



HOUSE BILL No. 5281

February 3, 2000, Introduced by Reps. Byl, Pappageorge, Cameron Brown, Mortimer, Geiger, Mead, Kukuk, Jellema, Pumford, LaSata, Jelinek, Caul, Scranton, Godchaux, Jansen and Stamas and referred to the Committee on Appropriations.

EXECUTIVE BUDGET BILL

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2001; 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:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

05713'00

Sec. 101. Subject to the conditions set forth in this bill, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 2001, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF NATURAL RESOURCES

APPROPRIATION SUMMARY:

Full-time equated unclassified positions . . .	6.0	
Full-time equated classified positions . .	2,237.5	
GROSS APPROPRIATION	\$	254,238,400
Interdepartmental grant revenues:		
Total interdepartmental grants and		
intradepartmental transfers		3,679,400
ADJUSTED GROSS APPROPRIATION	\$	250,559,000
Federal revenues:		
Total federal revenues		24,649,100
Special revenue funds:		
Total local revenues		0
Total private revenues		1,728,900
Total other state restricted revenues		168,457,100
State general fund/general purpose	\$	55,723,900

Sec. 102. EXECUTIVE

Full-time equated unclassified positions . . .	6.0	
Full-time equated classified positions . . .	21.0	
Commission (including travel expense - per diem)	\$	75,600
Unclassified salaries		461,900
Executive direction--10.0 FTE positions		1,738,800
Office of information and education--11.0 FTE		
positions		<u>2,830,600</u>

1	GROSS APPROPRIATION	\$	5,106,900
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDG-MacMullan conference center revenue		19,800
5	Special revenue funds:		
6	Aircraft fees		500
7	Air photo fees		7,400
8	Automated license system revenue		3,000
9	Delinquent property tax administration fund		7,300
10	Farmland and open space withdrawal fees		6,300
11	Forest resource revenue		266,900
12	Game and fish protection fund		2,064,200
13	Land exchange facilitation fund		32,200
14	Land sale revenue		45,400
15	Marine safety fund		39,200
16	Michigan geographic information system revenue		2,900
17	Michigan natural resources trust fund		900
18	Michigan state parks endowment fund		26,400
19	Michigan state waterways fund		303,500
20	Nongame wildlife fund		4,800
21	Off-road vehicle trail improvement fund		7,800
22	Park improvement fund		1,001,300
23	Publication revenue		500
24	Recreation improvement fund		4,200
25	Snowmobile registration fee revenue		4,100
26	Snowmobile trail improvement fund		30,400
27	State general fund/general purpose	\$	1,227,900
28	Sec. 103. ADMINISTRATIVE SUPPORT		
29	Full-time equated classified positions		235.7

1	Finance and operations services--143.7 FTE	
2	positions	\$ 11,852,200
3	Internal audit--12.0 FTE positions	775,400
4	Office of information systems and technology--55.0	
5	FTE positions	10,183,200
6	Human resources--17.0 FTE positions	1,510,800
7	Equal opportunity and legal services--8.0 FTE	
8	positions	<u>895,100</u>
9	GROSS APPROPRIATION	\$ 25,216,700
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDT-interdivisional charges	381,400
13	IDG-MacMullan conference center revenue	13,400
14	IDG-engineering services to work orders	943,400
15	Federal revenues:	
16	DOI-federal	116,300
17	Special revenue funds:	
18	Aircraft fees	109,100
19	Automated license system revenue	418,900
20	Clean Michigan initiative fund	268,000
21	Delinquent property tax administration fund	47,300
22	Farmland and open space withdrawal fees	32,900
23	Forest resource revenue	1,117,500
24	Game and fish protection fund	8,505,300
25	Land exchange facilitation fund	73,100
26	Land sale revenue	105,800
27	Marine safety fund	234,700
28	Michigan civilian conservation corps endowment	
29	fund	6,100

1	Michigan natural resources trust fund		744,100
2	Michigan state parks endowment fund		85,900
3	Michigan state waterways fund		1,418,700
4	Nongame wildlife fund		13,800
5	Off-road vehicle trail improvement fund		50,200
6	Park improvement fund		2,767,900
7	Publication revenue		107,200
8	Recreation improvement fund		24,700
9	Snowmobile registration fee revenue		63,400
10	Snowmobile trail improvement fund		75,900
11	Other restricted revenues		1,300
12	State general fund/general purpose	\$	7,490,400
13	Sec. 104. DEPARTMENTAL OPERATION SUPPORT		
14	Rent and building occupancy charges	\$	2,594,000
15	Gifts and bequests		<u>500,000</u>
16	GROSS APPROPRIATION	\$	3,094,000
17	Appropriated from:		
18	Special revenue funds:		
19	Private-gift revenues		500,000
20	Forest resource revenue		160,600
21	Game and fish protection fund		629,800
22	Land sale revenue		48,800
23	Marine safety fund		43,400
24	Michigan state waterways fund		211,800
25	Michigan natural resources trust fund		12,000
26	Snowmobile trail improvement fund		19,700
27	Park improvement fund		71,900
28	State general fund/general purpose	\$	1,396,000
29	Sec. 105. WILDLIFE MANAGEMENT		

1	Full-time equated classified positions . . .	186.0	
2	Wildlife management--177.0 FTE positions	\$	17,191,900
3	Natural resources heritage--9.0 FTE positions .		1,530,100
4	State game and wildlife area maintenance		750,000
5	Federal lands biological inventory		<u>50,000</u>
6	GROSS APPROPRIATION	\$	19,522,000
7	Appropriated from:		
8	Federal revenues:		
9	DOD-federal		50,000
10	DOI-federal		7,019,300
11	EPA-federal		52,800
12	Special revenue funds:		
13	Private funds		108,400
14	Game and fish protection fund		8,703,100
15	Game and fish protection fund -- deer habitat		
16	reserve		1,538,000
17	Game and fish protection fund -- turkey permit		
18	fees		992,500
19	Game and fish protection fund -- waterfowl		
20	fees		119,000
21	Nongame wildlife fund		550,900
22	State general fund/general purpose	\$	388,000
23	Sec. 106. FISHERIES MANAGEMENT		
24	Full-time equated classified positions . . .	229.0	
25	Commercial fisheries--2.8 FTE positions	\$	208,000
26	Recreational fisheries--15.0 FTE positions . . .		1,794,900
27	Fish production--61.2 FTE positions		7,186,900
28	Fisheries resource management--150.0 FTE positions		13,291,700
29	Treaty waters management fund work project . . .		138,200

1	Stream habitat improvement		<u>1,214,600</u>
2	GROSS APPROPRIATION	\$	23,834,300
3	Appropriated from:		
4	Federal revenues:		
5	DOE-federal		1,000
6	DOC-federal		45,300
7	DOI-federal		6,300,800
8	EPA-federal		140,100
9	IGLFC-federal		21,700
10	Special revenue funds:		
11	Commercial fishing fee revenue		200
12	Game and fish protection fund		17,187,000
13	State general fund/general purpose	\$	138,200
14	Sec. 107. PARKS AND RECREATION		
15	Full-time equated classified positions . . .	821.3	
16	State parks--609.2 FTE positions	\$	37,076,400
17	MacMullan conference center--7.0 FTE positions .		1,355,900
18	Recreational boating--202.1 FTE positions . . .		11,532,900
19	Michigan civilian conservation corps--3.0 FTE		
20	positions		<u>4,500,200</u>
21	GROSS APPROPRIATION	\$	54,465,400
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	IDG-MacMullan conference center revenue		1,355,900
25	Federal revenues:		
26	EPA-federal		101,900
27	Special revenue funds:		
28	Private funds		274,200
29	Harbor development fund		236,700

1	Michigan civilian conservation corps endowment		
2	fund		2,282,300
3	Michigan state parks endowment fund		4,656,100
4	Michigan state waterways fund		11,296,200
5	Park improvement fund		23,324,200
6	State general fund/general purpose	\$	10,937,900
7	Sec. 108. MACKINAC ISLAND STATE PARK		
8	Full-time equated classified positions . . .	48.0	
9	Mackinac Island park operation--23.0 FTE		
10	positions	\$	1,623,700
11	Historical facilities system--25.0 FTE		
12	positions		<u>1,781,100</u>
13	GROSS APPROPRIATION	\$	3,404,800
14	Appropriated from:		
15	Special revenue funds:		
16	Airport and park operation fees		44,100
17	Mackinac Island state park fund		1,390,100
18	State general fund/general purpose	\$	1,970,600
19	Sec. 109. FOREST RESOURCE MANAGEMENT		
20	Full-time equated classified positions . . .	339.0	
21	Forest resource management--164.5 FTE		
22	positions	\$	19,981,100
23	Forest fire protection--141.5 FTE positions . .		10,497,400
24	Forest management initiative		1,100,000
25	Recreation and trails--33.0 FTE positions . . .		4,611,400
26	Forest fire equipment		1,700,000
27	Cooperative resource programs		<u>1,790,000</u>
28	GROSS APPROPRIATION	\$	39,679,900
29	Appropriated from:		

1	Federal revenues:		
2	DAG-federal		1,518,700
3	EPA-federal		1,000
4	Special revenue funds:		
5	Private funds		796,300
6	Aircraft fees		104,000
7	Forest camping fee revenue		1,252,000
8	Forest resource revenue		20,200,100
9	Game and fish protection fund		2,044,700
10	Marine safety fund		133,000
11	Michigan state waterways fund		363,700
12	Off-road vehicle trail improvement fund		359,900
13	Recreation improvement fund		278,100
14	Shop fees		54,900
15	Snowmobile trail improvement fund		1,686,900
16	State general fund/general purpose	\$	10,886,600
17	Sec. 110. LAND AND MINERAL SERVICES		
18	Full-time equated classified positions . . .	76.0	
19	Land records and tax reversion--15.3 FTE		
20	positions	\$	4,071,000
21	Minerals management--15.3 FTE positions		1,435,000
22	Land acquisition and exchange--16.2 FTE		
23	positions		6,959,100
24	Resource mapping and aerial photography--22.2 FTE		
25	positions		3,200,900
26	Farmland and open space preservation--7.0 FTE		
27	positions		592,400
28	Abandoned mineshaft closures		<u>350,000</u>
29	GROSS APPROPRIATION	\$	16,608,400

1 Appropriated from:

2 Interdepartmental grant revenues:

3 IDG-land acquisition services to work orders 835,600

4 IDG-engineering services to work orders 129,900

5 Special revenue funds:

6 Air photo fees 1,579,100

7 Delinquent property tax administration fund 714,300

8 Farmland and open space withdrawal fees 592,400

9 Forest resource revenue 380,200

10 Game and fish protection fund 555,400

11 Land exchange facilitation fund 5,353,200

12 Land sale revenue 2,589,300

13 Michigan geographic information system revenue 173,200

14 Michigan natural resources trust fund 1,750,700

15 Michigan state parks endowment fund 347,400

16 Michigan state waterways fund 102,000

17 Park improvement fund 168,900

18 State general fund/general purpose \$ 1,336,800

19 **Sec. 111. LAW ENFORCEMENT**

20 Full-time equated classified positions . . . 281.5

21 General law enforcement--281.5 FTE positions . . . \$ 28,231,800

22 GROSS APPROPRIATION \$ 28,231,800

23 Appropriated from:

24 Federal revenues:

25 DOI-federal 802,600

26 DOT-federal 1,926,600

27 Special revenue funds:

28 Game and fish protection fund 17,698,100

29 Game and fish - wildlife resource protection

1	fund		1,058,600
2	Marine safety fund		1,274,200
3	Off-road vehicle trail improvement fund		726,400
4	Snowmobile registration fee revenue		352,900
5	State general fund/general purpose	\$	4,392,400
6	Sec. 112. PAYMENTS IN LIEU OF TAXES		
7	Swamp and tax reverted lands	\$	7,071,500
8	Purchased lands/open space payments		8,383,500
9	Commercial forest reserve		<u>2,691,700</u>
10	GROSS APPROPRIATION	\$	18,146,700
11	Appropriated from:		
12	Special revenue funds:		
13	Game and fish protection fund		1,807,300
14	Michigan state waterways fund		190,300
15	Michigan natural resources trust fund		590,000
16	State general fund/general purpose	\$	15,559,100
17	Sec. 113. GRANTS		
18	Grant to counties -- marine safety	\$	3,230,000
19	Federal - land and water conservation fund		
20	payments		1,000
21	Federal - forest stewardship grants		625,000
22	Federal - urban forestry grants		400,000
23	Federal - clean vessel act grants		175,000
24	Federal - rural community fire protection . . .		100,000
25	Grants to communities-federal oil, gas, and		
26	timber payments		3,450,000
27	Recreation improvement fund grants		1,100,000
28	Snowmobile local grants program		2,880,000
29	Snowmobile law enforcement grants		1,142,000

1	Off-road vehicle trail improvement grants . . .	1,374,500
2	National recreational trails	1,850,000
3	Game and nongame wildlife fund grants	400,000
4	Inland fisheries resources grants	<u>200,000</u>
5	GROSS APPROPRIATION	\$ 16,927,500
6	Appropriated from:	
7	Federal revenues:	
8	DAG-federal	1,125,000
9	DOI-federal	176,000
10	DOI-oil and gas royalty revenue	150,000
11	DOI-MMS, federal timber revenue	3,300,000
12	DOT-federal	1,800,000
13	Special revenue funds:	
14	Private funds	50,000
15	Game and fish protection fund	300,000
16	Marine safety fund	3,230,000
17	Nongame wildlife fund	300,000
18	Off-road vehicle trail improvement fund	1,374,500
19	Recreation improvement fund	1,100,000
20	Snowmobile registration fee revenue	1,142,000
21	Snowmobile trail improvement fund	2,880,000
22	State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

26 Sec. 201. (1) Pursuant to section 30 of article IX of the state
 27 constitution of 1963, total state spending under part 1 for fiscal
 28 year 2000-2001 is \$224,181,000.00 and state appropriations to be paid
 29 to local units of government are as follows:

1 DEPARTMENT OF NATURAL RESOURCES

2	Swamp and tax reverted lands	\$	7,071,500
3	Purchased lands/open space payments		8,383,500
4	Commercial forest reserve		2,691,700
5	Cooperative resource programs		1,350,000
6	Grants to counties - marine safety		3,230,000
7	Snowmobile law enforcement		<u>1,142,000</u>
8	TOTAL	\$	23,868,700

9 (2) If it appears to the principal executive officer of a
10 department or branch that state spending to local units of government
11 will be less than the amount that was projected to be expended for any
12 quarter under subsection (1), the principal executive officer shall
13 immediately give notice of the approximate shortfall to the state
14 budget director, the senate and house of representatives standing
15 committees on appropriations, and the senate and house fiscal
16 agencies.

17 Sec. 202. The expenditures and funding sources authorized under
18 this bill are subject to the management and budget act, 1984 PA 431,
19 MCL 18.1101 to 18.1594.

20 Sec. 203. As used in this bill:

21 (a) "Commission" means the Michigan commission of natural
22 resources.

23 (b) "DAG" means the United States department of Agriculture.

24 (c) "Department" means the Michigan department of natural
25 resources.

26 (d) "DOC" means the United States department of commerce.

27 (e) "DOD" means the United States department of defense.

28 (f) "DOE" means the United States department of energy.

29 (g) "DOI" means the United States department of interior.

30 (h) "DOI-MMS" means DOI minerals management service.

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

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

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

4 (l) "IDG" means the interdepartmental grant.

5 (m) "IDT" means the intradepartmental transfer.

6 (n) "IGLFC" means international Great Lakes fish commission.

7 Sec. 204. (1) Beginning October 1, a hiring freeze is imposed on
8 the state classified civil service. State departments and agencies
9 are prohibited from hiring any new full-time state classified civil
10 service employees and prohibited from filling any vacant state
11 classified civil service positions. This hiring freeze does not apply
12 to internal transfers of classified employees from one position to
13 another within a department or to positions that are funded with 80%
14 or more federal or restricted funds.

15 (2) The state budget director shall grant exceptions to
16 this hiring freeze when the state budget director believes that the
17 hiring freeze will result in rendering a state department or agency
18 unable to deliver basic services. The state budget director shall
19 report by the 30TH of each month to the chairpersons of the senate and
20 house of representatives standing committees on appropriations the
21 number of exceptions to the hiring freeze approved during the previous
22 month and the reasons to justify the exception.

23 Sec. 205. The department of civil service shall bill departments
24 and agencies at the end of the first fiscal quarter for the 1% charge
25 authorized by section 5 of article XI of the state constitution of
26 1963. Payments shall be made for the total amount of the billing by
27 the end of the second fiscal quarter.

28 Sec. 206. (1) In addition to the funds appropriated in
29 part 1, there is appropriated an amount not to exceed \$2,000,000.00
30 for federal contingency funds. These funds are not available for

1 expenditure until they have been transferred to another line item in
2 this bill pursuant to section 393(2) of the management and budget act,
3 1984 PA 431, MCL 18.1393.

4 (2) In addition to the funds appropriated in part 1, there is
5 appropriated an amount not to exceed \$10,000,000.00 for state
6 restricted contingency funds. These funds are not available for
7 expenditure until they have been transferred to another line item in
8 this bill pursuant to section 393(2) of the management and budget act,
9 1984 PA 431, MCL 18.1393.

10 (3) In addition to the funds appropriated in part 1, there is
11 appropriated an amount not to exceed \$100,000.00 for local contingency
12 funds. These funds are not available for expenditure until they have
13 been transferred to another line item in this bill pursuant to section
14 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

15 (4) In addition to the funds appropriated in part 1, there is
16 appropriated an amount not to exceed \$250,000.00 for private
17 contingency funds. These funds are not available for expenditure
18 until they have been transferred to another line item in this bill
19 pursuant to section 393 (2) of the management and budget act, 1984 PA
20 431, MCL 18.1393.

21 Sec. 207. The department shall provide the state budget director,
22 the senate and house appropriations subcommittees on natural
23 resources, and the senate and house fiscal agencies with an annual
24 report on restricted fund balance, projected revenues, and
25 expenditures.

26 Sec. 208. The department shall continue to pilot the use of the
27 Internet to fulfill the reporting requirements in this bill. This may
28 include transmission of reports via electronic mail to the recipients
29 identified for each reporting requirement or it may include placement
30 of reports on the Internet or on the Intranet. The appropriations

1 subcommittee shall be notified in writing of the Internet/Intranet
2 site of any such report.

3 Sec. 209. Sixty days before beginning any effort to privatize,
4 the department shall submit a complete project plan to the appropriate
5 subcommittees of the senate and house of representatives standing
6 committees on appropriations and the senate and house fiscal agencies.
7 The plan shall include the criteria under which the privatization
8 initiative will be evaluated. The evaluation shall be completed and
9 submitted to the appropriate subcommittees of the senate and house of
10 representatives standing committees on appropriations and the senate
11 and house fiscal agencies within 30 months.

12 **EXECUTIVE**

13 Sec. 301. The appropriations in part 1 for the commission may be
14 used for per diem payments to the members of commissions or committees
15 for a full day of commission or committee work at which a quorum is
16 present, for attending a hearing as authorized by the respective
17 commission or committee, or for performing official business as
18 authorized by each respective commission or committee. The per diem
19 payment for members of the commission of natural resources shall be
20 \$75.00.

21 **ADMINISTRATIVE SERVICES**

22 Sec. 401. The following are the estimated general purpose
23 revenues available in the game and fish protection fund for the state
24 fiscal year beginning October 1, 2000:

25	Projected balance from previous year	\$	3,100,000
26	General purpose licenses		41,500,000
27	Game and fish protection trust fund interest and		
28	earnings		4,000,000
29	Federal indirect revenue		1,400,000
30	Miscellaneous revenues		950,000

1 Total general purpose game and fish protection
2 fund \$ 50,950,000
3 Sec. 402. Of the state general fund/general purpose resources
4 appropriated in part 1 to administrative services, \$2,210,000.00 is
5 for the game and fish protection fund to provide senior citizen
6 license fee reimbursement under section 43546 of the natural resources
7 and environmental protection act, 1994 PA 451, MCL 324.43546.

8 **WILDLIFE MANAGEMENT**

9 Sec. 501. Of the funds appropriated in part 1, the department
10 shall reimburse the department of agriculture for costs incurred for
11 indemnification payments for livestock losses caused by wolves under
12 the animal industry act of 1987, 1988 PA 466, MCL 287.701 to 287.747.

13 **FISHERIES MANAGEMENT**

14 Sec. 601. The department shall not impede the certification
15 process for water control structures on Michigan waterways. All
16 certification conditions necessary for compliance with section
17 401 of title IV of the federal water pollution control act, chapter
18 758, 86 stat. 877, 33 U.S.C. 1341, that are required or requested by
19 the department shall be paid for, by the department, from funds
20 appropriated in part 1.

21 **PARKS AND RECREATION**

22 Sec. 701. The department may charge the appropriations contained
23 in part 1, including all special maintenance and capital projects
24 appropriated for the fiscal year ending September 30, 2001, for
25 engineering services provided, a standard percentage fee to recover
26 actual costs, and may use the revenue derived to support the
27 engineering services charges provided for in part 1.

28 Sec. 702. In accordance with section 1902(2) of the natural
29 resources and environmental protection act, 1994 PA 451, MCL 324.1902,
30 there is appropriated from the Michigan natural resources trust fund

1 to the Michigan state parks endowment fund an amount not to exceed
2 \$10,000,000.00 for the fiscal year ending September 30, 2001.

3 **FOREST RESOURCES MANAGEMENT**

4 Sec. 801. The commission may establish and collect fees for the
5 processing of applications for the use of state forests that require
6 extensive review. The fees shall cover the cost to the department of
7 processing the applications. Any unexpended application fees for the
8 use of state forests, along with any excess collections from
9 prior fiscal years, shall be carried over into subsequent fiscal years
10 and shall be available for appropriation.

11 Sec. 802. Of the funds appropriated in part 1, the department
12 shall not allow the amount of timber marked for harvest to decrease
13 below 855,000 cords or 60,000 treated acres provided that the
14 department takes into consideration the impact of timber harvesting on
15 wildlife habitat and recreation uses.

16 Sec. 803. The appropriation in part 1 for abandoned mine shaft
17 closures shall be used to restrict access to or cap abandoned mine
18 shafts in order of priority as determined by the department.

19 Sec. 804. With money received from the sale of timber on state
20 land and appropriated in part 1, the department may employ an
21 additional 20 full-time temporary employees to serve as firefighters
22 for the 6-month period in which the risk of forest fires is the
23 highest.

24 **LAND AND MINERAL SERVICES**

25 Sec. 901. The department may charge land acquisition project
26 appropriated for the fiscal year ending September 30, 2001, and for
27 prior fiscal years, a standard percentage fee to recover actual costs,
28 and may use the revenue derived to support the land acquisition
29 service charges provided for in part 1.

30 Sec. 902. The land sale fund is created. An amount equal to the

1 cost of personal services, printing, postage, advertising, contractual
2 services, and facility rental associated with tax reverted lands shall
3 be deducted from the sales and credited to the land sale fund.

4 **GRANTS**

5 Sec. 1001. The amount appropriated in part 1 for federal-rural
6 community fire protection shall be awarded as grants to local fire
7 protection departments. To be eligible, local fire protection
8 departments shall be located in governmental units or fire protection
9 districts with permanent populations of less than 10,000 and with
10 1,000 or more acres of publicly owned forested land.