

# HOUSE BILL No. 5649

March 16, 2004, Introduced by Reps. Gillard, Accavitti, Byrum, Tobocman, Bieda, Lipsey, Hood, Vagnozzi, Meisner, McConico, Hopgood, Smith, Condino, Law, Rivet, Dennis, Kolb, Farrah, Plakas, Woodward, Adamini and Gleason and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 1907 (MCL 324.1907), as added by 1995 PA 60.

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

1       Sec. 1907. (1) The board shall determine which lands and  
2 rights in land within the state should be acquired and which  
3 public recreation facilities should be developed with money from  
4 the trust fund and shall submit to the legislature in January of  
5 each year a list of those lands and rights in land and those  
6 public recreation facilities that the board has determined should  
7 be acquired or developed with trust fund money, compiled in order  
8 of priority. **The board shall give priority to the purchase of**  
9 **severed mineral rights to state land if the board determines both**  
10 **of the following:**

11       (a) The lands provide recreational uses or should be

1 protected because of their environmental importance or scenic  
2 beauty.

3 (b) The uses of the lands as identified in subdivision (a)  
4 will be adversely affected by the exploration or production of  
5 subsurface minerals.

6 (2) The department shall annually assess potential  
7 opportunities to acquire severed mineral rights meeting the  
8 conditions of subsection (1) and, if those opportunities exist,  
9 shall include those acquisitions in an application for funding  
10 from the trust fund.

11 (3) ~~-(2)-~~ This list shall be accompanied by estimates of  
12 total costs for the proposed acquisitions and developments.

13 (4) ~~-(3)-~~ The board shall supply with each list a statement  
14 of the guidelines used in listing and assigning the priority of  
15 these proposed acquisitions and developments.

16 (5) ~~-(4)-~~ The legislature shall approve by law the lands and  
17 rights in land and the public recreation facilities to be  
18 acquired or developed each year with money from the trust fund.

19 (6) As used in this section, "severed mineral rights" means  
20 mineral rights, including oil and gas rights, that are owned by a  
21 person who is not the owner of the surface rights to the land.