

# SENATE BILL No. 1259

December 4, 2018, Introduced by Senator HANSEN and referred to the Committee on Outdoor Recreation and Tourism.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 2001 and 2045 (MCL 324.2001 and 324.2045),  
section 2001 as amended by 2010 PA 32 and section 2045 as amended  
by 2013 PA 81.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2001. As used in this part:

2       (a) "Forest recreation account" means the forest recreation  
3       account of the legacy fund provided for in section 2005.

4       (b) "Game and fish protection account" means the game and fish  
5       protection account of the legacy fund provided for in section 2010.

6       (c) "Legacy fund" means the Michigan conservation and  
7       recreation legacy fund established in section 40 of article IX of  
8       the state constitution of 1963 and provided for in section 2002.

9       (d) "Off-road vehicle account" means the off-road vehicle

1 account of the legacy fund provided for in section 2015.

2 (e) "Recreation improvement account" means the recreation  
3 improvement account of the legacy fund provided for in section  
4 2020.

5 (f) "Recreation passport fee" means a ~~state park and state-~~  
6 ~~operated public boating access site~~ recreation passport fee paid  
7 under section 805 of the Michigan vehicle code, 1949 PA 300, MCL  
8 257.805, or under rules promulgated under section 74120(2).

9 (g) "Snowmobile account" means the snowmobile account of the  
10 legacy fund provided for in section 2025.

11 (h) "State park improvement account" means the state park  
12 improvement account of the legacy fund provided for in section  
13 2030.

14 (i) "Waterways account" means the waterways account of the  
15 legacy fund provided for in section 2035.

16 Sec. 2045. (1) The department shall distribute recreation  
17 passport fee revenue as follows:

18 (a) First, for necessary expenses incurred by the secretary of  
19 state each state fiscal year in administration and implementation  
20 of section 805 of the Michigan vehicle code, 1949 PA 300, MCL  
21 257.805. Funds appropriated for necessary expenses shall be based  
22 upon an established cost allocation methodology that reflects  
23 actual costs. Appropriations under this subdivision in a state  
24 fiscal year shall not exceed \$1,000,000.00.

25 (b) The next \$10,700,000.00 received each fiscal year shall be  
26 deposited in the state park improvement account.

27 (c) The next \$1,030,000.00 received each fiscal year shall be

1 deposited in the waterways account.

2 (d) The remaining revenue shall be deposited as follows:

3 (i) ~~50%—75%~~ in the state park improvement account to be used  
4 for capital improvements, ~~at state parks, including state~~  
5 ~~recreation areas.~~

6 ~~—— (ii) 30% in the state park improvement account to be used for~~  
7 operations, and maintenance at state parks, including state  
8 recreation areas.

9 (ii) ~~(iii)~~—2.75% in the state park improvement account to be  
10 used for operations, maintenance, and capital improvements of state  
11 park cultural and historic resources.

12 (iii) ~~(iv)~~—0.25% in the state park improvement account to be  
13 used to do all of the following:

14 (A) Promote, in concert with other state agencies, the use of  
15 state parks, state-operated public boating access sites, state  
16 forest campgrounds, and state forest nonmotorized trails and  
17 pathways.

18 (B) Promote the use of the internet for state park camping  
19 reservations and for payment of the recreation passport fee in  
20 conjunction with motor vehicle registration.

21 (iv) ~~(v)~~—~~10%—15%~~ in the local public recreation facilities  
22 fund created in section 1911, to be used for development of public  
23 recreation facilities for local units of government.

24 (v) ~~(vi)~~—7% in the forest recreation account to be used for  
25 operating, maintaining, and making capital improvements to state  
26 forest campgrounds and the state forest system of pathways and  
27 nonmotorized trails, including, but not limited to, equestrian

1 trails.

2 (2) For each state fiscal year, beginning with the 2011-2012  
 3 state fiscal year, the state treasurer shall adjust the amounts set  
 4 forth in subsection (1)(b) and (c) by an amount determined by the  
 5 state treasurer to reflect the cumulative percentage change in the  
 6 ~~consumer price index~~ **CONSUMER PRICE INDEX** for the most recent 1-  
 7 year period for which data are available. As used in this  
 8 subsection, ~~"consumer price index"~~ **"CONSUMER PRICE INDEX"** means the  
 9 most comprehensive index of consumer prices available for this  
 10 state from the ~~bureau of labor statistics~~ **BUREAU OF LABOR**  
 11 **STATISTICS** of the United States ~~department of labor~~ **DEPARTMENT OF**  
 12 **LABOR**.

13 (3) By January 15 of each year, the department, in  
 14 consultation with the department of state, shall estimate the  
 15 amount of additional **RECREATION PASSPORT FEE** revenue that would  
 16 have been collected ~~as recreation passport fees~~ during the  
 17 immediately preceding state fiscal year if owners of resident motor  
 18 vehicles described in sections 74116(4)(c) and 78119(4)(b) were not  
 19 exempt under those provisions from paying the recreation passport  
 20 fee. The department shall estimate the amount as follows:

21 (a) Determine the total number of resident motor vehicles  
 22 described in sections 74116(4)(c) and 78119(4)(b).

23 (b) Multiply the number under subdivision (a) by the  
 24 percentage of resident motor vehicles with single-year  
 25 registrations for which a recreation passport fee was paid during  
 26 the preceding state fiscal year.

27 (c) Subtract from the result under subdivision (b) the number

1 of resident motor vehicles described in sections 74116(4)(c) and  
2 78119(4)(b) for which a recreation passport fee was paid during the  
3 preceding state fiscal year under rules promulgated under section  
4 74120(3).

5 (d) Multiply the result under subdivision (c) by the current  
6 amount of the recreation passport fee during the preceding state  
7 fiscal year.

8 (4) The legislature shall annually appropriate from the  
9 general fund a sum equal to the amount estimated under subsection  
10 (3). The sum appropriated shall be distributed as provided in  
11 subsection (1)(d).

12 (5) The department shall submit a report to the standing  
13 committees and appropriations subcommittees of the legislature with  
14 jurisdiction over issues pertaining to natural resources and the  
15 environment by February 1 each year. The report shall provide  
16 information on all of the following for the preceding state fiscal  
17 year:

18 (a) The total amount of recreation passport fee revenue  
19 received by the department and the amounts allocated under  
20 subsection (1).

21 (b) The total amount of annual and daily state park motor  
22 vehicle permit fee revenue received by the department under section  
23 74117.

24 (c) The total amount of seasonal or daily state-operated  
25 public boating access site revenue received by the department under  
26 section 78105(3).

27 (d) Details on the specific uses of the revenue described in

1 subdivisions (a), (b), and (c) and the amounts expended for each  
2 specific use.

3 (e) The amount of revenue received during the preceding state  
4 fiscal year under subsection (4).

5 (f) The adequacy of the revenue described in subdivisions (a)  
6 and (e) for each of the purposes for which it is allocated under  
7 subsection (1).

8 (g) The impact of the state park revenue stream described in  
9 subdivisions (a), (b), and (d) on the Michigan state parks  
10 endowment fund created in section 35a of article IX of the state  
11 constitution of 1963 and provided for in section 74119.

12 (h) Other relevant issues that affect funding needs for the  
13 state park system.

14 (6) By February 1, 2012 and every 2 years thereafter, the  
15 department shall submit a report to the standing committees and  
16 appropriations subcommittees of the legislature with jurisdiction  
17 over issues pertaining to natural resources and the environment.  
18 The report shall provide information on how frequently motor  
19 vehicles for which the registrant declined to pay the recreation  
20 passport fee entered state parks and state-operated public boating  
21 access sites designated under section 78105 during the registration  
22 period. The information shall be based on random audits conducted  
23 by the department. A report under this subsection may be combined  
24 with a report required under subsection (5).

25 (7) The department may prepare a list of frequently asked  
26 questions and answers concerning the recreation passport fee. The  
27 department and the department of state may post the information on

1 their websites. The department of state may provide the information  
2 with any applications for registration of motor vehicles that are  
3 mailed by the department of state.

4 Enacting section 1. This amendatory act takes effect 90 days  
5 after the date it is enacted into law.