

Act No. 347
 Public Acts of 2004
 Approved by the Governor
 September 28, 2004
 Filed with the Secretary of State
 September 29, 2004
 EFFECTIVE DATE: September 29, 2004

**STATE OF MICHIGAN
 92ND LEGISLATURE
 REGULAR SESSION OF 2004**

Introduced by Senator Johnson

ENROLLED SENATE BILL No. 1068

AN ACT to make appropriations for the department of natural resources for the fiscal year ending September 30, 2005; 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:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 2005, 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	2,064.5		
GROSS APPROPRIATION		\$	264,335,400
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers			3,528,700
ADJUSTED GROSS APPROPRIATION		\$	260,806,700
Federal revenues:			
Total federal revenues			37,195,200
Special revenue funds:			
Total local revenues			0
Total private revenues			2,024,300
Total other state restricted revenues			192,702,200
State general fund/general purpose		\$	28,885,000

FUND SOURCE SUMMARY

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,064.5	
GROSS APPROPRIATION		\$ 264,335,400
Interdepartmental grant revenues:		
IDG, engineering services to work orders		\$ 1,511,300
IDG, land acquisition services to work orders		681,600
IDG, MacMullan conference center revenue		1,335,800
Total interdepartmental grants and intradepartmental transfers		3,528,700
ADJUSTED GROSS APPROPRIATION		\$ 260,806,700
Federal revenues:		
DAG, federal		6,899,200
DHS-USCG, federal		2,538,100
DOC, federal		63,600
DOD, federal		32,100
DOE, federal		1,000
DOI, federal		22,152,900
DOI, oil and gas royalty revenue		150,000
DOI, timber revenue		3,300,000
DOT, federal		1,800,000
EPA, federal		258,300
Total federal revenues		37,195,200
Special revenue funds:		
Private funds		1,524,300
Private - gift revenues		500,000
Total private revenues		2,024,300
Aircraft fees		229,500
Air photo - geographic information system		39,600
Cervidae licensing and inspection fees		93,500
Clean Michigan initiative fund		284,000
Commercial forest fund		23,900
Delinquent property tax administration fund		36,100
Forest development fund		28,507,400
Forestland user charges		276,800
Forest recreation fund		1,205,800
Game and fish protection fund		60,643,900
Game and fish protection fund - deer habitat reserve		2,480,900
Game and fish protection fund - fisheries settlement		883,800
Game and fish protection fund - turkey permit fees		1,525,600
Game and fish protection fund - waterfowl fees		95,600
Game and fish - wildlife resource protection fund		1,441,600
Harbor development fund		269,600
Land exchange facilitation fund		5,757,800
Marine safety fund		4,507,000
Michigan civilian conservation corps endowment fund		1,094,300
Michigan natural resources trust fund		3,725,200
Michigan state parks endowment fund		12,067,400
Michigan state waterways fund		15,319,800
Nongame wildlife fund		644,700
Off-road vehicle trail improvement fund		2,843,200
Park improvement fund		35,626,300
Publications revenue		62,800
Recreation improvement fund		1,452,800
Safety education fund		202,900
Shop fees		59,700
Snowmobile registration fee revenue		1,815,600
Snowmobile trail improvement fund		9,459,400
Youth hunting and fishing education and outreach fund		25,700
Total other state restricted revenues		192,702,200
State general fund/general purpose		\$ 28,885,000

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	43.6	
Commission (including travel expense—per diem)		\$ 58,300
Unclassified salaries—6.0 FTE positions		416,500
Education and outreach—31.6 FTE positions		3,189,000
Executive direction—12.0 FTE positions		1,920,800
Travel.....		136,400
GROSS APPROPRIATION.....		\$ 5,721,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG, MacMullan conference center revenue		21,900
Special revenue funds:		
Aircraft fees.....		500
Air photo - geographic information system.....		10,800
Forest development fund		179,700
Forestland user charges		6,200
Forest recreation fund.....		20,500
Game and fish protection fund		1,755,600
Game and fish protection fund - deer habitat reserve.....		18,600
Game and fish protection fund - turkey permit fees.....		5,200
Game and fish protection fund - waterfowl fees.....		900
Game and fish - wildlife resource protection fund.....		9,900
Harbor development fund		600
Land exchange facilitation fund.....		38,300
Marine safety fund		27,200
Michigan civilian conservation corps endowment fund		2,500
Michigan natural resources trust fund		7,800
Michigan state parks endowment fund.....		40,200
Michigan state waterways fund		276,800
Nongame wildlife fund.....		11,900
Off-road vehicle trail improvement fund.....		2,800
Park improvement fund.....		2,273,400
Publications revenue		500
Recreation improvement fund.....		15,900
Snowmobile registration fee revenue		4,300
Snowmobile trail improvement fund.....		33,100
Youth hunting and fishing education and outreach fund		25,700
State general fund/general purpose		\$ 930,200

Sec. 103. ADMINISTRATIVE SERVICES

Full-time equated classified positions.....	218.2	
Budget and support services—10.0 FTE positions		\$ 856,700
Financial services—24.0 FTE positions		2,196,800
Grants, contracts, and customer systems—31.0 FTE positions.....		5,492,500
Human resources—22.0 FTE positions		2,054,100
Human resources optimization user charges.....		88,600
Land and facilities—120.2 FTE positions		14,784,500
Program assistance and review—11.0 FTE positions		751,400
Travel.....		265,000
GROSS APPROPRIATION.....		\$ 26,489,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG, engineering services to work orders.....		1,511,300
IDG, land acquisition services to work orders.....		681,600
IDG, MacMullan conference center revenue		1,313,900
Federal revenues:		
DOI, federal		333,300

Special revenue funds:	
Aircraft fees.....	\$ 118,800
Air photo - geographic information system.....	700
Clean Michigan initiative fund	284,000
Forest development fund.....	1,745,300
Forestland user charges.....	1,000
Forest recreation fund.....	31,400
Game and fish protection fund.....	9,165,200
Game and fish protection fund - deer habitat reserve.....	19,600
Game and fish protection fund - turkey permit fees.....	8,500
Game and fish protection fund - waterfowl fees.....	800
Game and fish - wildlife resource protection fund.....	16,300
Harbor development fund.....	12,200
Land exchange facilitation fund.....	5,677,900
Marine safety fund	229,800
Michigan civilian conservation corps endowment fund	74,900
Michigan natural resources trust fund	668,300
Michigan state parks endowment fund.....	118,100
Michigan state waterways fund	734,600
Nongame wildlife fund.....	27,600
Off-road vehicle trail improvement fund.....	86,900
Park improvement fund.....	2,217,400
Publications revenue	62,300
Recreation improvement fund.....	24,800
Shop fees	1,400
Snowmobile registration fee revenue	69,400
Snowmobile trail improvement fund.....	81,700
State general fund/general purpose	\$ 1,170,600

Sec. 104. DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges.....	\$ 1,931,300
Rent - privately owned property.....	335,700
Gifts and bequests	500,000
GROSS APPROPRIATION.....	\$ 2,767,000

Appropriated from:

Special revenue funds:

Private - gift revenues.....	500,000
Forest development fund	633,700
Game and fish protection fund	706,300
Marine safety fund	43,200
Michigan state parks endowment fund.....	203,900
Michigan state waterways fund	198,800
Michigan natural resources trust fund	60,500
Park improvement fund.....	268,200
Snowmobile trail improvement fund.....	20,100
State general fund/general purpose	\$ 132,300

Sec. 105. WILDLIFE MANAGEMENT

Full-time equated classified positions.....	191.0
Wildlife administration—14.5 FTE positions	\$ 1,491,500
Wildlife management—158.5 FTE positions	22,296,200
Natural resources heritage—18.0 FTE positions	1,187,000
State game and wildlife area maintenance	200,000
Travel.....	1,173,600
GROSS APPROPRIATION.....	\$ 26,348,300

Appropriated from:

Federal revenues:

DOD, federal.....	32,100
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	For Fiscal Year Ending Sept. 30, 2005
DOI, federal	\$ 10,351,500
EPA, federal	1,000
Special revenue funds:	
Private funds	103,800
Cervidae licensing and inspection fees	93,500
Game and fish protection fund	9,663,000
Game and fish protection fund - deer habitat reserve.....	2,199,700
Game and fish protection fund - turkey permit fees.....	1,511,900
Game and fish protection fund - waterfowl fees	93,900
Nongame wildlife fund.....	584,800
State general fund/general purpose	\$ 1,713,100

Sec. 106. FISHERIES MANAGEMENT

Full-time equated classified positions	225.0
Aquatic resource mitigation—3.0 FTE positions.....	\$ 869,800
Fisheries administration—10.0 FTE positions.....	992,400
Fish production—62.0 FTE positions	7,286,800
Fisheries resource management—150.0 FTE positions	15,460,600
Travel.....	1,264,000
GROSS APPROPRIATION.....	\$ 25,873,600
Appropriated from:	
Federal revenues:	
DOE, federal.....	1,000
DOC, federal.....	47,800
DOI, federal	7,676,900
EPA, federal.....	147,900
Special revenue funds:	
Private funds	104,200
Game and fish protection fund	17,012,000
Game and fish protection fund - fisheries settlement.....	883,800
State general fund/general purpose	\$ 0

Sec. 107. PARKS AND RECREATION

Full-time equated classified positions	785.7
Michigan civilian conservation corps—3.0 FTE positions.....	\$ 926,900
Recreational boating—201.5 FTE positions	11,984,900
State parks—581.2 FTE positions.....	38,067,100
State parks improvement revenue bonds - debt service.....	1,095,000
Travel.....	2,296,100
GROSS APPROPRIATION.....	\$ 54,370,000
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
EPA, federal.....	108,400
Special revenue funds:	
Private funds	328,100
Harbor development fund.....	256,800
Michigan civilian conservation corps endowment fund	1,016,900
Michigan state parks endowment fund.....	11,146,400
Michigan state waterways fund	12,628,100
Off-road vehicle trail improvement fund.....	219,400
Park improvement fund.....	28,665,900
State general fund/general purpose	\$ 0

Sec. 108. FOREST, MINERAL, AND FIRE MANAGEMENT

Full-time equated classified positions	333.5
Adopt-a-forest program.....	\$ 50,000
Cooperative resource programs—10.5 FTE positions	2,810,400
Forest and timber treatments—117.0 FTE positions.....	13,993,900

	For Fiscal Year Ending Sept. 30, 2005
Forest fire equipment.....	\$ 1,700,000
Forest fire protection—133.5 FTE positions.....	9,491,300
Forest management initiative—9.2 FTE positions.....	954,300
Forest management planning—13.0 FTE positions.....	4,530,100
Forest recreation and trails—33.0 FTE positions.....	4,498,400
Minerals management—17.3 FTE positions.....	2,077,700
Travel.....	1,294,900
GROSS APPROPRIATION.....	\$ 41,401,000
Appropriated from:	
Federal revenues:	
DAG, federal.....	2,124,200
DOI, federal.....	2,000
EPA, federal.....	1,000
Special revenue funds:	
Private funds.....	838,200
Aircraft fees.....	110,200
Air photo - geographic information system.....	7,300
Commercial forest fund.....	23,900
Forest development fund.....	24,315,800
Forestland user charges.....	269,600
Forest recreation fund.....	1,101,200
Game and fish protection fund.....	1,524,000
Michigan natural resources trust fund.....	1,155,600
Michigan state parks endowment fund.....	518,600
Michigan state waterways fund.....	350,200
Off-road vehicle trail improvement fund.....	374,100
Recreation improvement fund.....	293,100
Shop fees.....	58,300
Snowmobile trail improvement fund.....	2,010,500
State general fund/general purpose.....	\$ 6,323,200
 Sec. 109. LAW ENFORCEMENT	
Full-time equated classified positions.....	267.5
General law enforcement—257.5 FTE positions.....	\$ 23,841,300
Wildlife resource protection—10.0 FTE positions.....	1,412,400
Travel.....	2,906,800
GROSS APPROPRIATION.....	\$ 28,160,500
Appropriated from:	
Federal revenues:	
DHS-USCG, federal.....	2,538,100
DOC, federal.....	15,800
DOI, federal.....	1,122,300
Special revenue funds:	
Forest recreation fund.....	52,700
Game and fish - wildlife resource protection fund.....	1,403,800
Game and fish protection fund.....	16,495,400
Marine safety fund.....	1,377,900
Off-road vehicle trail improvement fund.....	785,500
Park improvement fund.....	52,700
Safety education fund.....	52,900
Snowmobile registration fee revenue.....	596,200
State general fund/general purpose.....	\$ 3,667,200
 Sec. 110. PAYMENTS IN LIEU OF TAXES	
Swamp and tax reverted lands.....	\$ 7,071,500
Purchased lands.....	7,800,000
Commercial forest reserves.....	2,691,700
GROSS APPROPRIATION.....	\$ 17,563,200

Appropriated from:
Special revenue funds:

Game and fish protection fund	\$	2,950,600
Michigan natural resources trust fund		750,000
Michigan state waterways fund		199,400
State general fund/general purpose	\$	13,663,200

Sec. 111. GRANTS

Federal - clean vessel act grants	\$	100,000
Federal - forest stewardship grants		625,000
Federal - land and water conservation fund payments		2,566,900
Federal - rural community fire protection		250,000
Federal - urban forestry grants		4,000,000
Grants to communities - federal oil, gas, and timber payments		3,450,000
National recreational trails		1,850,000
Game and nongame wildlife fund grants		10,000
Grant to counties-marine safety		2,805,000
Inland fisheries resources grants		200,000
Off-road vehicle safety training grants.....		150,000
Off-road vehicle trail improvement grants		1,374,500
Recreation improvement fund grants		1,100,000
Sebewaing harbor commission flood control.....		100,000
Snowmobile law enforcement grants		1,142,000
Snowmobile local grants program		7,314,000
GROSS APPROPRIATION	\$	27,037,400

Appropriated from:

Federal revenues:

DAG, federal.....		4,775,000
DOI, federal		2,666,900
DOI, oil and gas royalty revenue		150,000
DOI, timber revenue		3,300,000
DOT, federal		1,800,000

Special revenue funds:

Private funds		150,000
Game and fish protection fund		200,000
Marine safety fund		2,805,000
Michigan state waterways fund		100,000
Nongame wildlife fund.....		10,000
Off-road vehicle trail improvement fund.....		1,374,500
Recreation improvement fund.....		1,100,000
Safety education fund		150,000
Snowmobile registration fee revenue		1,142,000
Snowmobile trail improvement fund.....		7,314,000
State general fund/general purpose	\$	0

Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects.....	\$	8,603,800
GROSS APPROPRIATION	\$	8,603,800

Appropriated from:

Special revenue funds:

Air photo - geographic information system.....		20,800
Delinquent property tax administration fund		36,100
Forest development fund		1,632,900
Game and fish protection fund		1,171,800
Game and fish protection fund - deer habitat reserve.....		243,000
Game and fish - wildlife resource protection fund.....		11,600
Land exchange facilitation fund.....		41,600
Marine safety fund		23,900

	For Fiscal Year Ending Sept. 30, 2005
Michigan natural resources trust fund	\$ 1,083,000
Michigan state parks endowment fund.....	40,200
Michigan state waterways fund	831,900
Nongame wildlife fund.....	10,400
Park improvement fund.....	2,148,700
Recreation improvement fund.....	19,000
Snowmobile registration fee revenue	3,700
State general fund/general purpose	\$ 1,285,200

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for the fiscal year ending September 30, 2005 is \$221,587,200.00 and state spending from state resources to be paid to local units of government for the fiscal year ending September 30, 2005 is \$21,510,200.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF NATURAL RESOURCES

PAYMENTS IN LIEU OF TAXES

Purchased lands	\$ 7,800,000
Swamp and tax reverted lands	7,071,500
Commercial forest reserves.....	2,691,700

GRANTS

Grants to counties - marine safety	2,805,000
Snowmobile law enforcement.....	1,142,000
TOTAL	\$ <u>21,510,200</u>

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "Commission" means the commission of natural resources.
- (b) "DAG" means the United States department of agriculture.
- (c) "Department" means the department of natural resources.
- (d) "DHS" means the United States department of homeland security.
- (e) "DOC" means the United States department of commerce.
- (f) "DOD" means the United States department of defense.
- (g) "DOE" means the United States department of energy.
- (h) "DOI" means the United States department of interior.
- (i) "DOT" means the United States department of transportation.
- (j) "EPA" means the United States environmental protection agency.
- (k) "FTE" means full-time equated.
- (l) "IDG" means interdepartmental grant.
- (m) "USCG" means the United States coast guard.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director shall grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exceptions.

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

Sec. 208. The department shall use the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 209. By February 15, 2005, the department shall provide the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies with an annual report on estimated restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2004 and September 30, 2005.

Sec. 210. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports. To the extent consistent with federal and state guidelines, the requirements of this section are satisfied if the reports funded from appropriations in part 1 are retained in electronic format.

Sec. 211. (1) From the funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant, loan, or grant and loan programs administered by the department for the fiscal year ending on September 30, 2005:

- (a) The name of each program.
- (b) The goals, criteria, filing fees, nominating procedures, eligibility requirements, processes, and deadlines for each program.
- (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
- (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
- (e) Information pertaining to the application process, timeline for each program, and the contact people within the department.
- (f) The source of funds for each program, including the citation of pertinent authorizing acts.
- (g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
- (h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan during the fiscal year ending September 30, 2004.

(2) The reports required under this section shall be submitted to the state budget director, the senate and house appropriations committees and the senate and house fiscal agencies by January 1, 2005.

Sec. 212. Appropriations of state restricted game and fish protection funds have been made to the following departments and agencies in their respective appropriation acts. The amounts appropriated to these departments and agencies are limited to the amounts listed below:

Department of civil service.....	\$	293,200
Legislative auditor general.....		21,400
Attorney general		667,300
Department of management and budget.....		228,000
Department of treasury.....		4,200

Sec. 213. (1) Before January 16, 2005, the department, in cooperation with the Michigan state waterways commission, shall report to the state budget director, the senate and house fiscal agencies, and the senate and house of representatives appropriations subcommittees on natural resources detailing operations of the Michigan state waterways commission for the preceding 1-year period.

(2) The department, in cooperation with the Michigan state waterways commission, shall determine which projects should be acquired or developed with money from the state waterways fund or harbor development fund and shall submit to the state budget director, the senate and house fiscal agencies, and the senate and house of representatives appropriations subcommittees on natural resources in January 2005 a list of those projects, compiled in order of priority. The list shall be accompanied by estimates of total costs for the proposed projects.

(3) The department, in cooperation with the Michigan state waterways commission, shall supply with each list under subsection (2) a statement of the guidelines used in listing and assigning the priority of these projects.

Sec. 214. The department shall develop a plan for allocating restricted funds among department administrative support and regulatory activities. This plan shall be submitted to the house and senate appropriations subcommittees on natural resources by January 30, 2005. This plan shall include a cost allocation plan for financial services support, office space rent and building occupancy charges, support division service for information systems and technology, and a methodology to use information generated through activity reports that identifies the percentage of employee time spent on restricted fund activities.

Sec. 215. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection fund, \$6,000,000.00 for the fiscal year ending September 30, 2005.

Sec. 216. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 217. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 218. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2005 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 219. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality.

EXECUTIVE

Sec. 301. On June 15, 2005, the department shall submit to the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies a report on fish, game, and nongame habitat improvement and treatment projects completed or planned during the fiscal years ending September 30, 2004 and September 30, 2005. This report shall include a list of all habitat treatment and improvement projects by management unit. This list shall be accompanied by all of the following information:

(a) The target species of wildlife or fish to benefit from unit projects.

(b) The number of acres or, for an inland lake, river, or stream, the number of feet treated or improved, the county in which the project is located, and the methods of treatment or improvement.

(c) The division with lead responsibility for the projects and all organizations involved in the projects, including, but not limited to, department personnel, contractors, or subcontractors.

(d) The total cost per acre and the funding sources supporting management unit projects. The report shall identify the program line item supporting project expenditures.

(e) A separate summary, by fund or subfund, of all projects completed in the fiscal year ending September 30, 2004 or September 30, 2005.

ADMINISTRATIVE SERVICES

Sec. 401. The department may charge the appropriations contained in part 1, including all special maintenance and capital projects appropriated for the fiscal year ending September 30, 2005, for engineering services provided, a standard percentage fee to recover actual costs. The department may use the revenue derived to support the engineering services charges provided for in part 1.

Sec. 402. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2005, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

Sec. 403. The department of natural resources may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2162. The fees shall be set by the director at a rate which allows the department to recover its costs for providing these services.

Sec. 404. The department shall prominently display in a prominent place in the fishing guide provided to each licensed fisher and paid for from the funds appropriated in part 1, the website for the department of community health. In addition, the fishing guide shall include information on alternative sources where interested parties without Internet access may find information on fish advisories issued by the department of community health.

Sec. 405. The department shall report quarterly on all land transactions completed by the department in the previous fiscal quarter. For each land transaction, the report shall include, but not be limited to, the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and the type of transaction, such as purchase, public auction, transfer, exchange, or conveyance. The report shall be submitted to the senate and house appropriations subcommittees on natural resources within 21 days after the end of each fiscal quarter.

Sec. 406. In addition to the annual report on travel expenditures required by section 217 of the management and budget act, 1984 PA 431, MCL 18.1217, the department shall provide to the senate and house appropriations

subcommittees on natural resources and the senate and house fiscal agencies a quarterly report within 30 days of the end of each quarter on expenses incurred for travel inside and outside the state. The report shall include, but not be limited to, the name of the person who traveled, total expenditures for compensation, fees, or remuneration for meals, transportation, and related contractual services, supplies, and materials, and the destination, reason for, and dates of the travel.

WILDLIFE MANAGEMENT

Sec. 501. By April 1, 2005 and September 30, 2005, the department shall report to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies on spending from the amounts appropriated in part 1 for bovine tuberculosis control efforts. The report shall include, but not be limited to, information on activities at the animal diagnostic laboratory at Michigan State University that are funded with appropriations in part 1.

Sec. 502. Of the funds appropriated in part 1, the department shall reimburse the department of agriculture for costs incurred for indemnification payments for livestock losses caused by wolves or coyotes under the animal industry act, 1988 PA 466, MCL 287.701 to 287.745.

FISHERIES MANAGEMENT

Sec. 601. As a condition of expenditure of fisheries management appropriations under part 1, the department shall not impede the certification process for water control structures on Michigan waterways. The department shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

(a) The department of environmental quality as a condition for issuance of a certification under the federal water pollution control act, 33 USC 1341.

(b) The federal energy regulatory commission as a condition of licensing under the federal power act, 16 USC 791a to 825r.

Sec. 602. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than \$758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

(2) The fisheries division of the department shall develop priority and cost estimates for all recommended projects.

PARKS AND RECREATION

Sec. 701. Pursuant to section 1902(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1902, there is appropriated from the Michigan natural resources trust fund to the Michigan state parks endowment fund an amount not to exceed \$10,000,000.00 for the fiscal year ending September 30, 2005.

Sec. 702. (1) The department shall prepare detailed reports for construction projects in state parks that will involve campsite or campground closures. These reports shall include expected costs, impacts on recreation opportunities, impacts on state park revenues, and the expected impact on state park users. The department shall also prepare reports on average monthly campground occupancy rates for every state park during the previous summer season. The department shall provide reports described in this subsection to the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies not later than April 1, 2005.

(2) The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies if it intends to reduce operations or reduce recreation opportunities at any state park or recreation area.

Sec. 703. From the funds appropriated in part 1, the department shall attempt to place an appropriate number of defibrillators in state parks. State parks shall accept donations of defibrillators.

Sec. 704. As a condition for the expenditure of appropriations for parks and recreation under part 1, the department shall conduct at least 2 pilot programs for the development of a statewide water trails system as a part of the statewide recreation plan.

Sec. 705. By September 30, 2005, the department shall report to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies any misuse of complimentary or discounted day passes at state recreational facilities during the 2004-2005 fiscal year.

Sec. 706. As a condition for the expenditure of appropriations for parks and recreation under part 1, the department shall implement a pilot project in the fiscal year ending September 30, 2005 for privatizing the management of state boating access sites and facilities. By April 1, 2005, the department shall submit to the state budget director, the senate and house appropriations subcommittees on natural resources, the senate and house standing committees on natural resources issues, and the senate and house fiscal agencies a plan to implement this pilot project. The department is encouraged to consult with a boating access site management group that has the capacity to implement the program on a statewide basis. Any contracts entered into relating to this pilot project shall be awarded through a competitive bidding process.

Sec. 707. On September 30, 2005, the department shall submit a report on the economic impact and financial status of the ski hill in Porcupine Mountains wilderness state park to the legislature, the state budget director, and the senate and house fiscal agencies. The department shall not alter or halt operations of the ski hill or demolish buildings related to the ski hill, the assistant manager residence, the 3-unit apartment building, or the carpenter's shop and garage in Porcupine Mountains wilderness state park until this report is received. The department shall collaborate with travel Michigan for the marketing and promotion of the ski hill.

FOREST, MINERAL, AND FIRE MANAGEMENT

Sec. 801. The department shall follow the certification criteria established by the forest stewardship council and the sustainable forest initiative in its timber marking activities. The department shall report by September 30, 2005 to the state budget director, the senate and house appropriations subcommittees on natural resources, the senate and house standing committees on natural resources issues, and the senate and house fiscal agencies on the status of its forest management plan.

Sec. 802. The appropriation for the adopt-a-forest program in part 1 shall be used to cover the cost of disposing of waste material collected from state forest lands.

Sec. 803. In addition to the funds appropriated in part 1, \$350,000.00 is appropriated to cover costs related to any declared emergency involving the collapse of any abandoned mine shaft located on state land. This appropriation shall not be expended unless the state budget director recommends the expenditure and the department notifies the house and senate committees on appropriations.

Sec. 804. As a condition of expenditure of appropriations in part 1 from forest development funds, on October 15, 2004 the department shall provide \$1,000,000.00 from cooperative resources programs as an interdepartmental grant to the department of agriculture for the cooperative resources management initiative program for the purposes of supporting forestry programs in local conservation districts.

Sec. 805. The department shall designate 1 forester to implement management initiatives to facilitate the development of forest products from department-managed properties in southwest Michigan. The department shall develop a forest management plan for these lands. This plan shall be submitted to the state budget director, the house and senate appropriations subcommittees on natural resources, and the senate and house fiscal agencies on or before April 1, 2005.

Sec. 806. Of the funds appropriated in part 1, the department shall prescribe appropriate treatment on 63,000 acres, plus or minus 10%, at the current average rate of 12.5 to 13 cords per acre, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall endeavor to increase marking or treatment of hardwood timber by 10% over 2004 levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber.

Sec. 807. The department shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for additional foresters to mark timber, pursuant to section 806.

LAW ENFORCEMENT

Sec. 901. The appropriation in part 1 for snowmobile law enforcement grants shall be used to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under that part and ordinances enacted pursuant to that part. The department shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee fund. Counties shall provide semiannual reports to the department.

GRANTS

Sec. 1101. The amount appropriated in part 1 for federal-rural community fire protection shall be awarded as grants to local fire protection departments. To be eligible, local fire protection departments shall be located in governmental units or fire protection districts with permanent populations of less than 10,000.

Sec. 1102. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2004, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2004.

Sec. 1103. (1) The use of federal funding received by the state from the land and water conservation fund and appropriated in part 1 shall be coordinated with state grants to local units of government from the Michigan natural resources trust fund. The coordination of the 2 funding sources shall be conducted in a manner that minimizes the total matching funds required from local units of government for local land acquisition or recreational development projects.

(2) The Michigan natural resources trust fund board shall report on the final disposition of federal funding from the land and water conservation fund in the board's annual report to the legislature.

Sec. 1104. Of the amount appropriated in part 1 for grants to counties - marine safety, \$35,000.00 shall be used by Michigan State University to develop equipment and procedures that will accurately measure and record distance to and sound levels of watercraft engines if matching funds are provided by lake property associations.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor