

**SUBSTITUTE FOR
HOUSE BILL NO. 5873**

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2045. (1) The department shall distribute recreation
2 passport fee revenue as follows:
3 (a) First, for necessary expenses incurred by the secretary of
4 state each state fiscal year in administration and implementation
5 of section 805 of the Michigan vehicle code, 1949 PA 300, MCL
6 257.805. Funds appropriated for necessary expenses shall be based
7 upon an established cost allocation methodology that reflects
8 actual costs. Appropriations under this subdivision in a state
9 fiscal year shall not exceed \$1,000,000.00.



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

(c) The next \$1,030,000.00 received each fiscal year shall be deposited in the waterways account.

~~(d) The remaining revenue~~ **If the participation rate for the prior state fiscal year, as reported under subsection (2), was less than 55.0%, the revenue remaining after the application of subdivisions (a) to (c) and subsection (3) each state fiscal year shall be deposited and used as follows:**

~~(i) 50%—80% in the state park improvement account to be used for capital improvements, at state parks, including state recreation areas.~~

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

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

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

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

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

(iv) ~~(v)~~ 10% in the local public recreation facilities fund created in section 1911, to be used for development of public



1 recreation facilities for local units of government.

2 (v) ~~(vi)~~—7% in the forest recreation account to be used for
 3 operating, maintaining, and making capital improvements to state
 4 forest campgrounds and the state forest system of pathways and
 5 nonmotorized trails, including, but not limited to, equestrian
 6 trails.

7 (e) If the participation rate for the prior state fiscal year,
 8 as reported under subsection (2), was 55.0% or more, the revenue
 9 remaining after the application of subdivisions (a) to (c) and
 10 subsection (3) each state fiscal year shall be deposited and used
 11 as follows:

12 (i) 70% in the state park improvement account to be used for
 13 capital improvements, operations, and maintenance at state parks,
 14 including state recreation areas.

15 (ii) 2.75% in the state park improvement account to be used for
 16 the purposes described in subdivision (d) (iii).

17 (iii) 0.25% in the state park improvement account to be used for
 18 the purposes described in subdivision (d) (iv).

19 (iv) 20% in the local public recreation facilities fund created
 20 in section 1911, to be used for the purposes described in
 21 subdivision (d) (v).

22 (v) 7% in the forest recreation account to be used for the
 23 purposes described in subdivision (d) (vi).

24 (2) By August 1 each year, the department of state shall
 25 report to the department of natural resources the participation
 26 rate for the prior state fiscal year.

27 (3) ~~(2)~~—For each state fiscal year, beginning with the 2011-
 28 2012 state fiscal year, the state treasurer shall adjust the
 29 amounts set forth in subsection (1) (b) and (c) by an amount



determined by the state treasurer to reflect the cumulative percentage change in the ~~consumer price index for~~ **Consumer Price Index since October 1, 2010, as of** the most recent 1-year period for which data are available. ~~As used in this subsection, "consumer price index" means the most comprehensive index of consumer prices available for this state from the bureau of labor statistics of the United States department of labor.~~

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

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

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

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

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



1 (5) ~~(4)~~—The legislature shall annually appropriate from the
2 general fund a sum equal to the amount estimated under subsection
3 ~~(3)~~—(4). The sum appropriated shall be distributed as provided in
4 subsection (1)(d) **or (e), as applicable.**

5 (6) ~~(5)~~—The department shall submit a report to the standing
6 committees and appropriations subcommittees of the legislature with
7 jurisdiction over issues pertaining to natural resources and the
8 environment by February 1 each year. The report shall provide
9 information on all of the following for the preceding state fiscal
10 year:

11 (a) The total amount of recreation passport fee revenue
12 received by the department and the amounts allocated under
13 subsection (1).

14 (b) The total amount of annual and daily state park motor
15 vehicle permit fee revenue received by the department under section
16 74117.

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

20 (d) Details on the specific uses of the revenue described in
21 subdivisions (a), (b), and (c) and the amounts expended for each
22 specific use.

23 (e) The amount of revenue received during the preceding state
24 fiscal year under subsection ~~(4)~~—(6).

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

28 (g) The impact of the state park revenue stream described in
29 subdivisions (a), (b), and (d) on the Michigan state parks



1 endowment fund created in section 35a of article IX of the state
2 constitution of 1963 and provided for in section 74119.

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

5 (7) ~~(6)~~—By February 1, 2012 and every 2 years thereafter, the
6 department shall submit a report to the standing committees and
7 appropriations subcommittees of the legislature with jurisdiction
8 over issues pertaining to natural resources and the environment.
9 The report shall provide information on how frequently motor
10 vehicles for which the registrant declined to pay the recreation
11 passport fee entered state parks and state-operated public boating
12 access sites designated under section 78105 during the registration
13 period. The information shall be based on random audits conducted
14 by the department. A report under this subsection may be combined
15 with a report required under subsection ~~(5)~~ **(6)**.

16 (8) ~~(7)~~—The department may prepare a list of frequently asked
17 questions and answers concerning the recreation passport fee. The
18 department and the department of state may post the information on
19 their websites. The department of state may provide the information
20 with any applications for registration of motor vehicles that are
21 mailed by the department of state.

22 **(9) As used in this section:**

23 **(a) "Consumer Price Index" means the most comprehensive index**
24 **of consumer prices available for this state from the Bureau of**
25 **Labor Statistics of the United States Department of Labor.**

26 **(b) "Participation rate" means the percentage of registered**
27 **motor vehicles, other than commercial motor vehicles, for which the**
28 **recreation passport fee was paid for the year of registration.**

