Tom Alley

**Committee: Conservation, Recreation &
Environment**

Complete to 2-25-91

A REVISED SUMMARY OF HOUSE BILLS 4167 - 4225 AS INTRODUCED 2-7-91

Public Act 17 of 1921, the Department of Natural Resources (DNR) enabling act, specifies that administration of the department's powers and duties is vested in the Commission of Natural Resources whose duties include, among other things, appointing the department director. The Executive Organization Act specifically authorizes the commission to appoint the department director, while many other acts authorize the commission to perform various functions related to environmental, conservation, and recreation issues. The bills would amend these and various other acts to split the powers and duties currently held by the natural resources commission between that commission and a Commission on Conservation and Recreation, and would provide for the transfer of certain powers and duties to the new commission.

House Bill 4177 would amend Public Act 17 of 1921 (MCL 299.1 et al.) to specify that administration of the DNR's powers and duties would be jointly held by the Commission of Natural Resources and the Commission of Conservation and Recreation. The commissions would jointly appoint and employ the DNR director who would serve at their pleasure. Currently, the natural resources commission has seven members. Under the bill, each commission would have five members appointed by the governor with the advice and consent of the Senate. A member of either commission would have to be chosen based on the person's training and experience in subject areas that would be administered by the respective commission, and on the person's ability and fitness to deal with those concerns. Also, commission members' staggered terms would be shortened from six to four years, and natural resources commissioners serving upon the bill's effective date would serve their remaining terms. The DNR director would have to appoint, with the approval of the respective commissions, two deputy directors in non-classified positions to help administer department programs governed by each commission.

Separate Budgets. Each year the governor would have to submit to the legislature two separate budget proposals for the DNR, and each one would contain a separate itemized request for funding of programs administered by each of the commissions. All actions taken, including rules promulgated, by the natural resources commission related to programs under the new commission's control as of the bill's effective date would remain in effect until superseded by actions of the new commission.

Duties of Natural Resources Commission. The natural resources commission would be responsible for administering DNR programs involving air quality, water quality, waste management, environmental response and remediation, and all other programs related to pollution control and environmental protection.

Duties of Conservation/Recreation Commission. The conservation and recreation commission would administer DNR programs involving:

- * hunting and fishing;
- * recreation;
- * forest management;
- * land and water management;
- * geological survey;
- * state parks and recreation areas;
- * wildlife; and
- * all other programs related to resource management.

House Bill 4173 would amend the Executive Organization Act (MCL 16.351, 16.354, and 16.355) to provide for the appointment by the governor, with the advice and consent of the Senate, of five members of the conservation and recreation commission, not more than three of whom could be from the same political party. (Similar provisions would also apply to the natural resources commission.) The bill would require the commissions to jointly appoint the DNR director.

House Bills 4173 and 4177 are tie-barred to each other, while the remaining bills are tie-barred to both of these bills. The remaining bills would change references in other acts to apply to the new commission and, thus, would transfer duties now authorized under these acts from the natural resources commission to the new commission, as listed below.

<u>Bill No.</u>	<u>MCL</u>	<u>Public Act Name/Description</u>
4167	319.212	Mineral Well Act
4168	319.125	Pigeon River Country State Forest Hydrocarbon Development Act
4169	319.2, 319.3	PA 61 of 1939 (supervision of oil and gas wells)
4170	323.38	Great Lakes Protection Act
4171	3.451	PA 168 of 1967 (conveyance of land, setting of water boundaries)
4172	211.131	General Property Tax Act
4174	4.415	PA 472 of 1978 (regulates lobbyists)
4175	307.251	PA 175 of 1956 (fish hatcheries, stocking programs)
4176	211.641	PA 107 of 1951 (approval of land conveyances)
4178	317.1	PA 308 of 1929 (regulates trapping activities)
4179	317.201, et al	PA 184 of 1929 (establishes wildlife sanctuaries)
4180	317.71a	PA 191 of 1929 (regulates sale, use of game birds and animals)
4181	281.952	Inland Lakes and Streams Act
4182	3.401a	PA 312 of 1923 (federal government use of certain lands)

<u>Bill No.</u>	<u>MCL</u>	<u>Public Act Name/Description</u>
4183	257.1514a	PA 74 of 1968 (regulates use of snowmobiles)
4184	257.1601	PA 319 of 1975 (regulates use of off-road vehicles)
4185	281.762	Natural River Act
4186	317.303, 317.310	PA 134 of 1957 (regulates operation of shooting preserves)
4187	317.222	PA 80 of 1925 (established Pine Lake Wild Life Sanctuary)
4188	299.52	PA 173 of 1929 (protects certain historical property)
4189	299.222	Endangered Species Act
4190	299.201	PA 281 of 1939 (provides for wildlife restoration and management projects)
4191	299.127	PA 326 of 1965 (enabling act for DNR's Recreation Division)
4192	318.301 et al	PA 149 of 1960 (provides for land acquisition for state parks)
4193	318.51 et al	PA 4 of 1921 (provides for land acquisition for zoos and other state parks)
4194	318.532, 318.537	Recreation Improvement Fund Act
4195	322.752	Wilderness and Natural Areas Act
4196	317.403a	PA 82 of 1947 (established special dog training areas)
4197	281.702	Goemaere-Anderson Wetland Protection Act
4198	281.652	Sand Dune Protection and Management Act
4199	381.572	Recreation Bond Implementation Act
4200	320.206	PA 217 of 1931 (sale of lands to local governments for forestry purposes)
4201	320.81	PA 178 of 1935 (disposal of timber from state lands)
4202	320.310	PA 94 of 1925 (regulates use of commercial forests)
4203	320.1105	Forest Improvement Act
4204	322.402	PA 326 of 1913 (land leased for recreational purposes)
4205	322.462	Land Exchange Facilitation Fund Act
4206	300.253	Wildlife Conservation Act
4207	300.1 et al	PA 230 of 1925 (provides for protection of wildlife)
4208	300.11	PA 192 of 1929 (provides for protection of wildlife)
4209	300.101	PA 158 of 1949 (provides for reciprocal hunting/fishing laws with adjoining states)
4210	300.151	PA 111 of 1951 (provides for federal/state fish management programs)
4211	322.651	PA 10 of 1953 (provides for granting of easements)
4212	322.801, 322.803	PA 204 of 1984 (regulates taking of peat from state lands)
4213	320.274 et al	PA 86 of 1917 (provides for private forest reserves)
4214	281.1002	Marine Safety Act
4215	3.901	PA 359 of 1974 (conveyance of lands in Sleeping Bear Dunes National Lakeshore)
4216	318.507	Michigan Natural Resources Trust Fund Act
4217	281.68, 281.72	Inland Lake Level Act
4218	316.1003	Game and Fish Lifetime License Trust Fund Act
4219	316.103	Hunting and Fishing License Act
4220	308.201 et al	PA 218 of 1955 (allows modifications to commercial fishing laws)

<u>Bill No.</u>	<u>MCL</u>	<u>Public Act Name/Description</u>
4221	308.1c	Commercial Fishing Law
4222	307.251	PA 175 of 1956 (provides for Great Lakes fish stocking program)
4223	307.53, 307.57	PA 261 of 1915 (regulates mussel fishing in inland lakes)
4224	307.1	PA 123 of 1929 (regulates passage of fish over dams)
4225	301.10 et al	Michigan Sports Fishing Law