

**SUBSTITUTE FOR  
SENATE BILL NO. 671**

A bill to amend 1984 PA 431, entitled  
"The management and budget act,"  
by amending section 353c (MCL 18.1353c), as amended by 2001  
PA 112.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 353c. (1) For the fiscal year ending September 30,  
2 1995 only, there is appropriated from the fund to the general  
3 fund the sum of \$59,500,000.00 to be used to pay the court set-  
4 tlement amount for the department of natural resources in the  
5 matter of Miller Brothers, et al v State of Michigan, et al  
6 (Court of Claims docket no. 88-11848-CM).  
7       (2) For the fiscal year ending September 30, 1995 only,  
8 there is appropriated from the fund to the general fund the sum  
9 of \$875,000.00 to be used to pay the court settlement liquidated  
10 damages for the department of natural resources in the matter of

**SB 671, As Passed Senate, October 4, 2001**

Senate Bill No. 671

2

1 Miller Brothers, et al v State of Michigan, et al (Court of  
2 Claims docket no. 88-11848-CM).

3 (3) For the fiscal year ending September 30, 1995 only,  
4 there is appropriated from the fund to the general fund the sum  
5 of \$30,000,000.00 to be used to pay the court settlement and pur-  
6 chase mineral rights for the department of natural resources in  
7 the matter of Carnagel Oil Associates, et al v State of Michigan,  
8 et al (Court of Claims docket no. 88-11848-CC).

9 (4) For the fiscal year ending September 30, 1995 only,  
10 there is appropriated to the department of natural resources from  
11 the general fund \$59,500,000.00. This appropriation may only be  
12 used to pay the court settlement associated with the matter of  
13 Miller Brothers, et al v State of Michigan, et al (Court of  
14 Claims docket no. 88-11848-CM).

15 (5) For the fiscal year ending September 30, 1995 only,  
16 there is appropriated to the department of natural resources from  
17 the general fund \$875,000.00. This appropriation may only be  
18 used to pay the court settlement liquidated damages associated  
19 with the matter of Miller Brothers, et al v State of Michigan, et  
20 al (Court of Claims docket no. 88-11848-CM).

21 (6) For the fiscal year ending September 30, 1995 only,  
22 there is appropriated to the department of natural resources from  
23 the general fund \$30,000,000.00. This appropriation may only be  
24 used to pay the court settlement and purchase mineral rights  
25 associated with the matter of Carnagel Oil Associates, et al v  
26 State of Michigan, et al (Court of Claims docket

**SB 671, As Passed Senate, October 4, 2001**

Senate Bill No. 671

3

1 no. 88-11848-CC). The payment authorized under this subsection  
2 shall be made on or before November 30, 1995.

3 (7) It is the intent of the legislature that money appropri-  
4 ated from the fund to pay the court settlement and liquidated  
5 damages associated with the matter of Miller Brothers, et al v  
6 State of Michigan, et al (Court of Claims docket no. 88-11848-CM)  
7 be repaid to the fund from the Michigan strategic fund created in  
8 the Michigan strategic fund act, 1984 PA 270, MCL 125.2001 to  
9 125.2093.

10 (8) It is the intent of the legislature that money appropri-  
11 ated from the fund to pay the court settlement and purchase min-  
12 eral rights associated with the matter of Carnagel Oil  
13 Associates, et al v State of Michigan, et al (Court of Claims  
14 docket no. 88-11848-CC) be repaid to the fund from the Michigan  
15 strategic fund created in the Michigan strategic fund act, 1984  
16 PA 270, MCL 125.2001 to 125.2093.

17 (9) Following November 13, 1995, if the recipient of the  
18 \$59,500,000.00 appropriation pursuant to subsections (1) and (4)  
19 obtains, by lease, purchase, or otherwise, the mineral rights for  
20 the real property that was the subject of the court settlement  
21 referenced in this section, the state shall seek repayment of  
22 that portion of the \$59,500,000.00 settlement that was not  
23 attributed to the cost of the initial lease or to lawfully  
24 accrued interest.

25 (10) For the fiscal year ending September 30, 2001 only,  
26 there is appropriated from the fund to the general fund the sum  
27 of \$77,000,000.00.

**SB 671, As Passed Senate, October 4, 2001**

Senate Bill No. 671

4

1       (11) For the fiscal year ending September 30, 2001 only, the  
2 state budget director, before the final accounting of state reve-  
3 nues and expenditures is completed, shall calculate the amount of  
4 funds that will be necessary to ensure a zero balance in the gen-  
5 eral fund/general purpose state budget at bookclosing. This cal-  
6 culation shall be made counting any net general fund/general pur-  
7 pose appropriation lapses that occur when the final accounting of  
8 state expenditures is completed. The state budget director shall  
9 provide a report to the house and senate appropriations commit-  
10 tees and the house and senate fiscal agencies of this calculation  
11 as soon as it is completed. Based on this calculation, there is  
12 appropriated from the fund to the general fund the amount calcu-  
13 lated by the state budget director, not to exceed  
14 \$50,000,000.00.

15       (12) For the fiscal year ending September 30, 2002 only,  
16 there is appropriated from the fund to the general fund the sum  
17 of \$155,000,000.00.

18       (13) IN ADDITION TO SUBSECTION (12), FOR THE FISCAL YEAR  
19 ENDING SEPTEMBER 30, 2002 ONLY, THERE IS APPROPRIATED FROM THE  
20 FUND TO THE STATE SCHOOL AID FUND THE SUM OF \$300,000,000.00.