

# HOUSE BILL No. 4204

February 5, 2009, Introduced by Reps. Calley, Melton and Dean and referred to the  
Committee on Tourism, Outdoor Recreation and 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 2002 PA 52.

## 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 MANAGEMENT OF LAND AND WATER RESOURCES FOR**  
10       **RECREATIONAL USES.**

1 (C) ~~(b)~~—The development of public recreation facilities.

2 (D) ~~(e)~~—The administration of the fund, including payments in  
3 lieu of taxes on state owned land purchased through the trust fund.

4 (2) In addition to the money described in subsection (1), ~~33-~~  
5 ~~1/3%-~~50% of the money, exclusive of interest and earnings, received  
6 by the trust fund in any state fiscal year may be expended in  
7 subsequent state fiscal years for the purposes described in  
8 subsection (1). However, the authorization for the expenditure of  
9 money provided in this subsection does not apply after the state  
10 fiscal year in which the total amount of money in the trust fund,  
11 exclusive of interest and earnings and amounts authorized for  
12 expenditure under this section, exceeds \$500,000,000.00.

13 (3) An expenditure from the trust fund may be made in the form  
14 of a grant to a local unit of government, subject to the following  
15 conditions:

16 (a) The grant is used for the purposes described in subsection  
17 (1) and meets the requirements of either subdivision (b) or (c).

18 (b) A grant for the purposes described in subsection (1)(a) is  
19 matched by the local unit of government or public authority with at  
20 least 25% of the total cost of the project.

21 (c) A grant for the purposes described in subsection ~~(1)(b)~~  
22 (1)(C) is matched by the local unit of government with 25% or more  
23 of the total cost of the project.

24 (4) Not less than ~~25%-~~50% of the total amounts made available  
25 for expenditure from the trust fund from any state fiscal year  
26 shall be expended for **THE DEVELOPMENT AND MANAGEMENT OF HABITAT FOR**  
27 **GAME AND SPORT FISHERIES, INCLUDING THE STOCKING OF GAME AND FISH;**

1 NOT MORE THAN 25% OF THE TOTAL AMOUNTS MADE AVAILABLE FOR  
2 EXPENDITURE FROM THE TRUST FUND FROM ANY STATE FISCAL YEAR SHALL BE  
3 EXPENDED FOR THE acquisition of land and rights in land; ~~—~~and not  
4 more than 25% of the total amounts made available for expenditure  
5 from the trust fund from any state fiscal year shall be expended  
6 for **THE** development of public recreation facilities.

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

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

14 (i) The net proceeds of the sale.

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

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

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

24 Enacting section 1. This amendatory act does not take effect  
25 unless Senate Joint Resolution \_\_\_\_ or House Joint Resolution H  
26 (request no. 01721'09) of the 95th Legislature becomes a part of  
27 the state constitution of 1963 as provided in section 1 of article

1 XII of the state constitution of 1963.