

SUBSTITUTE FOR  
SENATE BILL NO. 1068

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2005; 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:

## PART 1

## LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 2005, from the funds indicated in this part. The following is a summary of the

1 appropriations in this part:

2 **DEPARTMENT OF NATURAL RESOURCES**

3 APPROPRIATION SUMMARY:

4	Full-time equated unclassified positions.....	6.0	
5	Full-time equated classified positions.....	2,071.5	
6	GROSS APPROPRIATION.....	\$	253,298,000
7	Interdepartmental grant revenues:		
8	Total interdepartmental grants and intradepartmental		
9	transfers.....		3,528,700
10	ADJUSTED GROSS APPROPRIATION.....	\$	249,769,300
11	Federal revenues:		
12	Total federal revenues.....		34,629,300
13	Special revenue funds:		
14	Total local revenues.....		0
15	Total private revenues.....		2,024,300
16	Total other state restricted revenues.....		188,075,600
17	State general fund/general purpose.....	\$	25,040,100
18	FUND SOURCE SUMMARY		
19	Full-time equated unclassified positions.....	6.0	
20	Full-time equated classified positions.....	2,071.5	
21	GROSS APPROPRIATION.....	\$	253,298,000
22	Interdepartmental grant revenues:		
23	IDG, engineering services to work orders.....	\$	1,511,300
24	IDG, land acquisition services to work orders.....		681,600
25	IDG, MacMullan conference center revenue.....		1,335,800
26	Total interdepartmental grants and intradepartmental		
27	transfers.....		3,528,700

1	ADJUSTED GROSS APPROPRIATION.....	\$	249,769,300
2	Federal revenues:		
3	DAG, federal.....		6,899,200
4	DHS-USCG, federal.....		2,538,100
5	DOC, federal.....		63,600
6	DOD, federal.....		32,100
7	DOE, federal.....		1,000
8	DOI, federal.....		19,587,000
9	DOI, oil and gas royalty revenue.....		150,000
10	DOI, timber revenue.....		3,300,000
11	DOT, federal.....		1,800,000
12	EPA, federal.....		258,300
13	Total federal revenues.....		34,629,300
14	Special revenue funds:		
15	Private funds.....		1,524,300
16	Private - gift revenues.....		500,000
17	Total private revenues.....		2,024,300
18	Aircraft fees.....		229,500
19	Air photo - geographic information system.....		107,600
20	Clean Michigan initiative fund.....		284,000
21	Commercial forest fund.....		23,900
22	Delinquent property tax administration fund.....		1,794,500
23	Forest development fund.....		26,978,700
24	Forestland user charges.....		276,800
25	Forest recreation fund.....		1,205,800
26	Game and fish protection fund.....		56,832,400
27	Game and fish protection fund - deer habitat reserve		2,480,900

1	Game and fish protection fund - fisheries settlement	883,800
2	Game and fish protection fund - turkey permit fees..	1,525,600
3	Game and fish protection fund - waterfowl fees.....	95,600
4	Game and fish - wildlife resource protection fund...	1,441,600
5	Harbor development fund.....	269,600
6	Land exchange facilitation fund.....	5,757,800
7	Marine safety fund.....	4,007,000
8	Michigan civilian conservation corps endowment fund.	1,094,300
9	Michigan natural resources trust fund.....	2,975,200
10	Michigan state parks endowment fund.....	12,067,400
11	Michigan state waterways fund.....	15,541,100
12	Nongame wildlife fund.....	644,700
13	Off-road vehicle trail improvement fund.....	2,843,200
14	Park improvement fund.....	35,491,400
15	Publications revenue.....	62,800
16	Recreation improvement fund.....	1,452,800
17	Safety education fund.....	347,200
18	Shop fees.....	59,700
19	Snowmobile registration fee revenue.....	1,815,600
20	Snowmobile trail improvement fund.....	9,459,400
21	Youth hunting and fishing education and outreach	
22	fund.....	25,700
23	Total other state restricted revenues.....	188,075,600
24	State general fund/general purpose..... \$	25,040,100
25	<b>Sec. 102. EXECUTIVE</b>	
26	Full-time equated unclassified positions.....6.0	
27	Full-time equated classified positions.....43.6	

1	Commission (including travel expense--per diem).....	\$	90,300
2	Unclassified salaries--6.0 FTE positions.....		416,500
3	Education and outreach--31.6 FTE positions.....		3,206,000
4	Executive direction--12.0 FTE positions.....		1,921,300
5	Travel.....		<u>79,800</u>
6	GROSS APPROPRIATION.....	\$	5,713,900
7	Appropriated from:		
8	Interdepartmental grant revenues:		
9	IDG, MacMullan conference center revenue.....		21,900
10	Special revenue funds:		
11	Aircraft fees.....		500
12	Air photo - geographic information system.....		10,800
13	Delinquent property tax administration fund.....		3,700
14	Forest development fund.....		179,700
15	Forestland user charges.....		6,200
16	Forest recreation fund.....		20,500
17	Game and fish protection fund.....		1,753,700
18	Game and fish protection fund - deer habitat reserve		18,600
19	Game and fish protection fund - turkey permit fees..		5,200
20	Game and fish protection fund - waterfowl fees.....		900
21	Game and fish - wildlife resource protection fund...		9,900
22	Harbor development fund.....		600
23	Land exchange facilitation fund.....		38,300
24	Marine safety fund.....		27,200
25	Michigan civilian conservation corps endowment fund.		2,500
26	Michigan natural resources trust fund.....		7,800
27	Michigan state parks endowment fund.....		40,200

1	Michigan state waterways fund.....	276,800
2	Nongame wildlife fund.....	11,900
3	Off-road vehicle trail improvement fund.....	2,800
4	Park improvement fund.....	2,264,500
5	Publications revenue.....	500
6	Recreation improvement fund.....	15,900
7	Snowmobile registration fee revenue.....	4,300
8	Snowmobile trail improvement fund.....	33,100
9	Youth hunting and fishing education and outreach	
10	fund.....	25,700
11	State general fund/general purpose..... \$	930,200
12	<b>Sec. 103. ADMINISTRATIVE SERVICES</b>	
13	Full-time equated classified positions.....227.2	
14	Budget and support services--10.0 FTE positions..... \$	858,600
15	Financial services--24.0 FTE positions.....	2,196,200
16	Grants, contracts, and customer systems--31.0 FTE	
17	positions.....	5,496,200
18	Human resources--22.0 FTE positions.....	2,059,000
19	Human resources optimization user charges.....	88,600
20	Land and facilities--129.2 FTE positions.....	16,444,100
21	Program assistance and review--11.0 FTE positions...	753,100
22	Travel.....	<u>330,400</u>
23	GROSS APPROPRIATION..... \$	28,226,200
24	Appropriated from:	
25	Interdepartmental grant revenues:	
26	IDG, engineering services to work orders.....	1,511,300
27	IDG, land acquisition services to work orders.....	681,600

1	IDG, MacMullan conference center revenue.....	1,313,900
2	Federal revenues:	
3	DOI, federal.....	333,300
4	Special revenue funds:	
5	Aircraft fees.....	118,800
6	Air photo - geographic information system.....	700
7	Clean Michigan initiative fund.....	284,000
8	Delinquent property tax administration fund.....	1,754,700
9	Forest development fund.....	1,745,300
10	Forestland user charges.....	1,000
11	Forest recreation fund.....	31,400
12	Game and fish protection fund.....	9,146,800
13	Game and fish protection fund - deer habitat reserve	19,600
14	Game and fish protection fund - turkey permit fees..	8,500
15	Game and fish protection fund - waterfowl fees.....	800
16	Game and fish - wildlife resource protection fund...	16,300
17	Harbor development fund.....	12,200
18	Land exchange facilitation fund.....	5,677,900
19	Marine safety fund.....	229,800
20	Michigan civilian conservation corps endowment fund.	74,900
21	Michigan natural resources trust fund.....	668,300
22	Michigan state parks endowment fund.....	118,100
23	Michigan state waterways fund.....	734,600
24	Nongame wildlife fund.....	27,600
25	Off-road vehicle trail improvement fund.....	86,900
26	Park improvement fund.....	2,206,100
27	Publications revenue.....	62,300

1	Recreation improvement fund.....	24,800
2	Shop fees.....	1,400
3	Snowmobile registration fee revenue.....	69,400
4	Snowmobile trail improvement fund.....	81,700
5	State general fund/general purpose..... \$	1,182,200
6	<b>Sec. 104. DEPARTMENTAL OPERATION SUPPORT</b>	
7	Building occupancy charges..... \$	1,931,300
8	Rent - privately owned property.....	335,700
9	Gifts and bequests.....	<u>500,000</u>
10	GROSS APPROPRIATION..... \$	2,767,000
11	Appropriated from:	
12	Special revenue funds:	
13	Private - gift revenues.....	500,000
14	Forest development fund.....	633,700
15	Game and fish protection fund.....	706,300
16	Marine safety fund.....	43,200
17	Michigan state parks endowment fund.....	203,900
18	Michigan state waterways fund.....	198,800
19	Michigan natural resources trust fund.....	60,500
20	Park improvement fund.....	268,200
21	Snowmobile trail improvement fund.....	20,100
22	State general fund/general purpose..... \$	132,300
23	<b>Sec. 105. WILDLIFE MANAGEMENT</b>	
24	Full-time equated classified positions.....191.0	
25	Wildlife administration--14.5 FTE positions..... \$	1,491,300
26	Wildlife management--167.5 FTE positions.....	22,016,800
27	Natural resources heritage--9.0 FTE positions.....	1,124,300



1	State game and wildlife area maintenance.....	200,000
2	Travel.....	<u>846,400</u>
3	GROSS APPROPRIATION..... \$	25,678,800
4	Appropriated from:	
5	Federal revenues:	
6	DOD, federal.....	32,100
7	DOI, federal.....	10,351,500
8	EPA, federal.....	1,000
9	Special revenue funds:	
10	Private funds.....	103,800
11	Game and fish protection fund.....	9,087,000
12	Game and fish protection fund - deer habitat reserve	2,199,700
13	Game and fish protection fund - turkey permit fees..	1,511,900
14	Game and fish protection fund - waterfowl fees.....	93,900
15	Nongame wildlife fund.....	584,800
16	State general fund/general purpose..... \$	1,713,100
17	<b>Sec. 106. FISHERIES MANAGEMENT</b>	
18	Full-time equated classified positions.....225.0	
19	Aquatic resource mitigation--3.0 FTE positions..... \$	869,300
20	Fisheries administration--10.0 FTE positions.....	982,600
21	Fish production--62.0 FTE positions.....	7,332,600
22	Fisheries resource management--150.0 FTE positions..	15,468,600
23	Travel.....	<u>1,119,900</u>
24	GROSS APPROPRIATION..... \$	25,773,000
25	Appropriated from:	
26	Federal revenues:	
27	DOE, federal.....	1,000

1	DOC, federal.....	47,800
2	DOI, federal.....	7,676,900
3	EPA, federal.....	147,900
4	Special revenue funds:	
5	Private funds.....	104,200
6	Game and fish protection fund.....	16,911,400
7	Game and fish protection fund - fisheries settlement	883,800
8	State general fund/general purpose..... \$	0
9	<b>Sec. 107. PARKS AND RECREATION</b>	
10	Full-time equated classified positions.....785.7	
11	Michigan civilian conservation corps--3.0 FTE	
12	positions..... \$	916,900
13	Recreational boating--201.5 FTE positions.....	11,936,900
14	State parks--581.2 FTE positions.....	38,067,100
15	State parks improvement revenue bonds - debt service	1,095,000
16	Travel.....	<u>2,160,100</u>
17	GROSS APPROPRIATION..... \$	54,176,000
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	Federal revenues:	
21	EPA, federal.....	108,400
22	Special revenue funds:	
23	Private funds.....	328,100
24	Harbor development fund.....	256,800
25	Michigan civilian conservation corps endowment fund.	1,016,900
26	Michigan state parks endowment fund.....	11,146,400
27	Michigan state waterways fund.....	12,548,800

1	Off-road vehicle trail improvement fund.....	219,400
2	Park improvement fund.....	28,551,200
3	State general fund/general purpose..... \$	0
4	<b>Sec. 108. FOREST, MINERAL, AND FIRE MANAGEMENT</b>	
5	Full-time equated classified positions.....331.5	
6	Adopt-a-forest program..... \$	50,000
7	Cooperative resource programs--10.5 FTE positions...	2,807,400
8	Forest and timber treatments--114.0 FTE positions...	12,393,900
9	Forest fire equipment.....	1,700,000
10	Forest fire protection--133.5 FTE positions.....	9,615,900
11	Forest management initiative--10.2 FTE positions....	1,082,300
12	Forest management planning--13.0 FTE positions.....	4,515,100
13	Forest recreation and trails--33.0 FTE positions....	4,385,000
14	Minerals management--17.3 FTE positions.....	2,102,600
15	Travel.....	<u>1,321,100</u>
16	GROSS APPROPRIATION..... \$	39,973,300
17	Appropriated from:	
18	Federal revenues:	
19	DAG, federal.....	2,124,200
20	DOI, federal.....	2,000
21	EPA, federal.....	1,000
22	Special revenue funds:	
23	Private funds.....	838,200
24	Aircraft fees.....	110,200
25	Air photo - geographic information system.....	75,300
26	Commercial forest fund.....	23,900
27	Forest development fund.....	22,787,100

1	Forestland user charges.....	269,600
2	Forest recreation fund.....	1,101,200
3	Game and fish protection fund.....	1,524,000
4	Michigan natural resources trust fund.....	1,155,600
5	Michigan state parks endowment fund.....	518,600
6	Michigan state waterways fund.....	350,200
7	Off-road vehicle trail improvement fund.....	374,100
8	Recreation improvement fund.....	293,100
9	Shop fees.....	58,300
10	Snowmobile trail improvement fund.....	2,010,500
11	State general fund/general purpose..... \$	6,356,200
12	<b>Sec. 109. LAW ENFORCEMENT</b>	
13	Full-time equated classified positions.....267.5	
14	General law enforcement--257.5 FTE positions..... \$	24,034,700
15	Wildlife resource protection--10.0 FTE positions....	1,415,400
16	Travel.....	<u>2,526,800</u>
17	GROSS APPROPRIATION..... \$	27,976,900
18	Appropriated from:	
19	Federal revenues:	
20	DHS-USCG, federal.....	2,538,100
21	DOC, federal.....	15,800
22	DOI, federal.....	1,122,300
23	Special revenue funds:	
24	Forest recreation fund.....	52,700
25	Game and fish - wildlife resource protection fund...	1,403,800
26	Game and fish protection fund.....	16,331,400
27	Marine safety fund.....	1,377,900

1	Off-road vehicle trail improvement fund.....	785,500
2	Park improvement fund.....	52,700
3	Safety education fund.....	52,900
4	Snowmobile registration fee revenue.....	596,200
5	State general fund/general purpose..... \$	3,647,600
6	<b>Sec. 110. PAYMENTS IN LIEU OF TAXES</b>	
7	Swamp and tax reverted lands.....	7,071,500
8	Commercial forest reserves.....	<u>2,691,700</u>
9	GROSS APPROPRIATION..... \$	9,763,200
10	Appropriated from:	
11	Special revenue funds:	
12	State general fund/general purpose..... \$	9,763,200
13	<b>Sec. 111. GRANTS</b>	
14	Federal - clean vessel act grants..... \$	100,000
15	Federal - forest stewardship grants.....	625,000
16	Federal - land and water conservation fund payments.	1,000
17	Federal - rural community fire protection.....	250,000
18	Federal - urban forestry grants.....	4,000,000
19	Grants to communities - federal oil, gas, and timber	
20	payments.....	3,450,000
21	National recreational trails.....	1,850,000
22	Game and nongame wildlife fund grants.....	10,000
23	Grant to counties - marine safety.....	2,805,000
24	Inland fisheries resources grants.....	200,000
25	Off-road vehicle safety training grants.....	294,300
26	Off-road vehicle trail improvement grants.....	1,374,500
27	Recreation improvement fund grants.....	1,100,000

1	Sebewaing harbor commission flood control.....	100,000
2	Snowmobile law enforcement grants.....	1,142,000
3	Snowmobile local grants program.....	<u>7,314,000</u>
4	GROSS APPROPRIATION..... \$	24,615,800
5	Appropriated from:	
6	Federal revenues:	
7	DAG, federal.....	4,775,000
8	DOI, federal.....	101,000
9	DOI, oil and gas royalty revenue.....	150,000
10	DOI, timber revenue.....	3,300,000
11	DOT, federal.....	1,800,000
12	Special revenue funds:	
13	Private funds.....	150,000
14	Game and fish protection fund.....	200,000
15	Marine safety fund.....	2,305,000
16	Michigan state waterways fund.....	600,000
17	Nongame wildlife fund.....	10,000
18	Off-road vehicle trail improvement fund.....	1,374,500
19	Recreation improvement fund.....	1,100,000
20	Safety education fund.....	294,300
21	Snowmobile registration fee revenue.....	1,142,000
22	Snowmobile trail improvement fund.....	7,314,000
23	State general fund/general purpose..... \$	0
24	<b>Sec. 112. INFORMATION TECHNOLOGY</b>	
25	Information technology services and projects..... \$	<u>8,633,900</u>
26	GROSS APPROPRIATION..... \$	8,633,900
27	Appropriated from:	

1	Special revenue funds:	
2	Air photo - geographic information system.....	20,800
3	Delinquent property tax administration fund.....	36,100
4	Forest development fund.....	1,632,900
5	Game and fish protection fund.....	1,171,800
6	Game and fish protection fund - deer habitat reserve	243,000
7	Game and fish - wildlife resource protection fund...	11,600
8	Land exchange facilitation fund.....	41,600
9	Marine safety fund.....	23,900
10	Michigan natural resources trust fund.....	1,083,000
11	Michigan state parks endowment fund.....	40,200
12	Michigan state waterways fund.....	831,900
13	Nongame wildlife fund.....	10,400
14	Park improvement fund.....	2,148,700
15	Recreation improvement fund.....	19,000
16	Snowmobile registration fee revenue.....	3,700
17	State general fund/general purpose..... \$	1,315,300

18 PART 2

19 PROVISIONS CONCERNING APPROPRIATIONS

20 **GENERAL SECTIONS**

21 Sec. 201. Pursuant to section 30 of article IX of the state  
 22 constitution of 1963, total state spending from state resources under  
 23 part 1 for the fiscal year ending September 30, 2005 is  
 24 \$213,115,700.00 and state spending from state resources to be paid to  
 25 local units of government for the fiscal year ending September 30,

1 2005 is \$13,710,200.00. The itemized statement below identifies  
 2 appropriations from which spending to units of local government will  
 3 occur:

4 DEPARTMENT OF NATURAL RESOURCES

5 PAYMENTS IN LIEU OF TAXES

6 Swamp and tax reverted lands..... \$ 7,071,500

7 Commercial forest reserves..... 2,691,700

8 GRANTS

9 Grants to counties - marine safety..... 2,805,000

10 Snowmobile law enforcement..... 1,142,000

11 TOTAL..... \$ 13,710,200

12 Sec. 202. The appropriations authorized under this act are  
 13 subject to the management and budget act, 1984 PA 431, MCL 18.1101 to  
 14 18.1594.

15 Sec. 203. As used in this act:

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

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

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

19 (d) "DHS" means the United States department of homeland security.

20 (e) "DOC" means the United States department of commerce.

21 (f) "DOD" means the United States department of defense.

22 (g) "DOE" means the United States department of energy.

23 (h) "DOI" means the United States department of interior.

24 (i) "DOT" means the United States department of transportation.

25 (j) "EPA" means the United States environmental protection agency.

26 (k) "FTE" means full-time equated.

27 (l) "IDG" means interdepartmental grant.



1 (m) "USCG" means the United States coast guard.

2 Sec. 204. The department of civil service shall bill departments  
3 and agencies at the end of the first fiscal quarter for the 1% charge  
4 authorized by section 5 of article XI of the state constitution of  
5 1963. Payments shall be made for the total amount of the billing by  
6 the end of the second fiscal quarter.

7 Sec. 205. (1) A hiring freeze is imposed on the state classified  
8 civil service. State departments and agencies are prohibited from  
9 hiring any new full-time state classified civil service employees and  
10 prohibited from filling any vacant state classified civil service  
11 positions. This hiring freeze does not apply to internal transfers of  
12 classified employees from 1 position to another within a department.

13 (2) The state budget director shall grant exceptions to this  
14 hiring freeze when the state budget director believes that the hiring  
15 freeze will result in rendering a state department or agency unable to  
16 deliver basic services, cause loss of revenue to the state, result in  
17 the inability of the state to receive federal funds, or necessitate  
18 additional expenditures that exceed any savings from maintaining a  
19 vacancy. The state budget director shall report quarterly to the  
20 chairpersons of the senate and house of representatives standing  
21 committees on appropriations the number of exceptions to the hiring  
22 freeze approved during the previous quarter and the reasons to justify  
23 the exceptions.

24 Sec. 207. At least 60 days before beginning any effort to  
25 privatize, the department shall submit a complete project plan to the  
26 appropriate senate and house of representatives appropriations  
27 subcommittees and the senate and house fiscal agencies. The plan

1 shall include the criteria under which the privatization initiative  
2 will be evaluated. The evaluation shall be completed and submitted to  
3 the appropriate senate and house of representatives appropriations  
4 subcommittees and the senate and house fiscal agencies within 30  
5 months.

6       Sec. 208. Unless otherwise specified, the department shall use  
7 the Internet to fulfill the reporting requirements of this act. This  
8 may include transmission of reports via electronic mail to the  
9 recipients identified for each reporting requirement or it may include  
10 placement of reports on an Internet or Intranet site.

11       Sec. 209. By February 15, 2005, the department shall provide the  
12 state budget director, the senate and house appropriations  
13 subcommittees on natural resources, and the senate and house fiscal  
14 agencies with an annual report on estimated restricted fund balances,  
15 projected revenues, and expenditures for the fiscal years ending  
16 September 30, 2004 and September 30, 2005.

17       Sec. 210. The departments and state agencies receiving  
18 appropriations under this act shall receive and retain copies of all  
19 reports funded from appropriations in part 1. These departments and  
20 state agencies shall follow federal and state guidelines for  
21 short-term and long-term retention of these reports. To the extent  
22 consistent with federal and state guidelines, the requirements of this  
23 section are satisfied if the reports funded from appropriations in  
24 part 1 are retained in electronic format.

25       Sec. 211. (1) From the funds appropriated under part 1, the  
26 department shall prepare a report that lists all of the following  
27 regarding grant, loan, or grant and loan programs administered by the

1 department for the fiscal year ending on September 30, 2005:

2 (a) The name of each program.

3 (b) The goals, criteria, filing fees, nominating procedures,  
4 eligibility requirements, processes, and deadlines for each program.

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

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

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

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

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

15 (h) A listing of all recipients of grants or loans awarded by the  
16 department by type and amount of grant or loan during the fiscal year  
17 ending September 30, 2004.

18 (2) The reports required under this section shall be submitted to  
19 the state budget director, the senate and house appropriations  
20 committees and the senate and house fiscal agencies by January 1,  
21 2005.

22 Sec. 212. Appropriations of state restricted game and fish  
23 protection funds have been made to the following departments and  
24 agencies in their respective appropriation acts. The amounts  
25 appropriated to these departments and agencies are limited to the  
26 amounts listed below:

27 Department of civil service..... \$ 293,200

1	Legislative auditor general.....	21,400
2	Attorney general.....	667,300
3	Department of management and budget.....	228,000
4	Department of treasury.....	4,200

5       Sec. 213. (1) Before January 16, 2005, the department, in  
6 cooperation with the Michigan state waterways commission, shall report  
7 to the state budget director, the senate and house fiscal agencies,  
8 and the senate and house of representatives appropriations  
9 subcommittees on natural resources detailing operations of the  
10 Michigan state waterways commission for the preceding 1-year period.

11       (2) The department, in cooperation with the Michigan state  
12 waterways commission, shall determine which projects should be  
13 acquired or developed with money from the state waterways fund or  
14 harbor development fund and shall submit to the state budget director,  
15 the senate and house fiscal agencies, and the senate and house of  
16 representatives appropriations subcommittees on natural resources in  
17 January 2005 a list of those projects, compiled in order of priority.  
18 The list shall be accompanied by estimates of total costs for the  
19 proposed projects.

20       (3) The department, in cooperation with the Michigan state  
21 waterways commission, shall supply with each list under subsection (2)  
22 a statement of the guidelines used in listing and assigning the  
23 priority of these projects.

24       Sec. 214. The department shall develop a plan for allocating  
25 restricted funds among department administrative support and  
26 regulatory activities. This plan shall be submitted to the house and  
27 senate appropriations subcommittees on natural resources by January

1 30, 2005. This plan shall include a cost allocation plan for  
2 financial services support, office space rent and building occupancy  
3 charges, support division service for information systems and  
4 technology, and a methodology to use information generated through  
5 activity reports that identifies the percentage of employee time spent  
6 on restricted fund activities.

7 Sec. 215. Pursuant to section 43703(3) of the natural resources  
8 and environmental protection act, 1994 PA 451, MCL 324.43703, there is  
9 appropriated from the game and fish protection trust fund to the game  
10 and fish protection fund, \$6,000,000.00 for the fiscal year ending  
11 September 30, 2005.

12 Sec. 216. From the funds appropriated in part 1 for information  
13 technology, the department shall pay user fees to the department of  
14 information technology for technology-related services and projects.  
15 Such user fees shall be subject to provisions of an interagency  
16 agreement between the department and the department of information  
17 technology.

18 Sec. 217. Amounts appropriated in part 1 for information  
19 technology may be designated as work projects and carried forward to  
20 support technology projects under the direction of the department of  
21 information technology. Funds designated in this manner are not  
22 available for expenditure until approved as work projects under  
23 section 451a of the management and budget act, 1984 PA 431,  
24 MCL 18.1451a.

25 Sec. 218. (1) The department shall not spend any of the funds  
26 appropriated in part 1 for travel for meal expenses when an overnight  
27 stay is not required. No funds shall be expended for travel outside

1 the state of Michigan unless such travel is required by legal mandate  
2 or court order, for mandatory law enforcement activities, or to  
3 prevent the loss of federal funds.

4 (2) From the funds appropriated in part 1 for travel, the  
5 department shall place a priority on vehicle travel services.

6 Sec. 219. Funds appropriated in part 1 shall not be used for the  
7 purchase of foreign goods or services, or both, if competitively  
8 priced and comparable quality American goods or services, or both, are  
9 available. Preference should be given to goods or services, or both,  
10 manufactured or provided by Michigan businesses if they are  
11 competitively priced and of comparable quality.

## 12 **EXECUTIVE**

13 Sec. 301. On June 15, 2005, the department shall submit to the  
14 house and senate appropriations subcommittees on natural resources and  
15 the house and senate fiscal agencies a report on fish, game, and  
16 nongame habitat improvement and treatment projects completed or  
17 planned during the fiscal years ending September 30, 2004 and  
18 September 30, 2005. This report shall include a list of all habitat  
19 treatment and improvement projects by management unit. This list  
20 shall be accompanied by all of the following information:

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

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

26 (c) The division with lead responsibility for the projects and all

1 organizations involved in the projects, including, but not limited to,  
2 department personnel, contractors, or subcontractors.

3 (d) The total cost per acre and the funding sources supporting  
4 management unit projects. The report shall identify the program line  
5 item supporting project expenditures.

6 (e) A separate summary, by fund or subfund, of all projects  
7 completed in the fiscal year ending September 30, 2004 or September  
8 30, 2005.

## 9 **ADMINISTRATIVE SERVICES**

10 Sec. 401. The department may charge the appropriations contained  
11 in part 1, including all special maintenance and capital projects  
12 appropriated for the fiscal year ending September 30, 2005, for  
13 engineering services provided, a standard percentage fee to recover  
14 actual costs. The department may use the revenue derived to support  
15 the engineering services charges provided for in part 1.

16 Sec. 402. The department may charge land acquisition projects  
17 appropriated for the fiscal year ending September 30, 2005, and for  
18 prior fiscal years, a standard percentage fee to recover actual costs,  
19 and may use the revenue derived to support the land acquisition  
20 service charges provided for in part 1.

21 Sec. 403. The department of natural resources may expend both  
22 application fees and transaction fees related to the exchange or sale  
23 of state-owned land or rights in land and authorized by part 21 of the  
24 natural resources and environmental protection act, 1994 PA 451, MCL  
25 324.2101 to 324.2162. The fees shall be set by the director at a rate  
26 which allows the department to recover its costs for providing these

1 services.

2       Sec. 404. The department shall prominently display in a  
3 prominent place in the fishing guide provided to each licensed fisher  
4 and paid for from the funds appropriated in part 1, the website for  
5 the department of community health. In addition, the fishing guide  
6 shall include information on alternative sources where interested  
7 parties without Internet access may find information on fish  
8 advisories issued by the department of community health.

9       Sec. 405. The department shall report quarterly on all land  
10 transactions completed by the department in the previous fiscal  
11 quarter. For each land transaction, the report shall include, but not  
12 be limited to, the size of the parcel, the county and municipality in  
13 which the parcel is located, the dollar amount of the transaction, the  
14 fund source affected by the transaction, and the type of transaction,  
15 such as tax reversion, purchase, public auction, transfer, exchange,  
16 or conveyance. The report shall be submitted to the senate and house  
17 appropriations subcommittees on natural resources within 21 days after  
18 the end of each fiscal quarter.

19       Sec. 406. In addition to the annual report on travel  
20 expenditures required by section 217 of the management and budget act,  
21 1984 PA 431, MCL 18.1217, the department shall provide to the senate  
22 and house appropriations subcommittees on natural resources and the  
23 senate and house fiscal agencies a quarterly report within 30 days of  
24 the end of each quarter on expenses incurred for travel inside and  
25 outside the state. The report shall include, but not be limited to,  
26 the name of the person who traveled, total expenditures for  
27 compensation, fees, or remuneration for meals, transportation, and



1 related contractual services, supplies, and materials, and the  
2 destination, reason for, and dates of the travel.

### 3 **WILDLIFE MANAGEMENT**

4       Sec. 501. By April 1, 2005 and September 30, 2005, the  
5 department shall report to the state budget director, the senate and  
6 house appropriations subcommittees on natural resources, and the  
7 senate and house fiscal agencies on spending from the amounts  
8 appropriated in part 1 for bovine tuberculosis control efforts. The  
9 report shall include, but not be limited to, information on activities  
10 at the animal diagnostic laboratory at Michigan State University that  
11 are funded with appropriations in part 1.

12       Sec. 502. Of the funds appropriated in part 1, the department  
13 shall reimburse the department of agriculture for costs incurred for  
14 indemnification payments for livestock losses caused by wolves or  
15 coyotes under the animal industry act, 1988 PA 466, MCL 287.701 to  
16 287.745.

### 17 **FISHERIES MANAGEMENT**

18       Sec. 601. As a condition of expenditure of fisheries management  
19 appropriations under part 1, the department shall not impede the  
20 certification process for water control structures on Michigan  
21 waterways. The department shall fund from funds appropriated in  
22 part 1 all non-water-quality studies or requirements that the  
23 department requests of either of the following:

24       (a) The department of environmental quality as a condition for  
25 issuance of a certification under the federal water pollution control

1 act, 33 USC 1341.

2 (b) The federal energy regulatory commission as a condition of  
3 licensing under the federal power act, 16 USC 791a to 825r.

4 Sec. 602. (1) From the appropriation in part 1 for aquatic  
5 resource mitigation, not more than \$758,000.00 shall be allocated for  
6 grants to watershed councils, resource development councils, soil  
7 conservation districts, local governmental units, and other nonprofit  
8 organizations for stream habitat stabilization and soil erosion  
9 control.

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

## 12 **PARKS AND RECREATION**

13 Sec. 701. Pursuant to section 1902(2) of the natural resources  
14 and environmental protection act, 1994 PA 451, MCL 324.1902, there is  
15 appropriated from the Michigan natural resources trust fund to the  
16 Michigan state parks endowment fund an amount not to exceed  
17 \$10,000,000.00 for the fiscal year ending September 30, 2005.

18 Sec. 702. (1) The department shall prepare detailed reports for  
19 construction projects in state parks that will involve campsite or  
20 campground closures. These reports shall include expected costs,  
21 impacts on recreation opportunities, impacts on state park revenues,  
22 and the expected impact on state park users. The department shall  
23 also prepare reports on average monthly campground occupancy rates for  
24 every state park during the previous summer season. The department  
25 shall provide reports described in this subsection to the house and  
26 senate appropriations subcommittees on natural resources and the house

1 and senate fiscal agencies not later than April 1, 2005.

2 (2) The department shall notify the house and senate  
3 appropriations subcommittees on natural resources and the house and  
4 senate fiscal agencies if it intends to reduce operations or reduce  
5 recreation opportunities at any state park or recreation area.

6 Sec. 703. From the funds appropriated in part 1, the department  
7 shall attempt to place an appropriate number of defibrillators in  
8 state parks. State parks may accept donations of defibrillators.

9 Sec. 704. As a condition for the expenditure of appropriations  
10 for parks and recreation under part 1, the department shall conduct at  
11 least 2 pilot programs for the development of a statewide water trails  
12 system as a part of the statewide recreation plan.

13 Sec. 705. By September 30, 2005, the department shall report to  
14 the senate and house appropriations subcommittees on natural resources  
15 and the senate and house fiscal agencies any misuse of complimentary  
16 or discounted day passes at state recreational facilities during the  
17 2004-2005 fiscal year.

18 Sec. 706. As a condition for the expenditure of appropriations  
19 for parks and recreation under part 1, the department shall implement  
20 a pilot project in the fiscal year ending September 30, 2005 for  
21 privatizing the management of state boating access sites and  
22 facilities. By April 1, 2005, the department shall submit to the  
23 state budget director, the senate and house appropriations  
24 subcommittees on natural resources, the senate and house standing  
25 committees on natural resources issues, and the senate and house  
26 fiscal agencies a plan to implement this pilot project. The  
27 department is encouraged to consult with a boating access site

1 management group that has the capacity to implement the program on a  
2 statewide basis.

3 Sec. 707. By April 1, 2005, the department shall report to the  
4 state budget director, the senate and house appropriations  
5 subcommittees on natural resources, and the senate and house fiscal  
6 agencies on action taken by the department to address the issues  
7 raised in the legislative auditor general's performance audit of the  
8 central reservation system published in March 2004. The report shall  
9 include recommendations to prevent future abuses of the system.

10 Sec. 708. On September 30, 2005, the department shall submit a  
11 report on the economic impact and financial status of the ski hill in  
12 Porcupine Mountains wilderness state park to the legislature, the  
13 state budget director, and the senate and house fiscal agencies.  
14 Except as provided in the current request for proposals process, the  
15 department shall not alter or halt operations of the ski hill or  
16 demolish buildings related to the ski hill in Porcupine Mountains  
17 wilderness state park until this report is received. The department  
18 shall collaborate with travel Michigan for both the marketing and  
19 promotion of the ski hill and in locating an operating partner through  
20 a competitive bidding process.

21 **FOREST, MINERAL, AND FIRE MANAGEMENT**

22 Sec. 801. The department shall follow the certification criteria  
23 established by the forest stewardship council and the sustainable  
24 forest initiative in its timber marking activities. The department  
25 shall report by September 30, 2005 to the state budget director, the  
26 senate and house appropriations subcommittees on natural resources,  
27 the senate and house standing committees on natural resources issues,

1 and the senate and house fiscal agencies on the status of its forest  
2 management plan.

3       Sec. 802. The appropriation for the adopt-a-forest program in  
4 part 1 shall be used to cover the cost of disposing of waste material  
5 collected from state forest lands.

6       Sec. 803. In addition to the funds appropriated in part 1,  
7 \$350,000.00 is appropriated to cover costs related to any declared  
8 emergency involving the collapse of any abandoned mine shaft located  
9 on state land. This appropriation shall not be expended unless the  
10 state budget director recommends the expenditure and the department  
11 notifies the house and senate committees on appropriations.

12       Sec. 804. As a condition of expenditure of appropriations in  
13 part 1 from forest development funds, on October 1, 2004 the  
14 department shall provide \$1,000,000.00 from cooperative resources  
15 programs as an interdepartmental grant to the department of  
16 agriculture for the cooperative resources management initiative  
17 program for the purposes of supporting forestry programs in local  
18 conservation districts.

19       Sec. 805. The funds appropriated in part 1 include 1.0 FTE and  
20 \$50,000.00 for a forester position in the southwest region of the  
21 state in order to develop a pilot program for management of state  
22 lands other than state forests. By July 1, 2005, the department shall  
23 report to the state budget director, the senate and house  
24 appropriations subcommittees on natural resources, the senate and  
25 house standing committees on natural resources issues, and the senate  
26 and house fiscal agencies with recommendations for the assignment of  
27 foresters to other regions of the state for this purpose.

1       Sec. 806. Of the funds appropriated in part 1, the department  
2 shall prescribe appropriate treatment on 63,000 acres, plus or minus  
3 10%, at the current average rate of 12.5 to 13 cords per acre,  
4 provided that the department shall take into consideration the impact  
5 of timber harvesting on wildlife habitat and recreation uses. The  
6 department shall endeavor to increase marking or treatment of hardwood  
7 timber by 10% over 2004 levels. In addition, the department shall  
8 take into consideration silvicultural analysis and report annually to  
9 the legislature on plans and efforts to address factors limiting  
10 management of timber.

11       Sec. 807. The department shall spend amounts appropriated in  
12 part 1 for forest-related activities to employ or contract for  
13 additional foresters to mark timber, pursuant to section 806.

#### 14 **LAW ENFORCEMENT**

15       Sec. 901. The appropriation in part 1 for snowmobile law  
16 enforcement grants shall be used to provide grants to county law  
17 enforcement agencies to enforce part 821 of the natural resources and  
18 environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160,  
19 including rules promulgated under that part and ordinances enacted  
20 pursuant to that part. To be eligible for a grant, a county must have  
21 a state-designated snowmobile trail within its boundaries. The  
22 department shall consider the number of enforcement hours and the  
23 number of miles of state-designated snowmobile trails in each county  
24 in allocating these grants. Any funds not distributed to counties  
25 revert back to the snowmobile registration fee fund. Counties shall  
26 provide semiannual reports to the department.

1 **GRANTS**

2       Sec. 1101. The amount appropriated in part 1 for federal-rural  
3 community fire protection shall be awarded as grants to local fire  
4 protection departments. To be eligible, local fire protection  
5 departments shall be located in governmental units or fire protection  
6 districts with permanent populations of less than 10,000.

7       Sec. 1102. Federal pass-through funds to local institutions and  
8 governments that are received in amounts in addition to those included  
9 in part 1 for grants to communities - federal oil, gas, and timber  
10 payments and that do not require additional state matching funds are  
11 appropriated for the purposes intended. By November 30, 2004, the  
12 department shall report to the senate and house appropriations  
13 subcommittees on natural resources, the senate and house fiscal  
14 agencies, and the state budget director on all amounts appropriated  
15 under this section during the fiscal year ending September 30, 2004.

16       Sec. 1103. (1) The use of federal funding received by the state  
17 from the land and water conservation fund and appropriated in part 1  
18 shall be coordinated with state grants to local units of government  
19 from the Michigan natural resources trust fund. The coordination of  
20 the 2 funding sources shall be conducted in a manner that minimizes  
21 the total matching funds required from local units of government for  
22 local land acquisition or recreational development projects.

23       (2) The Michigan natural resources trust fund board shall report  
24 on the final disposition of federal funding from the land and water  
25 conservation fund in the board's annual report to the legislature.

26       Sec. 1104. Of the amount appropriated in part 1 for grants to

1 counties - marine safety, \$35,000.00 shall be used by Michigan State  
2 University to develop equipment and procedures that will accurately  
3 measure and record distance to and sound levels of watercraft engines  
4 if matching funds are provided by lake property associations.