

HOUSE BILL No. 4106

January 24, 2013, Introduced by Reps. Genetski, Nesbitt, Zorn, Rogers, Schmidt, Haveman, Pscholka, Pettalia, Franz, McBroom, Somerville, McMillin, Pagel, MacMaster, Foster, LaFontaine, Poleski, Lauwers, Victory, Johnson, Price, Muxlow, Forlini and Rendon and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 1903 (MCL 324.1903), as amended by 2011 PA 117.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1903. (1) Subject to the limitations of this part and of
2 section 35 of article IX of the state constitution of 1963, the
3 interest and earnings of the trust fund in any 1 state fiscal year
4 may be expended in subsequent state fiscal years only for the
5 following purposes:

6 (a) The acquisition of land or rights in land for recreational
7 uses or protection of the land because of its environmental
8 importance or its scenic beauty.

9 (b) The development of public recreation facilities, **INCLUDING**
10 **THE DREDGING OF GREAT LAKES HARBORS FOR USE BY RECREATIONAL**
11 **WATERCRAFT.**

1 (c) The administration of the fund, including payments in lieu
2 of taxes on state-owned land purchased through the trust fund. The
3 legislature shall make appropriations from the trust fund each
4 state fiscal year to make full payments in lieu of taxes on state-
5 owned land purchased through the trust fund, as provided in section
6 2154.

7 ~~—— (2) In addition to the money described in subsection (1), 33-~~
8 ~~1/3% of the money, exclusive of interest and earnings, received by~~
9 ~~the trust fund in any state fiscal year may be expended in~~
10 ~~subsequent state fiscal years for the purposes described in~~
11 ~~subsection (1). However, the authorization for the expenditure of~~
12 ~~money provided in this subsection does not apply after the state~~
13 ~~fiscal year in which the total amount of money in the trust fund,~~
14 ~~exclusive of interest and earnings and amounts authorized for~~
15 ~~expenditure under this section, exceeds \$500,000,000.00.~~

16 (2) ~~(3)~~ An expenditure from the trust fund may be made in the
17 form of a grant to a local unit of government or public authority,
18 subject to all of the following conditions:

19 (a) The grant is used for the purposes described in subsection
20 (1).

21 (b) The grant is matched by the local unit of government or
22 public authority with at least 25% of the total cost of the
23 project. **HOWEVER, IF THE PROJECT IS FOR THE DREDGING OF A GREAT**
24 **LAKES HARBOR FOR USE BY RECREATIONAL WATERCRAFT, THE GRANT SHALL BE**
25 **MATCHED BY THE LOCAL UNIT OF GOVERNMENT OR PUBLIC AUTHORITY WITH AT**
26 **LEAST 10% OF THE TOTAL COST OF THE PROJECT.**

27 (3) ~~(4)~~ Not less than 25% of the total amounts made available

1 for expenditure from the trust fund from any state fiscal year
2 shall be expended for acquisition of land and rights in land, and
3 not more than 25% of the total amounts made available for
4 expenditure from the trust fund from any state fiscal year shall be
5 expended for development of public recreation facilities.

6 (4) ~~(5)~~—If property that was acquired with money from the
7 trust fund is subsequently sold or transferred by the state to a
8 nongovernmental entity, the state shall forward to the state
9 treasurer for deposit into the trust fund an amount of money equal
10 to the following:

11 (a) If the property was acquired solely with trust fund money,
12 the greatest of the following:

13 (i) The net proceeds of the sale.

14 (ii) The fair market value of the property at the time of the
15 sale or transfer.

16 (iii) The amount of money that was expended from the trust fund
17 to acquire the property.

18 (b) If the property was acquired with a combination of trust
19 fund money and other restricted funding sources governed by federal
20 or state law, an amount equal to the percentage of the funds
21 contributed by the trust fund for the acquisition of the property
22 multiplied by the greatest of the amounts under subdivision (a) (i),
23 (ii), and (iii).

24 (5) AS USED IN THIS SECTION, "GREAT LAKES HARBOR" MEANS A
25 HARBOR WITHIN OR ADJACENT TO THE GREAT LAKES OR THEIR CONNECTING
26 WATERWAYS.