



SENATE BILL No. 576

April 21, 1993, Introduced by Senators CHERRY, ARTHURHULTZ and CONROY and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend the title and section 6 of Act No. 101 of the Public Acts of 1985, entitled "Michigan natural resources trust fund act," being section 318.506 of the Michigan Compiled Laws; and to add section 6a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 6 of Act No. 101 of the
2 Public Acts of 1985, being section 318.506 of the Michigan
3 Compiled Laws, are amended and section 6a is added to read as
4 follows:

TITLE

5
6 An act to provide for the implementation of section 35 of
7 article IX of the state constitution of 1963 creating the
8 Michigan natural resources trust fund; TO ESTABLISH THE NATURAL

1 HERITAGE RESEARCH TRUST FUND; to establish the Michigan natural
2 resources trust fund board; to establish the Michigan natural
3 resources trust bondholder protection board; to require the
4 transfer of money from certain trusts to the Michigan natural
5 resources trust fund; to require the transfer of certain docu-
6 ments and records; to prescribe certain powers and duties of the
7 Michigan natural resources trust fund board, the Michigan natural
8 resources trust bondholder protection board, the state treasurer,
9 the department of natural resources, and the department of trea-
10 sury; to provide for certain distributions from the Michigan nat-
11 ural resources trust fund AND THE NATURAL HERITAGE RESEARCH TRUST
12 FUND, and to repeal certain acts and parts of acts.

13 Sec. 6. The amount accumulated in the trust fund shall not
14 exceed ~~-\$200,000,000.00-~~ \$400,000,000.00, exclusive of interest
15 and earnings. Any amount of money that would be a part of the
16 trust fund but for the limitation stated in this section FOR THE
17 TRUST FUND shall be deposited ~~as provided by law~~ INTO THE NATU-
18 RAL HERITAGE RESEARCH TRUST FUND ESTABLISHED IN SECTION 6A UNTIL
19 THE NATURAL HERITAGE RESEARCH TRUST FUND REACHES ITS ACCUMULATION
20 LIMIT OF \$100,000,000.00. AFTER THE NATURAL HERITAGE RESEARCH
21 TRUST FUND HAS REACHED ITS ACCUMULATION LIMIT, MONEY RECEIVED
22 SHALL BE DEPOSITED INTO THE GENERAL FUND. However, only the bal-
23 ance remaining after the operation of section 5(1) and (2) shall
24 be subject to this section.

25 SEC. 6A. (1) THE NATURAL HERITAGE RESEARCH TRUST FUND IS
26 ESTABLISHED IN THE STATE TREASURY. THE STATE TREASURER SHALL
27 DIRECT THE INVESTMENT OF THE NATURAL HERITAGE RESEARCH TRUST

1 FUND. INTEREST AND EARNINGS OF THE NATURAL HERITAGE RESEARCH
2 TRUST FUND SHALL BE CREDITED TO THE NATURAL HERITAGE RESEARCH
3 TRUST FUND. MONEY IN THE NATURAL HERITAGE RESEARCH TRUST FUND AT
4 THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE NATURAL HERITAGE
5 RESEARCH TRUST FUND AND SHALL NOT REVERT TO THE GENERAL FUND.

6 (2) THE AMOUNT ACCUMULATED IN THE NATURAL HERITAGE RESEARCH
7 TRUST FUND IN ANY STATE FISCAL YEAR SHALL NOT EXCEED
8 \$100,000,000.00, EXCLUSIVE OF INTEREST AND EARNINGS. PRIOR TO
9 REACHING THIS LIMIT, NOT MORE THAN 33-1/3% OF THE MONEY, EXCLU-
10 SIVE OF INTEREST AND EARNINGS, RECEIVED BY THE NATURAL HERITAGE
11 RESEARCH TRUST FUND IN ANY STATE FISCAL YEAR MAY BE EXPENDED IN
12 THE FOLLOWING FISCAL YEAR FOR THE PURPOSES DESCRIBED IN
13 SUBSECTION (3). AFTER THE NATURAL HERITAGE RESEARCH TRUST FUND
14 REACHES THIS LIMIT, ONLY THE INTEREST AND EARNINGS OF THE NATURAL
15 HERITAGE RESEARCH TRUST FUND MAY BE EXPENDED AND ONLY FOR THE
16 PURPOSES DESCRIBED IN SUBSECTION (3).

17 (3) MONEY IN THE NATURAL HERITAGE RESEARCH TRUST FUND SHALL
18 BE USED BY THE DEPARTMENT, UPON APPROPRIATION, FOR GRANTS FOR
19 RESEARCH AND PILOT PROJECTS INTENDED TO MAINTAIN OR ENHANCE THE
20 STATE'S BIOLOGICAL DIVERSITY, RESEARCH AND PILOT PROJECTS CON-
21 TRIBUTING TO THE SUSTAINED VIABILITY OF PLANT, ANIMAL, OR GREAT
22 LAKES FISH POPULATIONS, RESEARCH AND PILOT PROJECTS FOR HABITAT
23 MAINTENANCE AND RESTORATION, AND RESEARCH AND PILOT PROJECTS FOR
24 FISH AND WILDLIFE MANAGEMENT, AND FOR ADMINISTRATION OF THE NATU-
25 RAL HERITAGE RESEARCH TRUST FUND PROGRAM UNDER SUBSECTION (4).

26 (4) THE DEPARTMENT SHALL DEVELOP A LONG-TERM RESEARCH
27 PROGRAM FOR ADMINISTRATION OF THE NATURAL HERITAGE RESEARCH TRUST

1 FUND, AND SHALL UPDATE IT ANNUALLY. THE DEPARTMENT SHALL ACCEPT
2 APPLICATIONS, DETERMINE WHICH PROJECTS ARE CONSISTENT WITH THE
3 LONG-TERM RESEARCH PROGRAM, AND RECOMMEND TO THE COMMISSION ON
4 NATURAL RESOURCES WHICH PROJECTS SHOULD BE FUNDED FROM THE NATU-
5 RAL HERITAGE RESEARCH TRUST FUND. UPON APPROVAL OF THE COMMIS-
6 SION ON NATURAL RESOURCES, THE DEPARTMENT SHALL SUBMIT TO THE
7 LEGISLATURE IN JANUARY OF EACH YEAR A LIST OF THOSE PROJECTS THAT
8 THE COMMISSION OF NATURAL RESOURCES HAS DETERMINED SHOULD BE
9 FUNDED BY THE NATURAL HERITAGE RESEARCH TRUST FUND. THE DEPART-
10 MENT SHALL PROVIDE THE LEGISLATURE WITH A STATEMENT OF THE GUIDE-
11 LINES USED IN PREPARING THE LIST OF PROJECTS.

12 (5) THE LEGISLATURE SHALL ANNUALLY APPROVE BY LAW THE
13 PROJECTS TO BE FUNDED WITH MONEY IN THE NATURAL HERITAGE RESEARCH
14 TRUST FUND.