

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4259**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. Subject to the conditions set forth in this act, the
4 amounts listed in this part are appropriated for the department of natu-
5 ral resources for the fiscal year ending September 30, 2002, from the
6 funds indicated in this part. The following is a summary of the
7 appropriations in this part:

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For Fiscal Year Ending
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1 DEPARTMENT OF NATURAL RESOURCES

2	Full-time equated unclassified positions.....	6.0	
3	Full-time equated classified positions.....	2,225.5	
4	GROSS APPROPRIATION.....	\$	261,424,300
5	Interdepartmental grant revenues:		
6	Total interdepartmental grants and intradepartmental		
7	transfers.....	\$	3,416,800
8	ADJUSTED GROSS APPROPRIATION.....	\$	258,007,500
9	Federal revenues:		
10	Total federal revenues.....		28,461,300
11	Special revenue funds:		
12	Total local revenues.....		0
13	Total private revenues.....		1,748,900
14	Total other state restricted revenues.....		171,576,600
15	State general fund/general purpose.....	\$	56,220,400
16	FUND SOURCE SUMMARY		
17	GROSS APPROPRIATION.....	\$	261,424,300
18	Interdepartmental grant revenues:		
19	IDG, engineering services to work orders.....	\$	1,101,000
20	IDG, MacMullan conference center revenue.....		1,290,300
21	IDG, land acquisition services to work orders.....		840,400
22	IDT, interdivisional charges.....		185,100
23	Total interdepartmental grants and intradepartmental		
24	transfers.....		3,416,800
25	ADJUSTED GROSS APPROPRIATION.....	\$	258,007,500
26	Federal revenues:		

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1	DAG, federal.....	2,670,000
2	DOC, federal.....	45,900
3	DOD, federal.....	1,000
4	DOE, federal.....	1,000
5	DOI, federal.....	18,249,200
6	DOI-MMS, federal oil and gas royalty revenue.....	150,000
7	DOI-MMS, federal timber revenue.....	3,300,100
8	DOT, federal.....	3,772,900
9	EPA, federal.....	249,500
10	IGLFC, federal.....	22,000
11	Total federal revenues.....	28,461,300
12	Special revenue funds:	
13	Private funds.....	1,248,800
14	Private-gift revenues.....	500,100
15	Total private revenues.....	1,748,900
16	Aircraft fees.....	217,900
17	Air photo fees.....	110,500
18	Airport and park operation fees.....	44,500
19	Automated license system revenue.....	426,900
20	Clean Michigan initiative fund.....	274,800
21	Commercial fishing fee revenue.....	200
22	Delinquent property tax administration fund.....	662,200
23	Forest camping fee revenue.....	1,231,500
24	Forest resource revenue.....	24,857,700
25	Game and fish protection fund.....	56,688,900
26	Game and fish protection fund - deer habitat reserve.	1,995,500

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1	Game and fish protection fund - turkey permit fees...	1,739,900
2	Game and fish protection fund - waterfowl fees.....	103,000
3	Game and fish - wildlife resource protection fund....	1,334,100
4	Harbor development fund.....	241,800
5	Land exchange facilitation fund.....	5,474,000
6	Land sale revenue.....	2,626,900
7	Mackinac Island state park fund.....	1,416,000
8	Marine safety fund.....	4,995,400
9	Michigan civilian conservation corps endowment fund..	1,497,300
10	Michigan geographic information system revenue.....	23,500
11	Michigan state waterways fund.....	14,345,200
12	Michigan natural resources trust fund.....	3,347,900
13	Michigan state parks endowment fund.....	5,022,400
14	Nongame wildlife fund.....	881,100
15	Off-road vehicle trail improvement fund.....	2,685,500
16	Park improvement fund.....	28,911,600
17	Publications revenue.....	59,100
18	Recreation improvement fund.....	1,411,900
19	Shop fees.....	55,700
20	Snowmobile registration fee revenue.....	1,572,500
21	Snowmobile trail improvement fund.....	7,319,900
22	Other restricted revenues.....	1,300
23	Total other state restricted revenues.....	171,576,600
24	State general fund/general purpose..... \$	56,220,400
25	Sec. 102. EXECUTIVE	
26	Full-time equated unclassified positions.....6.0	

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1	Full-time equated classified positions.....	10.0	
2	Commission (including travel expense--per diem).....	\$	74,900
3	Unclassified salaries--6.0 FTE positions.....		430,000
4	Executive direction--10.0 FTE positions.....		<u>1,728,800</u>
5	GROSS APPROPRIATION.....	\$	2,233,700
6	Appropriated from:		
7	Interdepartmental grant revenues:		
8	IDG-MacMullan conference center revenue.....		14,800
9	Special revenue funds:		
10	Delinquent property tax administration fund.....		3,800
11	Forest resource revenue.....		226,200
12	Game and fish protection fund.....		646,900
13	Land exchange facilitation fund.....		6,400
14	Land sale revenue.....		32,500
15	Marine safety fund.....		22,300
16	Michigan geographic information system revenue.....		1,000
17	Michigan natural resources trust fund.....		900
18	Michigan state waterways fund.....		234,900
19	Nongame wildlife fund.....		900
20	Off-road vehicle trail improvement fund.....		2,700
21	Park improvement fund.....		415,800
22	Recreation improvement fund.....		700
23	Snowmobile registration fee revenue.....		2,700
24	Snowmobile trail improvement fund.....		3,900
25	State general fund/general purpose.....	\$	617,300
26	Sec. 103. ADMINISTRATIVE SERVICES		

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1	Full-time equated classified positions.....	249.7	
2	Finance and operations services--146.7 FTE positions. \$		11,310,700
3	Internal audit--12.0 FTE positions.....		795,500
4	Office of information services--69.0 FTE positions...		13,301,000
5	Human resources--22.0 FTE positions.....		<u>2,174,300</u>
6	GROSS APPROPRIATION.....	\$	27,581,500
7	Appropriated from:		
8	Interdepartmental grant revenues:		
9	IDT, interdivisional charges.....		185,100
10	IDG, engineering to work orders.....		967,200
11	IDG, MacMullan conference center revenue.....		19,200
12	Federal revenues:		
13	DOI, federal.....		119,300
14	Special revenue funds:		
15	Aircraft fees.....		112,400
16	Air photo fees.....		7,500
17	Automated license system revenue.....		426,900
18	Clean Michigan initiative fund.....		274,800
19	Delinquent property tax administration.....		51,600
20	Forest resource revenue.....		1,197,700
21	Game and fish protection fund.....		9,188,400
22	Land exchange facilitation fund.....		100,500
23	Land sale revenue.....		121,900
24	Marine safety fund.....		394,500
25	Michigan civilian conservation corps endowment fund..		6,300
26	Michigan geographic information system revenue.....		1,900

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1	Michigan natural resources trust fund.....	787,500
2	Michigan state parks endowment fund.....	114,100
3	Michigan state waterways fund.....	1,524,300
4	Nongame wildlife fund.....	17,900
5	Off-road vehicle trail improvement fund.....	55,500
6	Park improvement fund.....	3,496,300
7	Publications revenue.....	59,100
8	Recreation improvement fund.....	28,600
9	Snowmobile registration fee revenue.....	66,500
10	Snowmobile trail improvement fund.....	104,400
11	Other restricted revenues.....	1,300
12	State general fund/general purpose..... \$	8,150,800
13	Sec. 104. DEPARTMENTAL OPERATION SUPPORT	
14	Building occupancy charges..... \$	2,129,100
15	Rent - privately owned property.....	419,000
16	Gifts and bequests.....	<u>500,100</u>
17	GROSS APPROPRIATION..... \$	3,048,200
18	Appropriated from:	
19	Special revenue funds:	
20	Private - gift revenues.....	500,100
21	Forest resource revenue.....	139,200
22	Game and fish protection fund.....	611,000
23	Land sale revenue.....	50,300
24	Marine safety fund.....	43,700
25	Michigan state waterways fund.....	200,600
26	Michigan natural resources trust fund.....	12,400

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1	Park improvement fund.....	57,100
2	Snowmobile trail improvement fund.....	20,300
3	State general fund/general purpose..... \$	1,413,500
4	Sec. 105. WILDLIFE MANAGEMENT	
5	Full-time equated classified positions.....190.0	
6	Wildlife administration--14.5 FTE positions..... \$	1,568,100
7	Wildlife management--166.5 FTE positions.....	18,203,600
8	Natural resources heritage--9.0 FTE positions.....	1,500,100
9	State game and wildlife area maintenance.....	<u>199,900</u>
10	GROSS APPROPRIATION..... \$	21,471,700
11	Appropriated from:	
12	Federal revenues:	
13	DOD, federal.....	1,000
14	DOI, federal.....	8,035,100
15	EPA, federal.....	1,000
16	Special revenue funds:	
17	Private funds.....	108,400
18	Game and fish protection fund.....	8,531,800
19	Game and fish protection fund - deer habitat reserve.	1,995,500
20	Game and fish protection fund - turkey permit fees...	1,739,900
21	Game and fish protection fund - waterfowl fees.....	103,000
22	Nongame wildlife fund.....	562,200
23	State general fund/general purpose..... \$	393,800
24	Sec. 106. FISHERIES MANAGEMENT	
25	Full-time equated classified positions.....229.0	
26	Fisheries administration--12.5 FTE positions..... \$	1,271,100

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1	Commercial fisheries--2.7 FTE positions.....	200,600
2	Recreational fisheries--14.0 FTE positions.....	1,728,300
3	Fish production--57.4 FTE positions.....	6,874,300
4	Fisheries resource management--142.4 FTE positions...	12,892,600
5	Treaty waters management fund work project.....	138,100
6	Stream habitat improvement.....	<u>1,248,700</u>
7	GROSS APPROPRIATION..... \$	24,353,700
8	Appropriated from:	
9	Federal revenues:	
10	DOE, federal.....	1,000
11	DOC, federal.....	45,900
12	DOI, federal.....	6,461,900
13	EPA, federal.....	142,100
14	IGLFC, federal.....	22,000
15	Special revenue funds:	
16	Commercial fishing fee revenue.....	200
17	Game and fish protection fund.....	17,542,500
18	State general fund/general purpose..... \$	138,100
19	Sec. 107. PARKS AND RECREATION	
20	Full-time equated classified positions.....820.3	
21	State parks--608.3 FTE positions..... \$	38,565,000
22	MacMullan conference center--7.0 FTE positions.....	1,256,300
23	Recreational boating--202.0 FTE positions.....	11,955,900
24	Michigan civilian conservation corps--3.0 FTE	
25	positions.....	<u>3,724,000</u>
26	GROSS APPROPRIATION..... \$	55,501,200

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1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG, MacMullan conference center revenue.....	1,256,300
4	Federal revenues:	
5	EPA, federal.....	105,400
6	Special revenue funds:	
7	Private funds.....	283,700
8	Harbor development fund.....	241,800
9	Michigan civilian conservation corps endowment fund..	1,491,000
10	Michigan state parks endowment fund.....	4,490,300
11	Michigan state waterways fund.....	11,714,100
12	Off-road vehicle trail improvement fund.....	147,900
13	Park improvement fund.....	24,770,800
14	State general fund/general purpose..... \$	10,999,900
15	Sec. 108. MACKINAC ISLAND STATE PARK COMMISSION	
16	Full-time equated classified positions.....48.0	
17	Mackinac Island park operation--23.0 FTE positions... \$	1,637,100
18	Historical facilities system--25.0 FTE positions.....	<u>1,814,100</u>
19	GROSS APPROPRIATION..... \$	3,451,200
20	Appropriated from:	
21	Special revenue funds:	
22	Airport and park operation fees.....	44,500
23	Mackinac Island state park fund.....	1,416,000
24	State general fund/general purpose..... \$	1,990,700
25	Sec. 109. FOREST RESOURCE MANAGEMENT	
26	Full-time equated classified positions.....339.0	

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1	Timber harvest--102.0 FTE positions.....	\$	8,308,100
2	Timber marking.....		1,999,900
3	Forest cultivation and reforestation--23.0 FTE		
4	positions.....		4,098,000
5	Forest resource planning and land use--20.0 FTE		
6	positions.....		5,126,200
7	Private forest development--10.5 FTE positions.....		884,700
8	Forest finance authority--9.0 FTE positions.....		1,677,500
9	Adopt-a-forest program.....		50,100
10	Forest fire protection--141.5 FTE positions.....		10,640,900
11	Forest recreation--14.5 FTE positions.....		2,161,400
12	Forest management initiative.....		1,099,900
13	National Christmas tree.....		99,900
14	National forest management.....		1,100
15	Trails--18.5 FTE positions.....		2,354,800
16	Forest fire equipment.....		1,700,100
17	Cooperative resource programs.....		<u>1,789,900</u>
18	GROSS APPROPRIATION.....	\$	41,992,500
19	Appropriated from:		
20	Federal revenues:		
21	DAG, federal.....		1,545,100
22	EPA, federal.....		1,000
23	Special revenue funds:		
24	Private funds.....		806,700
25	Aircraft fees.....		105,500
26	Forest camping fee revenue.....		1,231,500

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1	Forest resource revenue.....	22,907,000
2	Game and fish protection fund.....	2,071,600
3	Michigan state waterways fund.....	366,200
4	Off-road vehicle trail improvement fund.....	360,900
5	Recreation improvement fund.....	282,700
6	Shop fees.....	55,700
7	Snowmobile trail improvement fund.....	1,711,200
8	State general fund/general purpose..... \$	10,547,400
9	Sec. 110. LAND AND MINERAL SERVICES	
10	Full-time equated classified positions.....69.0	
11	Land records and tax reversions--15.3 FTE positions.. \$	2,362,100
12	Minerals management--15.3 FTE positions.....	1,641,200
13	Land acquisition and exchange--16.2 FTE positions....	6,791,800
14	Resource mapping and aerial photography--22.2 FTE	
15	positions.....	3,268,700
16	Abandoned mineshaft closures.....	350,100
17	Grants to communities for cleanup and maintenance of	
18	tax reverted properties.....	<u>149,900</u>
19	GROSS APPROPRIATION..... \$	14,563,800
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG, land acquisition services-to-work orders.....	840,400
23	IDG, engineering services-to-work orders.....	133,800
24	Federal revenues:	
25	DOI, federal.....	2,000
26	Special revenue funds:	

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1	Air photo fees.....	103,000
2	Delinquent property tax administration fund.....	606,800
3	Forest resource revenue.....	387,600
4	Game and fish protection fund.....	558,200
5	Land exchange facilitation fund.....	5,367,100
6	Land sale revenue.....	2,422,200
7	Michigan geographic information system revenue.....	20,600
8	Michigan natural resources trust fund.....	1,913,700
9	Michigan state parks endowment fund.....	418,000
10	Michigan state waterways fund.....	102,600
11	Park improvement fund.....	171,600
12	State general fund/general purpose..... \$	1,516,200
13	Sec. 111. LAW ENFORCEMENT	
14	Full-time equated classified positions.....270.5	
15	Wildlife resource protection--10.0 FTE positions..... \$	1,334,100
16	General law enforcement--260.5 FTE positions.....	<u>25,616,200</u>
17	GROSS APPROPRIATION..... \$	26,950,300
18	Appropriated from:	
19	Federal revenues:	
20	DOI, federal.....	821,900
21	DOT, federal.....	1,973,000
22	Special revenue funds:	
23	Game and fish - wildlife resource protection fund....	1,334,100
24	Game and fish protection fund.....	15,517,700
25	Marine safety fund.....	1,304,800
26	Off-road vehicle trail improvement fund.....	743,900

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1	Snowmobile registration fee revenue.....	361,400
2	State general fund/general purpose..... \$	4,893,500
3	Sec. 112. PAYMENTS IN LIEU OF TAXES	
4	Swamp and tax reverted lands.....	7,071,600
5	Purchased lands taxes/open space payments.....	8,452,600
6	Commercial forest reserve.....	<u>2,691,800</u>
7	GROSS APPROPRIATION..... \$	18,216,000
8	Appropriated from:	
9	Special revenue funds:	
10	Game and fish protection fund.....	1,820,900
11	Michigan natural resources trust fund.....	633,400
12	Michigan state waterways fund.....	202,500
13	State general fund/general purpose..... \$	15,559,200
14	Sec. 113. GRANTS	
15	Grant to counties--marine safety..... \$	3,230,100
16	Federal - land and water conservation fund payments..	2,633,900
17	Federal - forest stewardship grants.....	625,100
18	Federal - urban forestry grants.....	399,900
19	Federal - clean vessel act grants.....	175,100
20	Federal - rural community fire protection.....	99,900
21	Grants to communities - federal oil, gas, and timber	
22	payments.....	3,450,100
23	Recreation improvement fund grants.....	1,099,900
24	Snowmobile local grants program.....	5,480,100
25	Snowmobile law enforcement grants.....	1,141,900
26	Off-road vehicle trail improvement grants.....	1,374,600

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1	National recreational trails.....	1,849,900
2	Game and nongame wildlife fund grants.....	300,100
3	Inland fisheries resources grants.....	<u>199,900</u>
4	GROSS APPROPRIATION.....	\$ 22,060,500
5	Appropriated from:	
6	Federal revenues:	
7	DAG, federal.....	1,124,900
8	DOI, federal.....	2,809,000
9	DOI, oil and gas royalty revenue.....	150,000
10	DOI-MMS, federal timber revenue.....	3,300,100
11	DOT, federal.....	1,799,900
12	Special revenue funds:	
13	Private funds.....	50,000
14	Game and fish protection fund.....	199,900
15	Marine safety fund.....	3,230,100
16	Nongame wildlife fund.....	300,100
17	Off-road vehicle trail improvement fund.....	1,374,600
18	Recreation improvement fund.....	1,099,900
19	Snowmobile registration fees.....	1,141,900
20	Snowmobile trail improvement fund.....	5,480,100
21	State general fund/general purpose.....	\$ 0

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PART 2

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PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2001-2002 is \$227,797,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2001-2002 is \$22,737,900.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF NATURAL RESOURCES

PAYMENTS IN LIEU OF TAXES

Swamp and tax reverted lands.....	\$	7,071,600
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Purchased lands/open space payments.....		8,452,600
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GRANTS

Commercial forest reserve.....		2,691,800
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Grants to counties - marine safety.....		3,230,100
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Snowmobile law enforcement.....		1,141,900
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Grants to communities for cleanup and maintenance of tax reverted properties.....		<u>149,900</u>
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TOTAL.....	\$	22,737,900
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Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

(a) "Commission" means the commission of natural resources.

(b) "DAG" means the United States department of agriculture.

(c) "Department" means the department of natural resources.

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- 1 (d) "DOC" means the United States department of commerce.
- 2 (e) "DOD" means the United States department of defense.
- 3 (f) "DOE" means the United States department of energy.
- 4 (g) "DOI" means the United States department of interior.
- 5 (h) "DOI-MMS" means DOI minerals management service.
- 6 (i) "DOT" means the United States department of transportation.
- 7 (j) "EPA" means the United States environmental protection agency.
- 8 (k) "FTE" means full-time equated.
- 9 (l) "IDG" means interdepartmental grant.
- 10 (m) "IDT" means intradepartmental transfer.
- 11 (n) "IGLFC" means the international Great Lakes fish commission.
- 12 Sec. 204. The department of civil service shall bill departments
- 13 and agencies at the end of the first fiscal quarter for the 1% charge
- 14 authorized by section 5 of article XI of the state constitution of 1963.
- 15 Payments shall be made for the total amount of the billing by the end of
- 16 the second fiscal quarter.
- 17 Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on
- 18 the state classified civil service. State departments and agencies are
- 19 prohibited from hiring any new full-time state classified civil service
- 20 employees and prohibited from filling any vacant state classified civil
- 21 service positions. This hiring freeze does not apply to internal trans-
- 22 fers of classified employees from 1 position to another within a depart-
- 23 ment or to positions that are funded with 80% or more federal or
- 24 restricted funds.
- 25 (2) The state budget director shall grant exceptions to this hiring
- 26 freeze when the state budget director believes that the hiring freeze
- 27 will result in rendering a state department or agency unable to deliver

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1 basic services, cause loss of revenue to the state, result in the
2 inability of the state to receive federal funds, or necessitate addi-
3 tional expenditures that exceed any savings from maintaining a vacancy.
4 The state budget director shall report by the twenty-eighth of each month
5 to the chairpersons of the senate and house of representatives standing
6 committees on appropriations the number of exceptions to the hiring
7 freeze approved during the previous month and the justification for the
8 exception.

9 Sec. 206. (1) In addition to the funds appropriated in part 1,
10 there is appropriated an amount not to exceed \$3,000,000.00 for federal
11 contingency funds. These funds are not available for expenditure until
12 they have been transferred to another line item in this act under
13 section 393(2) of the management and budget act, 1984 PA 431,
14 MCL 18.1393.

15 (2) In addition to the funds appropriated in part 1, there is appro-
16 priated an amount not to exceed \$5,000,000.00 for state restricted con-
17 tingency funds. These funds are not available for expenditure until they
18 have been transferred to another line item in this act under
19 section 393(2) of the management and budget act, 1984 PA 431,
20 MCL 18.1393.

21 (3) In addition to the funds appropriated in part 1, there is appro-
22 priated an amount not to exceed \$100,000.00 for local contingency funds.
23 These funds are not available for expenditure until they have been trans-
24 ferred to another line item in this act under section 393(2) of the man-
25 agement and budget act, 1984 PA 431, MCL 18.1393.

26 (4) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$250,000.00 for private contingency

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1 funds. These funds are not available for expenditure until they have
2 been transferred to another line item in this act under section 393(2) of
3 the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 207. At least 60 days before beginning any effort to
privatize, the department shall submit a complete project plan to the
appropriate senate and house of representatives appropriations
subcommittees and the senate and house fiscal agencies. The plan shall
include the criteria under which the privatization initiative will be
evaluated. The evaluation shall be completed and submitted to the
appropriate senate and house of representatives appropriations
subcommittees and the senate and house fiscal agencies within 30 months.

4 Sec. 208. Unless otherwise specified in this act, the department
5 shall use the Internet to fulfill the reporting requirements of this
6 act. This may include transmission of reports via electronic mail to the
7 recipients identified for each reporting requirement or it may include
8 placement of reports on an Internet or Intranet site. The senate and
9 house of representatives appropriations subcommittees and senate and
10 house fiscal agencies shall be notified in writing of the Internet or
11 Intranet site of any such report. Quarterly, the department shall pro-
12 vide to the house and senate appropriation subcommittees on natural
13 resources, the house and senate fiscal agencies, and the state budget
14 office an electronic and paper copy list of the reports submitted during
15 the most recent 3-month period along with the Internet or Intranet site
16 of each report, and a list of those reports expected to be transmitted in
17 the following quarter.

18 Sec. 209. Funds appropriated in part 1 should not be used for the
19 purchase of foreign goods or services, or both, if competitively priced
20 American goods or services, or both, of comparable quality are
21 available. Preference should be given to goods or services, or both,
22 manufactured or provided by Michigan businesses if they are competitively
23 priced and of comparable value.

24 Sec. 210. (1) From funds appropriated under part 1, the department
25 shall prepare a report that lists all of the following regarding grant,
26 loan, or grant and loan programs administered by the department for the
27 fiscal year ending on September 30, 2002:

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1 (a) The name of each program.

2 (b) The goals, criteria, filing fees, nominating procedures, eligi-
3 bility requirements, processes, and deadlines for each program.

4 (c) The maximum and minimum grant and loan available and whether
5 there is a match requirement for each program.

6 (d) The amount of any required match, and whether in-kind contribu-
7 tions may be used as part or all of a required match.

8 (e) Information pertaining to the application process, timeline for
9 each program, and the contact people within the department.

10 (f) The source of funds for each program, including the citation of
11 pertinent authorizing acts.

12 (g) Information regarding plans for the next fiscal year for the
13 phaseout, expansion, or changes for each program.

14 (h) A listing of all recipients of grants or loans awarded by the
15 department by type and amount of grant or loan.

16 (2) The reports required under this section shall be submitted to
17 the senate and house appropriations committees and the senate and house
18 fiscal agencies by January 1, 2002.

19 Sec. 211. Appropriations of state restricted game and fish protec-
20 tion funds have been made to the following departments and agencies in
21 their respective appropriation bills. The amounts appropriated to these
22 departments and agencies are limited to the amounts listed below:

23 Department of civil service.....	\$	293,200
24 Legislative auditor general.....		20,000
25 Attorney general.....		683,500
26 Department of management and budget.....		209,600

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1 Department of treasury..... 4,200

2 Sec. 212. By February 15, 2002, the department shall provide the
3 state budget director, the senate and house appropriations subcommittees
4 on natural resources, and the senate and house fiscal agencies with an
5 annual report on estimated restricted fund balances, projected revenues,
6 and expenditures for the fiscal years ending September 30, 2001 and
7 September 30, 2002.

8 Sec. 213. On or before February 1, 2002, the department shall pro-
9 vide a report to the senate and house appropriations subcommittees on
10 natural resources, the senate and house standing committees having juris-
11 diction over natural resources issues, the senate and house fiscal agen-
12 cies, and the state budget director on all of the following:

13 (a) Measures undertaken by the department during the fiscal year
14 ending September 30, 2001 to address low lake and river water levels.

15 (b) Measures undertaken or planned to be undertaken by the depart-
16 ment during the fiscal year ending September 30, 2002 to address low lake
17 and river water levels.

18 (c) An assessment of the impact of low lake and river water levels
19 on the fishing, boating, marina, and tourist industries in this state.

20 Sec. 214. (1) The department, in conjunction with the department of
21 environmental quality, shall provide a report on the impact of
22 non-native, aquatic nuisance species and other non-native species on the
23 waters and fisheries of the state, including recommendations for reducing
24 or eliminating the negative impacts of such species on the waters and
25 fisheries of the state, and recommendations on how to prohibit new intro-
26 ductions of non-native aquatic nuisance species and other non-native
27 species.

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1 (2) The report required in subsection (1) may be included as a part
2 of any report the department is required to prepare that assesses the
3 status of and trends related to the overall state of the natural environ-
4 ment in Michigan. The report shall be submitted to the governor, to the
5 standing committees of the legislature with jurisdiction over issues pri-
6 marily related to natural resources and the environment, and to the
7 senate and house appropriations subcommittees on environmental quality
8 and natural resources. The report shall be submitted not later than
9 September 30, 2002.

10 Sec. 215. The departments and state agencies receiving appropria-
11 tions under this act shall receive and retain copies of all reports
12 funded from appropriations in part 1. These departments and state agen-
13 cies shall follow federal and state guidelines for short-term and
14 long-term retention of these reports and records.

15 EXECUTIVE

16 Sec. 301. The appropriations in part 1 for the commission may be
17 used for per diem payments to the members of the commission or of commit-
18 tees of the commission for a full day of commission or committee work at
19 which a quorum is present, for attending a hearing as authorized by the
20 commission or committee, or for performing official business as autho-
21 rized by the commission or committee. The per diem payment for members
22 of the commission shall be \$75.00.

23 Sec. 302. On June 15, 2002, the department shall submit to the
24 house and senate appropriations subcommittees on natural resources and
25 the house and senate fiscal agencies a report on fish, game, and nongame

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1 habitat improvement and treatment projects completed or planned during
2 the fiscal year ending September 30, 2001 and the fiscal year ending
3 September 30, 2002. This report shall include a list of all habitat
4 treatment and improvement projects by management unit. This list shall
5 be accompanied by all of the following information:

6 (a) The target species of wildlife or fish to benefit from unit
7 projects.

8 (b) The number of acres or, for an inland lake, river, or stream,
9 the number of feet treated or improved, the county in which the project
10 is located, and the methods of treatment or improvement.

11 (c) The division with lead responsibility for the projects and all
12 organizations involved in the projects, including, but not limited to,
13 department personnel, contractors, or subcontractors.

14 (d) The total cost per acre and the funding sources supporting man-
15 agement unit projects. The report shall identify the program line item
16 supporting project expenditures.

17 (e) A separate summary, by fund or subfund, of all projects com-
18 pleted in the fiscal year ending September 30, 2001 or the fiscal year
19 ending September 30, 2002.

20 **ADMINISTRATIVE SERVICES**

21 Sec. 401. The following are the estimated general purpose revenues
22 available in the game and fish protection fund for the state fiscal year
23 ending September 30, 2002:

24 Projected balance from previous year..... \$ 4,325,600

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1	General purpose licenses.....	43,925,000
2	Game and fish protection trust fund interest and	
3	earnings.....	5,113,000
4	Federal indirect revenues.....	1,600,000
5	Miscellaneous revenues.....	<u>800,000</u>
6	Total general purpose game and fish protection fund.. \$	55,763,600

7 Sec. 402. Of the state general fund/general purpose resources
8 appropriated in part 1 to administrative services, \$2,300,000.00 is for
9 the game and fish protection fund to provide senior citizen license fee
10 reimbursement under section 43546 of the natural resources and environ-
11 mental protection act, 1994 PA 451, MCL 324.43546.

12 Sec. 403. The department may charge the appropriations contained in
13 part 1, including all special maintenance and capital projects appropri-
14 ated for the fiscal year ending September 30, 2002, for engineering serv-
15 ices provided, a standard percentage fee to recover actual costs. The
16 department may use the revenue derived to support the engineering serv-
17 ices charges provided for in part 1.

18 Sec. 404. The department shall prominently display in a prominent
19 place in the fishing guide provided to each licensed fisher, the website
20 for the department of community health. In addition, the fishing guide
21 shall include information on alternative sources where interested parties
22 without Internet access may find information on fish advisories issued by
23 the department of community health.

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1 DEPARTMENTAL OPERATIONAL SUPPORT

2 Sec. 501. On February 1, 2002, the department shall report to the
3 senate and house appropriations subcommittees on natural resources and to
4 the senate and house fiscal agencies on gifts, bequests, grants, and
5 donations. The report shall include both of the following:

6 (a) The amount of contributions, gifts, bequests, grants, and dona-
7 tions received by the department for the fiscal year ending September 30,
8 2001.

9 (b) A listing of the expenditures made from the amounts reported
10 under subdivision (a).

11 WILDLIFE MANAGEMENT

12 Sec. 601. Of the funds appropriated in section 105, the department
13 shall reimburse the department of agriculture for costs incurred for
14 indemnification payments for livestock losses caused by wolves under the
15 animal industry act of 1987, 1988 PA 466, MCL 287.701 to 287.745.

16 Sec. 602. The department of natural resources shall request reim-
17 bursement from the department of agriculture for those costs associated
18 with monitoring and testing wildlife for bovine tuberculosis which are
19 jointly agreed to by the department of agriculture and the department of
20 natural resources to be in excess of efforts necessary to eradicate
21 bovine tuberculosis from Michigan's wild free-ranging cervidae
22 populations.

23 Sec. 603. The appropriation in part 1 for wildlife management,
24 includes funding for 4 wildlife biologist positions to assist the

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1 investigation and analysis of harvested deer for the presence of bovine
2 TB.

3 FISHERIES MANAGEMENT

4 Sec. 701. The department shall not impede the certification process
5 for water control structures on Michigan waterways. The department shall
6 fund from funds appropriated in part 1 all non-water-quality studies or
7 requirements that the department requests of either of the following:

8 (a) The department of environmental quality as a condition for issu-
9 ance of a certification under section 401 of the federal water pollution
10 control act, title IV of chapter 758, 86 Stat. 877, 33 U.S.C. 1341.

11 (b) The federal energy regulatory commission as a condition of
12 licensing under the federal power act, chapter 285, 41 Stat. 1063, 16
13 U.S.C. 791a to 793, 796 to 797, 798 to 818, 820 to 824a, and 824b to
14 825r.

15 Sec. 702. (1) From the appropriation in section 106 for stream hab-
16 itat improvement, not more than \$758,000.00 shall be allocated for grants
17 to watershed councils, resource development councils, soil conservation
18 districts, local governmental units, and other nonprofit organizations
19 for stream habitat stabilization and soil erosion control.

20 (2) The fisheries division of the department shall develop priority
21 and cost estimates for all recommended projects.

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1 PARKS AND RECREATION

2 Sec. 801. Pursuant to section 1902(2) of the natural resources and
3 environmental protection act, 1994 PA 451, MCL 324.1902, there is appro-
4 priated from the Michigan natural resources trust fund to the Michigan
5 state parks endowment fund an amount not to exceed \$10,000,000.00 for the
6 fiscal year ending September 30, 2002.

7 Sec. 802. The department shall develop a feasibility study to
8 comply with each lake water protection plan which requires owners of
9 lakefront property to transport and dispose of sanitary sewerage or storm
10 water sewerage, or both, at an off-site location. The department shall
11 provide a copy of each study to each legislator who represents the dis-
12 trict where the lakefront property is located, and to the senate and
13 house appropriations subcommittees on natural resources.

14 Sec. 803. (1) The department shall prepare detailed reports for
15 construction projects in state parks that will involve campsite or camp-
16 ground closures. These reports shall include expected costs, impacts on
17 recreation opportunities, impacts on state park revenues, and the
18 expected impact on state park users. These reports shall be provided to
19 the house and senate appropriations subcommittees on natural resources
20 and environmental quality and the house and senate fiscal agencies not
21 later than April 1, 2002.

22 (2) The department shall notify the house and senate appropriations
23 subcommittees on natural resources and environmental quality and the
24 house and senate fiscal agencies if it intends to reduce operations or
25 reduce recreation opportunities at any state park or recreation area.

26 Sec. 804. Of the appropriation in part 1 for Michigan civilian
27 conservation corps, \$200,000.00 shall be available to employ Michigan

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1 civilian conservation corps enrollees to assist in the development of the
2 tricentennial state park in the city of Detroit.

3 FOREST RESOURCE MANAGEMENT

4 Sec. 901. (1) Of the funds appropriated in part 1, the department
5 shall
6 prescribe appropriate treatment on 63,000 acres, plus or minus 10%, at
7 the current average rate of 12.5 to 13 cords per acre provided that the
8 department shall take into consideration the impact of timber harvesting
9 on wildlife habitat and recreation uses. In addition, the department
10 shall take into consideration silvicultural analysis and report annually
11 to the legislature on plans and efforts to address factors limiting man-
12 agement of timber.

13 (2) The department is encouraged to continue workgroup efforts to
14 develop an old growth forest stewardship strategy.

15 Sec. 902. (1) Amounts appropriated in part 1 in the timber marking
16 appropriation line item shall not be expended until the department has
17 determined that forest resource revenue available for expenditure in the
18 fiscal year ending September 30, 2002 exceeds \$22,857,700.00.

19 (2) The department shall make determinations and report quarterly to
20 the senate and house appropriations subcommittees on natural resources
21 and the senate and house fiscal agencies on the level of forest resource
22 revenue projected to be available for expenditure during the fiscal year
23 ending September 30, 2002.

24 (3) If the condition in subsection (1) is met, the department may
25 spend forest resource revenue available in excess of \$22,857,700.00 and
that is appropriated in part 1 in the timber marking appropriation line
item to employ up to an additional 20 full-time temporary employees to
mark timber, pursuant to section 901.

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1 Sec. 903. From the amounts appropriated in section 109, the
2 department shall establish 3 standby locations for aircraft that may be
3 used for wildfire suppression.

4 Sec. 904. The appropriation for the adopt-a-forest program in
5 part 1 shall be used to cover the cost of disposing of waste material
6 collected from state forest lands.

7 Sec. 905. Of the appropriations in part 1 for forest resources man-
8 agement, up to \$600,000.00 may be used in the Detroit area to support the
9 legacy of trees program. No funds appropriated for the legacy of trees
10 program shall be used to create amenities for casinos.

11 Sec. 906. The appropriation in part 1 for federal forest management
12 is contingent upon the delegation of timber management responsibilities
13 by the U.S. department of agriculture. Additional funding may be pro-
14 vided for this purpose, pursuant to section 206.

15 LAND AND MINERAL SERVICES

16 Sec. 1001. The department may charge land acquisition projects
17 appropriated for the fiscal year ending September 30, 2002, and for prior
18 fiscal years, a standard percentage fee to recover actual costs, and may
19 use the revenue derived to support the land acquisition service charges
20 provided for in part 1.

21 Sec. 1002. The land sale fund is created. An amount equal to the
22 cost of personal services, printing, postage, advertising, contractual
23 services, and facility rental associated with tax reverted lands shall be
24 deducted from the sales and credited to the land sale fund.

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1 Sec. 1003. (1) The funds appropriated in section 110 for grants to
2 communities for cleanup and maintenance of tax reverted properties shall
3 be granted to counties, cities, villages, and townships for the purpose
4 of remediating threats to public health and safety traced to tax reverted
5 properties within their jurisdictions. An announcement of this grant
6 program shall be provided to all eligible jurisdictions before March 1,
7 2002. This announcement shall include evaluation criteria, forms, and
8 deadlines. The application deadline shall be May 1, 2002.

9 (2) The department shall provide a list of approved grants to the
10 house and senate appropriations subcommittees and the house and senate
11 fiscal agencies by July 1, 2002.

12 (3) The department shall request of the department of management and
13 budget that unexpended funds appropriated in 1999 PA 121, in 2000 PA 267,
14 and in part 1 of this act for grants to communities for cleanup and main-
15 tenance of tax reverted properties be carried forward into the subsequent
16 fiscal year to be allocated consistent with the purpose for which they
17 were appropriated.

18 Sec. 1004. The funds appropriated in part 1 for abandoned mine
19 shaft closures are considered work project appropriations and any unen-
20 cumbered funds are carried forward into the succeeding fiscal year. The
21 following is in compliance with section 451a(1) of the management and
22 budget act, 1984 PA 431, MCL 18.1451a:

23 (a) The purpose of the projects to be carried forward is to restrict
24 access to or cap abandoned mine shafts.

25 (b) The projects will be accomplished by contract and state
26 employees.

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1 (c) The total estimated cost is identified in the line-item
2 appropriation.

3 (d) The tentative completion date is September 30, 2006.

4 Sec. 1005. The department shall report progress on the unified sur-
5 face and subsurface oil and gas ownership program required by 1998 PA
6 117. This report shall be provided to the house and senate appropria-
7 tions subcommittees on natural resources and environmental quality and
8 the house and senate fiscal agencies on March 1, 2002.

Sec. 1006. The department shall not expend appropriations under this act for the purpose of leasing bottomlands of the Great Lakes or their connecting waters for oil or gas exploration or production through a directionally drilled well unless all of the following conditions are satisfied:

(a) The surface location of the oil or gas well and newly constructed surface facilities associated with the well will be not less 1,500 feet from the ordinary high-water mark of the Great Lakes and connecting waters.

(b) The department of environmental quality requires setbacks farther than 1,500 feet from the ordinary high-water mark of the Great Lakes and connecting waters when environmental considerations, such as meandering riverine floodplains and coastal wetlands, require additional setbacks.

(c) No portion of any new access road associated with the well will be less than 1,500 feet from the ordinary high-water mark of the Great Lakes and connecting waters, unless the proposed access road will be extended from an existing road within 1,500 feet of the ordinary high-water mark.

(d) If located on land that is zoned primarily for residential or recreational purposes at the time the application for a permit to drill the well is submitted to the department of environmental quality, or on land owned by the state and managed primarily for recreational or public access purposes, the oil or gas well, and the surface facilities associated with the well, will not be visible from the shoreline or from areas maintained for public recreation contiguous to the shoreline of the Great Lakes or connecting waters. This condition may be satisfied by natural topographic barriers, berming, or vegetative screening.

(e) The oil or gas well, and the newly constructed surface facilities and access roads associated with the well, will not be located within any of the following:

(i) An environmental area as that term is defined in part 323 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.32301 to 324.32315.

(ii) The setback from the bluffline in a high-risk area as designated by the department of environmental quality under part 323 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.32301 to 324.32315.

(iii) A critical dune area as that term is defined in part 353 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.35301 to 324.35326.

(f) The oil or gas well and the newly constructed surface facilities associated with the well will not be located within a flood risk area as that term is defined in part 323 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.32301 to 324.32315, if there is a feasible and prudent alternative location at which they may be located. If there is no feasible and prudent alternative location, an area for a 25-foot radius around the wellhead, and all secondary containment areas at surface facilities, shall be constructed so the elevation is at least 1 foot above the 100-year floodplain of a Great Lake or connecting waterway.

(g) An excavated pit will not be utilized for the disposal of drilling mud and cuttings.

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(h) The well casing will be cemented into the borehole from the surface down to a minimum of 100 feet below the base of the glacial drift into competent bedrock and 100 feet below all freshwater strata.

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(i) The department of environmental quality requires use of the most advanced but proven technology and the employment of rigorous permit requirements to help ensure the reasonable protection of all resources in development areas.

(j) The department has established a leasing process to review the social and aesthetic impacts for inconsistencies and incompatibilities of activities on adjacent properties including, but not limited to, all of the following:

(i) Noise.

(ii) Odors.

(iii) Congestion.

(iv) Views.

(v) Undisturbed landscapes.

(vi) Recreation and tourism.

(k) The department of environmental quality has reviewed existing and potential permit conditions, including bonding requirements and the amount and use of permit application fees, for adequacy in protecting the shoreline environment from adverse impacts.

(l) The department has sought stakeholder participation prior to a lease sale.

(m) The department of environmental quality has assessed the ability of geologic units to act as a seal.

(n) Prior to the leasing of any Great Lakes bottomlands in any county along Lake Michigan or Lake Huron, the department has mailed a comprehensive coastal zone environmental inventory for that county in order to clearly identify and evaluate, at a minimum, areas that are already impacted with oil and gas development, areas where leases could not be issued for future development, and areas where directional drilling development leases could be allowed provided that such development could be documented as to cause only minimal and mitigable environmental impacts and conflicts to the shoreline.

(o) When possible, the department of environmental quality shall prohibit the construction of any new infrastructures and shall limit oil and gas development to areas where existing infrastructures, such as pipelines, transmission lines, and roads, are already available to minimize intrusions into virgin or undisturbed areas and to prevent further intrusions into minimally disturbed areas.

9 LAW ENFORCEMENT

10 Sec. 1101. The appropriation in section 113 for snowmobile law
11 enforcement grants shall be used to provide grants to county law enforce-
12 ment agencies in counties with state snowmobile trails to enforce part
13 821 of the natural resources and environmental protection act, 1994
14 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under
15 that part and ordinances enacted pursuant to that part. The department
16 shall consider the number of enforcement hours and the number of miles of
17 trails in each county in allocating these grants. Any funds not distrib-
18 uted to counties revert back to the local law enforcement fund. Counties
19 shall provide semiannual and annual reports to the department.

20 GRANTS

21 Sec. 1201. The amount appropriated in part 1 for federal-rural com-
22 munity fire protection shall be awarded as grants to local fire
23 protection departments. To be eligible, local fire protection

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1 departments shall be located in governmental units or fire protection
2 districts with permanent populations of less than 10,000 and with pub-
3 licly owned forested land.

4 Sec. 1202. Of the amount appropriated in section 113 for off-road
5 vehicle trail improvement grants, not less than \$25,000.00 shall be
6 available for a county that contains a state park off-road vehicle area
7 and applies for law enforcement assistance to regulate off-road vehicle
8 use.

9 Sec. 1203. Federal pass-through funds to local institutions and
10 governments that are received in amounts in addition to those included in
11 part 1 for grants to communities - federal oil, gas, and timber payments
12 and that do not require additional state matching funds are appropriated
13 for the purposes intended. The department shall report to the senate and
14 house appropriations subcommittees on natural resources, the senate and
15 house fiscal agencies, and the state budget office on all amounts appro-
16 priated under this section.