



**House
Legislative
Analysis
Section**

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

USE OF MACMULLEN CENTER

House Bill 4180 as enrolled
Sponsor: Rep. Joseph Young, Jr.
House Committee: State Affairs
Senate Committee: State Affairs and
Military/Veteran Affairs

House Bill 4426 as enrolled
Sponsor: Rep. Allen Lowe
House Committee: Conservation,
Environment, and Great Lakes
Senate Committee: Natural Resources and
Environmental Affairs

Second Analysis (3-3-94)

THE APPARENT PROBLEM:

The Ralph A. MacMullen conference center, located in North Higgins State Park in the northern Lower Peninsula, is used primarily by the Department of Natural Resources (DNR) and other state, federal, and local agencies. It also is used by other, nonprofit groups with a conservation or natural resources orientation.

Reportedly, however, the center also has been rented for weddings and high school proms, and local businesses apparently expressed concern that renting the center to such social groups constituted unfair competition to the private sector. As a result of these concerns, boilerplate language was added to the DNR's fiscal year 1991-92 appropriations legislation that specified which kinds of groups could use the center and that set up a separate account for revenue received from renting the center.

Legislation has been introduced that would place this appropriations boilerplate language into statute.

THE CONTENT OF THE BILLS:

House Bill 4180 would add a new section to the Department of Natural Resources enabling act (Public Act 17 of 1921, MCL 299.8a) that would create a revolving account under the jurisdiction of the Department of Natural Resources (DNR) to be

known as the MacMullen conference center account.

All fees and other revenues generated from operating the MacMullen conference center would be deposited into the account, and money from the account would be spent for operation of programs and for maintenance and operation of facilities at the center. Appropriations from the account could not be more than the estimated revenues for the fiscal year in which they were made (together with any balances from previous years). At the end of each fiscal year, the DNR would have to submit to the appropriations committees of the Senate and House of Representatives, and to the House and Senate fiscal agencies, an annual report of the account's operations and expenditures.

House Bill 4426 would add a new section to Public Act 17 of 1921 (MCL 299.8b) to specify that the MacMullen center would be available only to the following groups:

- (a) The Department of Natural Resources;
- (b) other federal, state, and local government agencies;
- (c) educational institutions;

House Bills 4180 and 4426 (3-3-94)

(d) nonprofit corporations or associations organized under the Nonprofit Corporation Act;

(e) community service clubs;

(f) handicapper groups;

(g) members of the legislature for purposes related to the business of the legislature; and

(h) groups that wanted to use the conference center to host events with natural resources or environmental agendas.

FISCAL IMPLICATIONS:

According to the Senate Fiscal Agency, the bills have no fiscal implications for the state. (6-24-93)

ARGUMENTS:

For:

Prior to 1992, boilerplate language in the Department of Natural Resources appropriations legislation said that the MacMullan conference center should "be uniformly available to any group or organization dedicated to the utilization, protection, and economic development of the state's natural resources." Despite this seemingly clear language, however, the center was rented for such social occasions as weddings and high school proms. Not only do these uses appear to be at odds with the center's environmental and natural resources mission, they also constitute unfair competition to local private businesses by allowing state-subsidized facilities to be rented to groups that otherwise would rent from the private sector.

As a result of concerns expressed by several local businesses, the boilerplate language in the DNR's appropriations legislation for fiscal year 1991-92 was changed to specify which groups could use the center, basically limiting the facility's use to public agencies and not-for-profit groups. The department also noted, in an interoffice communication from the director to the MacMullan facilities manager, that "the primary focus of the RAM [Ralph A. MacMullan] Center is to serve the DNR as a meeting and training facility. As an ancillary function, the RAM Center will serve non-DNR adult groups in a meeting capacity. At all times the RAM Center shall maintain the objective of exposing groups to natural resource management and environmental education programs . . . through

the employment of interpretive trails and exhibits on the RAM Center grounds, as well as making available DNR literature and multi-media

presentations." The bills would simply put into statute virtually the same language that appears in the fiscal year 1991-92 appropriations legislation for the department. And by putting the language into statute, the bills would ensure that the mission of the MacMullan center remained constant and not subject to the vagaries of the yearly appropriations process.

Against:

The bill has no penalty provisions. What would happen if the center doesn't follow these guidelines? Given the DNR's questionable judgement in the past, what is to prevent the department from departing from its mission statement in the future?