

2001 PUBLIC AND LOCAL ACTS

[No. 44]

(HB 4259)

AN ACT to make appropriations for the department of natural resources for the fiscal year ending September 30, 2002; 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

Appropriations; department of natural resources.

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, 2002, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF NATURAL RESOURCES

Table with 2 columns: Description and Amount. Rows include Full-time equated unclassified positions (6.0), Full-time equated classified positions (2,177.5), GROSS APPROPRIATION (\$ 256,827,000), Interdepartmental grant revenues, Total interdepartmental grants and intradepartmental transfers (\$ 3,416,900), ADJUSTED GROSS APPROPRIATION (\$ 253,410,100), Federal revenues, Total federal revenues (28,461,700), Special revenue funds, Total local revenues (0), Total private revenues (1,748,800), Total other state restricted revenues (171,116,200), State general fund/general purpose (\$ 52,083,400).

FUND SOURCE SUMMARY

Table with 2 columns: Description and Amount. Rows include GROSS APPROPRIATION (\$ 256,827,000), Interdepartmental grant revenues, IDG, engineering services to work orders (1,101,000), IDG, MacMullan conference center revenue (1,290,400), IDG, land acquisition services to work orders (840,400), IDT, interdivisional charges (185,100), Total interdepartmental grants and intradepartmental transfers (\$ 3,416,900), ADJUSTED GROSS APPROPRIATION (\$ 253,410,100), Federal revenues, DAG, federal (2,670,000), DOC, federal (45,900), DOD, federal (1,000), DOE, federal (1,000).

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	For Fiscal Year Ending Sept. 30, 2002
DOI, federal	\$ 18,249,300
DOI-MMS, federal oil and gas royalty revenue	150,000
DOI-MMS, federal timber revenue	3,300,000
DOT, federal	3,773,000
EPA, federal	249,500
IGLFC, federal	22,000
Total federal revenues	28,461,700
Special revenue funds:	
Private funds	1,248,800
Private - gift revenues	500,000
Total private revenues	1,748,800
Aircraft fees	217,900
Air photo fees	110,500
Automated license system revenue	426,900
Clean Michigan initiative fund	274,800
Commercial fishing fee revenue	200
Delinquent property tax administration fund	662,300
Forest camping fee revenue	1,231,500
Forest resource revenue	25,857,800
Game and fish protection fund	56,689,000
Game and fish protection fund - deer habitat reserve	1,995,400
Game and fish protection fund - turkey permit fees	1,739,900
Game and fish protection fund - waterfowl fees	103,000
Game and fish - wildlife resource protection fund	1,334,200
Harbor development fund	241,800
Land exchange facilitation fund	5,474,000
Land sale revenue	2,626,900
Marine safety fund	4,995,300
Michigan civilian conservation corps endowment fund	1,497,300
Michigan geographic information system revenue	23,500
Michigan state waterways fund	14,345,100
Michigan natural resources trust fund	3,347,900
Michigan state parks endowment fund	5,022,400
Nongame wildlife fund	881,000
Off-road vehicle trail improvement fund	2,685,500
Park improvement fund	28,911,600
Publications revenue	59,100
Recreation improvement fund	1,412,000
Shop fees	55,700
Snowmobile registration fee revenue	1,572,600
Snowmobile trail improvement fund	7,319,800
Other restricted revenues	1,300
Total other state restricted revenues	171,116,200
State general fund/general purpose	\$ 52,083,400

Executive.

Sec. 102. EXECUTIVE

Full-time equated unclassified positions6.0

Full-time equated classified positions10.0

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	For Fiscal Year Ending Sept. 30, 2002
Commission (including travel expense—per diem)	\$ 75,000
Unclassified salaries—6.0 FTE positions	430,000
Executive direction—10.0 FTE positions	1,728,800
GROSS APPROPRIATION	\$ 2,233,800
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MacMullan conference center revenue	14,800
Special revenue funds:	
Delinquent property tax administration fund	3,800
Forest resource revenue	226,200
Game and fish protection fund	646,900
Land exchange facilitation fund	6,400
Land sale revenue	32,500
Marine safety fund	22,300
Michigan geographic information system revenue	1,000
Michigan natural resources trust fund	900
Michigan state waterways fund	234,900
Nongame wildlife fund	900
Off-road vehicle trail improvement fund	2,700
Park improvement fund	415,800
Recreation improvement fund	700
Snowmobile registration fee revenue	2,700
Snowmobile trail improvement fund	3,900
State general fund/general purpose	\$ 617,400

Administrative services.

Sec. 103. ADMINISTRATIVE SERVICES

Full-time equated classified positions	249.7
Finance and operations services—146.7 FTE positions	\$ 11,270,900
Internal audit—12.0 FTE positions	737,400
Office of information services—69.0 FTE positions	13,286,000
Human resources—22.0 FTE positions	1,974,400
GROSS APPROPRIATION	\$ 27,268,700
Appropriated from:	
Interdepartmental grant revenues:	
IDT, interdivisional charges	185,100
IDG, engineering to work orders	967,200
IDG, MacMullan conference center revenue	19,200
Federal revenues:	
DOI, federal	119,300
Special revenue funds:	
Aircraft fees	112,400
Air photo fees	7,500
Automated license system revenue	426,900
Clean Michigan initiative fund	274,800
Delinquent property tax administration	51,600
Forest resource revenue	1,197,700
Game and fish protection fund	9,188,400

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For Fiscal Year
Ending Sept. 30,
2002

Land exchange facilitation fund	\$	100,500
Land sale revenue		121,900
Marine safety fund		394,500
Michigan civilian conservation corps endowment fund		6,300
Michigan geographic information system revenue		1,900
Michigan natural resources trust fund		787,500
Michigan state parks endowment fund		114,100
Michigan state waterways fund		1,524,300
Nongame wildlife fund		17,900
Off-road vehicle trail improvement fund		55,500
Park improvement fund		3,496,300
Publications revenue		59,100
Recreation improvement fund		28,600
Snowmobile registration fee revenue		66,500
Snowmobile trail improvement fund		104,400
Other restricted revenues		1,300
State general fund/general purpose	\$	7,838,000

Departmental operation support.

Sec. 104. DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges	\$	2,129,000
Rent - privately owned property		335,700
Gifts and bequests		500,000
GROSS APPROPRIATION	\$	2,964,700

Appropriated from:

Special revenue funds:

Private - gift revenues		500,000
Forest resource revenue		139,200
Game and fish protection fund		611,000
Land sale revenue		50,300
Marine safety fund		43,700
Michigan state waterways fund		200,600
Michigan natural resources trust fund		12,400
Park improvement fund		57,100
Snowmobile trail improvement fund		20,300
State general fund/general purpose	\$	1,330,100

Wildlife management.

Sec. 105. WILDLIFE MANAGEMENT

Full-time equated classified positions		190.0
Wildlife administration—14.5 FTE positions	\$	1,568,200
Wildlife management—166.5 FTE positions		18,203,500
Natural resources heritage—9.0 FTE positions		1,500,000
State game and wildlife area maintenance		200,000
GROSS APPROPRIATION	\$	21,471,700

Appropriated from:

Federal revenues:

DOD, federal		1,000
DOI, federal		8,035,200
EPA, federal		1,000

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For Fiscal Year
Ending Sept. 30,
2002

Special revenue funds:

Private funds	\$	108,400
Game and fish protection fund		8,531,900
Game and fish protection fund - deer habitat reserve.....		1,995,400
Game and fish protection fund - turkey permit fees.....		1,739,900
Game and fish protection fund - waterfowl fees		103,000
Nongame wildlife fund.....		562,200
State general fund/general purpose	\$	393,700

Fisheries management.

Sec. 106. FISHERIES MANAGEMENT

Full-time equated classified positions		229.0
Fisheries administration—12.5 FTE positions.....	\$	1,271,000
Commercial fisheries—2.7 FTE positions.....		200,700
Recreational fisheries—14.0 FTE positions.....		1,728,200
Fish production—57.4 FTE positions		6,874,400
Fisheries resource management—142.4 FTE positions		12,892,500
Treaty waters management fund work project		138,200
Stream habitat improvement		1,248,600
GROSS APPROPRIATION.....	\$	24,353,600

Appropriated from:

Federal revenues:

DOE, federal.....		1,000
DOC, federal.....		45,900
DOI, federal.....		6,461,900
EPA, federal.....		142,100
IGLFC, federal		22,000

Special revenue funds:

Commercial fishing fee revenue.....		200
Game and fish protection fund		17,542,300
State general fund/general purpose	\$	138,200

Parks and recreation.

Sec. 107. PARKS AND RECREATION

Full-time equated classified positions		820.3
State parks—608.3 FTE positions.....		38,564,900
MacMullan conference center—7.0 FTE positions		1,256,400
Recreational boating—202.0 FTE positions		11,955,800
Michigan civilian conservation corps—3.0 FTE positions.....		3,724,100
GROSS APPROPRIATION.....	\$	55,501,200

Appropriated from:

Interdepartmental grant revenues:

IDG, MacMullan conference center revenue		1,256,400
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Federal revenues:

EPA, federal.....		105,400
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Special revenue funds:

Private funds		283,700
Harbor development fund		241,800

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		For Fiscal Year Ending Sept. 30, 2002
Michigan civilian conservation corps endowment fund	\$	1,491,000
Michigan state parks endowment fund.....		4,490,300
Michigan state waterways fund		11,714,000
Off-road vehicle trail improvement fund.....		147,900
Park improvement fund.....		24,770,800
State general fund/general purpose	\$	10,999,900

Forest resource management.

Sec. 108. FOREST RESOURCE MANAGEMENT

Full-time equated classified positions	339.0		
Timber harvest—102.0 FTE positions.....		\$	8,258,000
Timber marking			2,000,000
Forest cultivation and reforestation—23.0 FTE positions			4,097,900
Forest resource planning and land use—20.0 FTE positions.....			5,126,300
Private forest development—10.5 FTE positions			884,600
Forest finance authority—9.0 FTE positions.....			1,677,600
Adopt-a-forest program.....			50,000
Forest fire protection—141.5 FTE positions.....			10,591,000
Forest recreation—14.5 FTE positions			2,161,300
Forest management initiative			1,100,000
National Christmas tree.....			100,000
National forest management			1,000
Trails—18.5 FTE positions			2,354,900
Forest fire equipment			1,700,000
Cooperative resource programs.....			1,506,500
GROSS APPROPRIATION.....		\$	41,609,100

Appropriated from:

Federal revenues:

DAG, federal.....		1,545,000
EPA, federal.....		1,000

Special revenue funds:

Private funds		806,700
Aircraft fees.....		105,500
Forest camping fee revenue		1,231,500
Forest resource revenue		23,907,100
Game and fish protection fund		2,071,600
Michigan state waterways fund.....		366,200
Off-road vehicle trail improvement fund.....		361,000
Recreation improvement fund.....		282,700
Shop fees		55,700
Snowmobile trail improvement fund.....		1,711,200
State general fund/general purpose	\$	9,163,900

Land and mineral services.

Sec. 109. LAND AND MINERAL SERVICES

Full-time equated classified positions	69.0		
Land records and tax reversions—15.3 FTE positions		\$	2,362,200
Minerals management—15.3 FTE positions.....			1,641,100

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	For Fiscal Year Ending Sept. 30, 2002
Land acquisition and exchange—16.2 FTE positions	\$ 6,791,900
Resource mapping and aerial photography—22.2 FTE positions	3,218,800
Abandoned mineshaft closures.....	350,000
GROSS APPROPRIATION.....	\$ 14,364,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG, land acquisition services to work orders.....	840,400
IDG, engineering services to work orders.....	133,800
Federal revenues:	
DOI, federal.....	2,000
Special revenue funds:	
Air photo fees.....	103,000
Delinquent property tax administration fund	606,900
Forest resource revenue	387,600
Game and fish protection fund	558,300
Land exchange facilitation fund.....	5,367,100
Land sale revenue	2,422,200
Michigan geographic information system revenue.....	20,600
Michigan natural resources trust fund	1,913,700
Michigan state parks endowment fund.....	418,000
Michigan state waterways fund	102,600
Park improvement fund.....	171,600
State general fund/general purpose	\$ 1,316,200

Law enforcement.

Sec. 110. LAW ENFORCEMENT

Full-time equated classified positions.....	270.5
Wildlife resource protection—10.0 FTE positions.....	\$ 1,334,200
General law enforcement—260.5 FTE positions.....	25,449,600
GROSS APPROPRIATION.....	\$ 26,783,800
Appropriated from:	
Federal revenues:	
DOI, federal.....	821,900
DOT, federal.....	1,973,000
Special revenue funds:	
Game and fish - wildlife resource protection fund.....	1,334,200
Game and fish protection fund	15,517,700
Marine safety fund	1,304,800
Off-road vehicle trail improvement fund.....	743,900
Snowmobile registration fee revenue	361,400
State general fund/general purpose	\$ 4,726,900

Payments in lieu of taxes.

Sec. 111. PAYMENTS IN LIEU OF TAXES

Swamp and tax reverted lands	\$ 7,071,500
Purchased lands taxes/open space payments	8,452,700

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	For Fiscal Year Ending Sept. 30, 2002
Commercial forest reserve.....	\$ 2,691,700
GROSS APPROPRIATION.....	\$ 18,215,900
Appropriated from:	
Special revenue funds:	
Game and fish protection fund	1,820,900
Michigan natural resources trust fund	633,400
Michigan state waterways fund	202,500
State general fund/general purpose	\$ 15,559,100

Grants.

Sec. 112. GRANTS

Grant to counties - marine safety	\$ 3,230,000
Federal - land and water conservation fund payments	2,634,000
Federal - forest stewardship grants	625,000
Federal - urban forestry grants.....	400,000
Federal - clean vessel act grants	175,000
Federal - rural community fire protection.....	100,000
Grants to communities - federal oil, gas, and timber payments	3,450,000
Recreation improvement fund grants.....	1,100,000
Snowmobile local grants program	5,480,000
Snowmobile law enforcement grants	1,142,000
Off-road vehicle trail improvement grants	1,374,500
National recreational trails	1,850,000
Game and nongame wildlife fund grants	300,000
Inland fisheries resources grants	200,000
GROSS APPROPRIATION.....	\$ 22,060,500

Appropriated from:

Federal revenues:

DAG, federal.....	1,125,000
DOI, federal	2,809,000
DOI, oil and gas royalty revenue	150,000
DOI-MMS, federal timber revenue	3,300,000
DOT, federal	1,800,000

Special revenue funds:

Private funds	50,000
Game and fish protection fund	200,000
Marine safety fund	3,230,000
Nongame wildlife fund.....	300,000
Off-road vehicle trail improvement fund.....	1,374,500
Recreation improvement fund.....	1,100,000
Snowmobile registration fees	1,142,000
Snowmobile trail improvement fund.....	5,480,000
State general fund/general purpose	\$ 0

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PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Total state spending; payments to local units of government.

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 fiscal year 2001-2002 is \$223,199,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2001-2002 is \$22,587,900.00. 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

Swamp and tax reverted lands	\$	7,071,500
Purchased lands/open space payments		8,452,700
Commercial forest reserve.....		2,691,700

GRANTS

Grants to counties - marine safety	\$	3,230,000
Snowmobile law enforcement		1,142,000
TOTAL	\$	22,587,900

Appropriations subject to §§ 18.1101 to 18.1594.

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.

Definitions.

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) "DOC" means the United States department of commerce.
- (e) "DOD" means the United States department of defense.
- (f) "DOE" means the United States department of energy.
- (g) "DOI" means the United States department of interior.
- (h) "DOI-MMS" means DOI minerals management service.
- (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) "IDT" means intradepartmental transfer.
- (n) "IGLFC" means the international Great Lakes fish commission.

Billing by department of civil service.

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.

Hiring freeze; exceptions.

Sec. 205. (1) Beginning October 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 or to positions that are funded with 80% or more federal or restricted funds.

(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 by the twenty-eighth of each month 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 month and the justification for the exception.

Contingency funds; availability for expenditure.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$3,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

Privatization; project plan.

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.

Transmission of reports via electronic mail; use of Internet.

Sec. 208. Unless otherwise specified in this act, 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. The senate and house of

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representatives appropriations subcommittees and senate and house fiscal agencies shall be notified in writing of the Internet or Intranet site of any such report. Quarterly, the department shall provide to the house and senate appropriations subcommittees on natural resources, the house and senate fiscal agencies, and the state budget office an electronic and paper copy list of the reports submitted during the most recent 3-month period along with the Internet or Intranet site of each report, and a list of those reports expected to be transmitted in the following quarter.

Purchase of foreign goods or services.

Sec. 209. Funds appropriated in part 1 should not be used for the purchase of foreign goods or services, or both, if competitively priced American goods or services, or both, of comparable quality 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 value.

Grant and loan programs; reports.

Sec. 210. (1) From 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, 2002:

(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.

(2) The reports required under this section shall be submitted to the senate and house appropriations committees and the senate and house fiscal agencies by January 1, 2002.

State restricted game and fish protection funds.

Sec. 211. Appropriations of state restricted game and fish protection funds have been made to the following departments and agencies in their respective appropriation bills. The amounts appropriated to these departments and agencies are limited to the amounts listed below:

Department of civil service.....	\$	293,200
Legislative auditor general.....		20,000
Attorney general		683,500
Department of management and budget.....		209,600
Department of treasury.....		4,200

Estimated restricted fund balances, projected revenues, and expenditures; report.

Sec. 212. By February 15, 2002, 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, 2001 and September 30, 2002.

Report.

Sec. 213. On or before February 1, 2002, the department shall provide a report to the senate and house appropriations subcommittees on natural resources, the senate and house standing committees having jurisdiction over natural resources issues, the senate and house fiscal agencies, and the state budget director on all of the following:

(a) Measures undertaken by the department during the fiscal year ending September 30, 2001 to address low lake and river water levels.

(b) Measures undertaken or planned to be undertaken by the department during the fiscal year ending September 30, 2002 to address low lake and river water levels.

(c) An assessment of the impact of low lake and river water levels on the fishing, boating, marina, and tourist industries in this state.

Nonnative, aquatic nuisance species; report.

Sec. 214. (1) The department, in conjunction with the department of environmental quality, shall provide a report on the impact of nonnative, aquatic nuisance species and other nonnative species on the waters and fisheries of the state, including recommendations for reducing or eliminating the negative impacts of such species on the waters and fisheries of the state, and recommendations on how to prohibit new introductions of nonnative aquatic nuisance species and other nonnative species.

(2) The report required in subsection (1) may be included as a part of any report the department is required to prepare that assesses the status of and trends related to the overall state of the natural environment in Michigan. The report shall be submitted to the governor, to the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and to the senate and house appropriations subcommittees on environmental quality and natural resources. The report shall be submitted not later than September 30, 2002.

Receipt and retention of reports; copies.

Sec. 215. 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 and records.

Allocation of restricted funds among department administrative support and regulatory activities.

Sec. 216. (1) 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, 2002. 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.

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(2) If House Bill No. 4912 of the 91st Legislature is enacted into law, 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, 2002.

EXECUTIVE

Members of commission or committee; per diem payment.

Sec. 301. The appropriations in part 1 for the commission may be used for per diem payments to the members of the commission or of committees of the commission for a full day of commission or committee work at which a quorum is present, for attending a hearing as authorized by the commission or committee, or for performing official business as authorized by the commission or committee. The per diem payment for members of the commission shall be \$75.00.

Fish, game, and nongame habitat improvement and treatment projects; report.

Sec. 302. On June 15, 2002, 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 year ending September 30, 2001 and the fiscal year ending September 30, 2002. 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, 2001 or the fiscal year ending September 30, 2002.

ADMINISTRATIVE SERVICES

Game and fish protection fund.

Sec. 401. The following are the estimated general purpose revenues available in the game and fish protection fund for the state fiscal year ending September 30, 2002:

Projected balance from previous year	\$	4,325,600
General purpose licenses		43,925,000
Game and fish protection trust fund interest and earnings.....		5,113,000
Federal indirect revenues		1,600,000
Miscellaneous revenues		800,000
Total general purpose game and fish protection fund	\$	<u>55,763,600</u>

Senior citizen license fee reimbursement.

Sec. 402. Of the state general fund/general purpose resources appropriated in part 1 to administrative services, \$2,300,000.00 is for the game and fish protection fund to provide senior citizen license fee reimbursement under section 43546 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43546.

Engineering services.

Sec. 403. 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, 2002, 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.

Website; display in fishing guide.

Sec. 404. The department shall prominently display in a prominent place in the fishing guide provided to each licensed fisher, 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.

DEPARTMENTAL OPERATIONAL SUPPORT

Gifts, bequests, grants, and donations; report.

Sec. 501. On February 1, 2002, the department shall report to the senate and house appropriations subcommittees on natural resources and to the senate and house fiscal agencies on gifts, bequests, grants, and donations. The report shall include both of the following:

- (a) The amount of contributions, gifts, bequests, grants, and donations received by the department for the fiscal year ending September 30, 2001.
- (b) A listing of the expenditures made from the amounts reported under subdivision (a).

WILDLIFE MANAGEMENT

Livestock losses by wolves; indemnification.

Sec. 601. Of the funds appropriated in section 105, the department shall reimburse the department of agriculture for costs incurred for indemnification payments for livestock losses caused by wolves under the animal industry act of 1987, 1988 PA 466, MCL 287.701 to 287.745.

Bovine tuberculosis; monitoring and testing wildlife.

Sec. 602. The department of natural resources shall request reimbursement from the department of agriculture for those costs associated with monitoring and testing wildlife for bovine tuberculosis which are jointly agreed to by the department of agriculture and the department of natural resources to be in excess of efforts necessary to eradicate bovine tuberculosis from Michigan's wild free-ranging cervidae populations.

Wildlife biologist positions.

Sec. 603. The appropriation in part 1 for wildlife management includes funding for 4 wildlife biologist positions to assist the investigation and analysis of harvested deer for the presence of bovine TB.

FISHERIES MANAGEMENT

Non-water-quality studies or requirements.

Sec. 701. 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 section 401 of the federal water pollution control act, title IV of chapter 758, 86 Stat. 877, 33 U.S.C. 1341.

(b) The federal energy regulatory commission as a condition of licensing under the federal power act, chapter 285, 41 Stat. 1063, 16 U.S.C. 791a to 793, 796 to 797, 798 to 818, 820 to 824a, and 824b to 825r.

Stream habitat stabilization and soil erosion control; grants.

Sec. 702. (1) From the appropriation in section 106 for stream habitat improvement, 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

Michigan state parks endowment fund; appropriations.

Sec. 801. 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, 2002.

Disposal of sanitary or storm water sewerage; feasibility.

Sec. 802. The department shall develop a feasibility study to comply with each lake water protection plan which requires owners of lakefront property to transport and dispose of sanitary sewerage or storm water sewerage, or both, at an off-site location. The department shall provide a copy of each study to each legislator who represents the district where the lakefront property is located, and to the senate and house appropriations subcommittees on natural resources.

Construction projects involving campsite or campground closures; reports; reduction in operations or recreation opportunities; notice.

Sec. 803. (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. These reports shall be provided to the house and senate appropriations subcommittees on natural resources and environmental quality and the house and senate fiscal agencies not later than April 1, 2002.

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

Development of tricentennial state park in city of Detroit; assistance of Michigan civilian conservation corps enrollees.

Sec. 804. Of the appropriation in part 1 for Michigan civilian conservation corps, \$200,000.00 shall be available to employ Michigan civilian conservation corps enrollees to assist in the development of the tricentennial state park in the city of Detroit.

FOREST RESOURCE MANAGEMENT

Timber management; considerations; workgroup.

Sec. 901. (1) 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. 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.

(2) The department is encouraged to continue workgroup efforts to develop an old growth forest stewardship strategy.

Forest resource revenue; determinations; report; expenditure.

Sec. 902. (1) Amounts appropriated in part 1 in the timber marking appropriation line item shall not be expended until the department has determined that forest resource revenue available for expenditure in the fiscal year ending September 30, 2002 exceeds \$23,857,700.00.

(2) The department shall make determinations and report quarterly to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies on the level of forest resource revenue projected to be available for expenditure during the fiscal year ending September 30, 2002.

(3) If the condition in subsection (1) is met, the department may spend forest resource revenue available in excess of \$23,857,700.00 and that is appropriated in part 1 in the timber marking appropriation line item to employ up to an additional 20 full-time temporary employees to mark timber, pursuant to section 901.

Wildfire suppression; standby aircraft locations.

Sec. 903. From the amounts appropriated in section 109, the department shall establish 3 standby locations for aircraft that may be used for wildfire suppression.

Waste material disposal.

Sec. 904. 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.

Legacy of trees program.

Sec. 905. Of the appropriations in part 1 for forest resources management, up to \$600,000.00 may be used in the Detroit area to support the legacy of trees program. No funds appropriated for the legacy of trees program shall be used to create amenities for casinos.

Federal forest management; funding contingency.

Sec. 906. The appropriation in part 1 for federal forest management is contingent upon the delegation of timber management responsibilities by the U.S. department of agriculture. Additional funding may be provided for this purpose, pursuant to section 206.

Dispersed camping; fees.

Sec. 907. Forest camping fees shall not be assessed for dispersed camping in Michigan state forests.

LAND AND MINERAL SERVICES

Land acquisition projects.

Sec. 1001. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2002, 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.

Land sale fund.

Sec. 1002. The land sale fund is created. An amount equal to the cost of personal services, printing, postage, advertising, contractual services, and facility rental associated with tax reverted lands shall be deducted from the sales and credited to the land sale fund.

Abandoned mine shaft closures.

Sec. 1003. The funds appropriated in part 1 for abandoned mine shaft closures are considered work project appropriations and any unencumbered funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to restrict access to or cap abandoned mine shafts.
- (b) The projects will be accomplished by contract and state employees.
- (c) The total estimated cost is identified in the line-item appropriation.
- (d) The tentative completion date is September 30, 2006.

Unified surface and subsurface oil and gas ownership program; progress report.

Sec. 1004. The department shall report progress on the unified surface and subsurface oil and gas ownership program required by 1998 PA 117. This report shall be provided to the house and senate appropriations subcommittees on natural resources and environmental quality and the house and senate fiscal agencies on March 1, 2002.

LAW ENFORCEMENT

Snowmobile law enforcement grants to counties.

Sec. 1101. The appropriation in section 113 for snowmobile law enforcement grants shall be used to provide grants to county law enforcement agencies in counties with state snowmobile trails 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 trails in each county in allocating these grants. Any funds not distributed to counties revert back to the local law enforcement fund. Counties shall provide semiannual and annual reports to the department.

GRANTS

Grants to local fire protection departments.

Sec. 1201. 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 and with publicly owned forested land.

Off-road vehicle trail improvement grants; availability.

Sec. 1202. Of the amount appropriated in section 113 for off-road vehicle trail improvement grants, not less than \$25,000.00 shall be available for a county that contains a state park off-road vehicle area and applies for law enforcement assistance to regulate off-road vehicle use.

Additional pass-through funds.

Sec. 1203. 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. The department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget office on all amounts appropriated under this section.

This act is ordered to take immediate effect.

Approved July 19, 2001.

Filed with Secretary of State July 23, 2001.
