

Act No. 147
Public Acts of 2003
Approved by the Governor*
August 7, 2003
Filed with the Secretary of State
August 8, 2003
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*Item Vetoes

Sec. 108. FOREST, MINERAL, AND FIRE MANAGEMENT		
Bennett arboretum	\$	20,000 (Page 5)
Sec. 111. GRANTS		
Sebewaing Harbor Commission flood control		50,000 (Page 6)
Sec. 603.		
Entire Section. (Page 12)		

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2003**

Introduced by Rep. Shulman

ENROLLED HOUSE BILL No. 4400

AN ACT to make appropriations for the department of natural resources for the fiscal years ending September 30, 2003 and September 30, 2004; 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 FOR FISCAL YEAR 2003-2004

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, 2004, 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	2,088.5	
GROSS APPROPRIATION.....		\$ 254,243,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		3,437,900
ADJUSTED GROSS APPROPRIATION.....		\$ 250,805,200
Federal revenues:		
Total federal revenues		33,706,600
Special revenue funds:		
Total local revenues		0
Total private revenues.....		1,871,400
Total other state restricted revenues		186,403,700
State general fund/general purpose		\$ 28,823,500

DEPARTMENT OF NATURAL RESOURCES - FUNDING SOURCE SUMMARY

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,088.5	
GROSS APPROPRIATION.....		\$ 254,243,100

Interdepartmental grant revenues:	
IDG, engineering services to work orders.....	\$ 1,472,800
IDG, MacMullan conference center revenue	1,300,600
IDG, land acquisition services to work orders.....	664,500
Total interdepartmental grants and intradepartmental transfers	3,437,900
ADJUSTED GROSS APPROPRIATION.....	\$ 250,805,200
Federal revenues:	
DAG, federal.....	6,831,700
DOC, federal.....	60,900
DOE, federal.....	1,000
DOD, federal.....	31,000
DOI, federal.....	18,880,000
DOI, oil and gas royalty revenue	150,000
DOI, timber revenue.....	3,300,000
DOT, federal.....	4,203,300
EPA, federal.....	248,700
Total federal revenues	33,706,600
Special revenue funds:	
Private funds	1,271,400
Private - gift revenues.....	500,000
Private - IGLFC.....	100,000
Total private revenues.....	1,871,400
Air photo fees - geographic information system.....	135,000
Aircraft fees.....	219,900
Automated license system revenue.....	429,300
Clean Michigan initiative fund	277,800
Delinquent property tax administration fund	1,765,900
Forest recreation fund.....	1,120,700
Forest resource revenue	25,575,500
Game and fish protection fund	60,771,500
Game and fish protection fund - deer habitat reserve.....	2,263,100
Game and fish protection fund - turkey permit fees.....	1,457,200
Game and fish protection fund - waterfowl fees.....	90,500
Game and fish - wildlife resource protection fund.....	1,344,100
Harbor development fund.....	245,900
Land exchange facilitation fund.....	5,503,100
Marine safety fund	4,588,200
Michigan civilian conservation corps endowment fund	1,000,000
Michigan state parks endowment fund.....	11,576,600
Michigan state waterways fund	14,980,200
Michigan natural resources trust fund	4,134,800
Nongame wildlife fund.....	592,500
Off-road vehicle trail improvement fund.....	2,759,800
Safety education fund	344,300
Park improvement fund.....	33,562,300
Publication revenue.....	58,700
Recreation improvement fund.....	1,414,400
Shop fees	56,300
Snowmobile registration fee revenue	1,780,100
Snowmobile trail improvement fund.....	8,356,000
Total other state restricted revenues	186,403,700
State general fund/general purpose	\$ 28,823,500

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0
Full-time equated classified positions.....	42.6
Commission (including travel expense—per diem)	\$ 90,000
Unclassified salaries—6.0 FTE positions	438,600

	For Fiscal Year Ending Sept. 30, 2004
Education and outreach—32.6 FTE positions	\$ 2,991,500
Executive direction—10.0 FTE positions	1,711,900
GROSS APPROPRIATION	\$ 5,232,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MacMullan conference center revenue	21,400
Special revenue funds:	
Aircraft fees.....	500
Air photo fees - geographic information system.....	10,500
Automated license system revenue.....	3,000
Delinquent property tax administration fund	9,000
Forest resource revenue	266,100
Game and fish protection fund	1,789,900
Harbor development fund	600
Land exchange facilitation fund	37,100
Marine safety fund	41,300
Michigan civilian conservation corps endowment fund	500
Michigan natural resources trust fund	7,600
Michigan state parks endowment fund.....	28,800
Michigan state waterways fund	308,800
Nongame wildlife fund.....	4,800
Off-road vehicle trail improvement fund.....	2,700
Park improvement fund.....	1,876,900
Publications revenue	500
Recreation improvement fund.....	5,200
Snowmobile registration fee revenue	4,200
Snowmobile trail improvement fund.....	32,200
State general fund/general purpose	\$ 780,400

Sec. 103. ADMINISTRATIVE SERVICES

Full-time equated classified positions	237.2
Budget and support services—10.0 FTE positions	\$ 776,200
Grants, contracts, and customer systems—31.0 FTE positions.....	5,241,700
Human resources—24.0 FTE positions	2,045,700
Office of financial services—26.0 FTE positions.....	2,253,500
Office of land and facilities—134.2 FTE positions	16,704,600
Program assistance and review—12.0 FTE positions	738,700
GROSS APPROPRIATION	\$ 27,760,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MacMullan conference center revenue	1,279,200
IDG, engineering services to work orders.....	1,472,800
IDG, land acquisition services to work orders.....	664,500
Federal revenues:	
DOI, federal	320,300
Special revenue funds:	
Aircraft fees.....	112,900
Air photo fees - geographic information system.....	700
Automated license system revenue.....	426,300
Clean Michigan initiative fund	277,800
Delinquent property tax administration fund	1,720,800
Forest resource revenue	1,659,300
Game and fish protection fund	8,600,100
Land exchange facilitation fund	5,424,400
Marine safety fund	368,600
Michigan natural resources trust fund	756,500
Michigan state parks endowment fund.....	46,000
Michigan state waterways fund	883,700

	For Fiscal Year Ending Sept. 30, 2004
Michigan civilian conservation corps endowment fund	\$ 5,900
Nongame wildlife fund.....	3,700
Off-road vehicle trail improvement fund.....	63,200
Park improvement fund.....	1,377,800
Publication revenue.....	58,200
Recreation improvement fund.....	5,300
Snowmobile registration fee revenue	65,600
Snowmobile trail improvement fund.....	77,100
State general fund/general purpose	\$ 2,089,700

Sec. 104. DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges.....	\$ 2,000,100
Rent - privately owned property.....	335,700
Gifts and bequests.....	500,000
GROSS APPROPRIATION.....	\$ 2,835,800
Appropriated from:	
Special revenue funds:	
Private - gift revenues.....	500,000
Forest resource revenue	753,100
Game and fish protection fund	726,900
Marine safety fund	44,600
Michigan state parks endowment fund.....	211,200
Michigan state waterways fund	203,800
Michigan natural resources trust fund	62,700
Snowmobile trail improvement fund.....	20,800
Park improvement fund.....	304,800
State general fund/general purpose	\$ 7,900

Sec. 105. WILDLIFE MANAGEMENT

Full-time equated classified positions	191.0
Wildlife administration—14.5 FTE positions	\$ 1,448,200
Wildlife management—167.5 FTE positions	22,158,100
Natural resources heritage—9.0 FTE positions	1,192,700
State game and wildlife area maintenance	200,000
GROSS APPROPRIATION.....	\$ 24,999,000
Appropriated from:	
Federal revenues:	
DOD, federal.....	31,000
DOI, federal.....	9,983,500
EPA, federal.....	1,000
Special revenue funds:	
Private funds	100,000
Game and fish protection fund	8,626,800
Game and fish protection fund - deer habitat reserve.....	2,020,100
Game and fish protection fund - turkey permit fees.....	1,457,200
Game and fish protection fund - waterfowl fees.....	90,500
Nongame wildlife fund.....	563,600
State general fund/general purpose	\$ 2,125,300

Sec. 106. FISHERIES MANAGEMENT

Full-time equated classified positions	225.0
Fisheries administration—8.5 FTE positions.....	\$ 959,600
Fisheries resource management—159.1 FTE positions	15,756,600
Fish production—57.4 FTE positions	7,372,400
Stream habitat improvement	1,284,800
GROSS APPROPRIATION.....	\$ 25,373,400

Appropriated from:	
Federal revenues:	
DOE, federal.....	\$ 1,000
DOC, federal.....	45,900
DOI, federal.....	7,410,400
EPA, federal.....	142,100
Special revenue funds:	
Private - IGLFC.....	100,000
Game and fish protection fund.....	17,651,900
State general fund/general purpose.....	\$ 22,100

Sec. 107. PARKS AND RECREATION

Full-time equated classified positions.....	785.7	
State parks—581.2 FTE positions.....	\$ 38,285,700	
State park improvement revenue bonds - debt service.....	1,081,900	
Recreational boating—201.5 FTE positions.....	12,306,700	
Michigan civilian conservation corps—3.0 FTE positions.....	993,600	
GROSS APPROPRIATION.....	\$ 52,667,900	

Appropriated from:	
Federal revenues:	
EPA, federal.....	104,600
Special revenue funds:	
Private funds.....	316,600
Harbor development fund.....	245,300
Michigan civilian conservation corps endowment fund.....	993,600
Michigan state parks endowment fund.....	10,753,700
Michigan state waterways fund.....	12,061,400
Off-road vehicle trail improvement fund.....	211,700
Park improvement fund.....	27,981,000
State general fund/general purpose.....	\$ 0

Sec. 108. FOREST, MINERAL, AND FIRE MANAGEMENT

Full-time equated classified positions.....	334.5	
Forest and timber treatments—114.0 FTE positions.....	\$ 12,378,700	
Forest management planning—13.0 FTE positions.....	4,556,900	
Adopt-a-forest program.....	50,000	
Forest fire protection—137.5 FTE positions.....	9,506,000	
Forest recreation and trails—33.0 FTE positions.....	4,400,000	
Minerals management—17.3 FTE positions.....	1,979,700	
Bennett arboretum.....	20,000	
Cooperative resource programs—10.5 FTE positions.....	3,112,100	
Forest management initiative—9.2 FTE positions.....	1,009,000	
Forest fire equipment.....	1,700,000	
GROSS APPROPRIATION.....	\$ 38,712,400	

Appropriated from:	
Federal revenues:	
DAG, federal.....	2,056,700
DOI, federal.....	2,000
EPA, federal.....	1,000
Special revenue funds:	
Private funds.....	804,800
Aircraft fees.....	106,500
Air photo fees - geographic information system.....	103,000
Forest recreation fund.....	1,120,700
Forest resource revenue.....	21,360,900
Game and fish protection fund.....	1,781,800
Michigan state waterways fund.....	340,500

	For Fiscal Year Ending Sept. 30, 2004
Michigan natural resources trust fund	\$ 1,106,400
Michigan state parks endowment fund.....	496,700
Off-road vehicle trail improvement fund.....	363,700
Recreation improvement fund.....	284,900
Shop fees	56,300
Snowmobile trail improvement fund.....	1,745,900
State general fund/general purpose	\$ 6,980,600
 Sec. 109. LAW ENFORCEMENT	
Full-time equated classified positions.....	272.5
Wildlife resource protection—10.0 FTE positions.....	\$ 1,332,500
General law enforcement—262.5 FTE positions.....	25,504,300
GROSS APPROPRIATION.....	\$ 26,836,800
Appropriated from:	
Federal revenues:	
DOC, federal.....	15,000
DOI, federal.....	1,062,800
DOT, federal.....	2,403,300
Special revenue funds:	
Game and fish - wildlife resource protection fund.....	1,332,500
Game and fish protection fund	15,619,800
Marine safety fund	1,304,800
Off-road vehicle trail improvement fund.....	744,000
Safety education fund	50,000
Snowmobile registration fee revenue	564,600
State general fund/general purpose	\$ 3,740,000
 Sec. 110. PAYMENTS IN LIEU OF TAXES	
Swamp and tax reverted lands	\$ 7,071,500
Purchased lands	8,272,800
Commercial forest reserve.....	2,691,700
GROSS APPROPRIATION.....	\$ 18,036,000
Appropriated from:	
Special revenue funds:	
Game and fish protection fund	4,668,300
Michigan natural resources trust fund	1,214,700
Michigan state waterways fund	376,900
State general fund/general purpose	\$ 11,776,100
 Sec. 111. GRANTS	
Grant to counties - marine safety	\$ 2,805,000
Federal - land and water conservation fund payments.....	1,000
Federal - forest stewardship grants	625,000
Federal - urban forestry grants.....	3,900,000
Federal - rural community fire protection.....	250,000
Federal - clean vessel act grants	100,000
Grants to communities - federal oil, gas, and timber payments	3,450,000
Recreation improvement fund grants	1,100,000
Sebewaing Harbor Commission flood control	50,000
Snowmobile local grants program	6,480,000
Snowmobile law enforcement grants	1,142,000
Off-road vehicle safety training grants.....	294,300
Off-road vehicle trail improvement grants	1,374,500
National recreational trails	1,850,000
Game and nongame wildlife fund grants.....	10,000
Inland fisheries resources grants	200,000
GROSS APPROPRIATION.....	\$ 23,631,800

Appropriated from:	
Federal revenues:	
DAG, federal.....	\$ 4,775,000
DOI, federal.....	101,000
DOI, federal oil and gas royalty revenue.....	150,000
DOI, 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.....	2,805,000
Michigan state waterways fund.....	50,000
Nongame wildlife fund.....	10,000
Off-road vehicle trail improvement fund.....	1,374,500
Safety education fund.....	294,300
Recreation improvement fund.....	1,100,000
Snowmobile registration fee revenue.....	1,142,000
Snowmobile trail improvement fund.....	6,480,000
State general fund/general purpose.....	\$ 0

Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects.....	\$ 8,157,500
GROSS APPROPRIATION.....	\$ 8,157,500

Appropriated from:	
Special revenue funds:	
Air photo fees - geographic information system.....	20,800
Delinquent property tax administration fund.....	36,100
Forest resource revenue.....	1,536,100
Game and fish protection fund.....	1,106,000
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
Michigan natural resources trust fund.....	986,900
Michigan state parks endowment fund.....	40,200
Michigan state waterways fund.....	755,100
Nongame wildlife fund.....	10,400
Park improvement fund.....	2,021,800
Recreation improvement fund.....	19,000
Snowmobile registration fee revenue.....	3,700
State general fund/general purpose.....	\$ 1,301,300

Sec. 113. FEDERAL ADVISORY REPORT

Game and fish protection fund.....	\$ 100
GROSS APPROPRIATION.....	\$ 100
Appropriated from:	
State general fund/general purpose.....	\$ 100

PART 1A

LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2002-2003

Sec. 151. 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, 2003, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF NATURAL RESOURCES

FUND SOURCE SUMMARY:

GROSS APPROPRIATION.....	\$	100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	100
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues.....		0
Total other state restricted revenues		0
State general fund/general purpose	\$	100

Sec. 152. FEDERAL ADVISORY REPORT

Game and fish protection fund	\$	100
GROSS APPROPRIATION.....	\$	100
Appropriated from:		
State general fund/general purpose	\$	100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2003-2004

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, 2004 is \$215,227,200.00 and state spending from state resources to be paid to local units of government for the fiscal year ending September 30, 2004 is \$21,983,000.00. 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	8,272,800
Commercial forest reserves.....	2,691,700

GRANTS

Grants to counties - marine safety	2,805,000
Snowmobile law enforcement.....	1,142,000
TOTAL	\$ 21,983,000

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) "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) "DOT" means the United States department of transportation.

- (i) "EPA" means the United States environmental protection agency.
- (j) "FTE" means full-time equated.
- (k) "IDG" means interdepartmental grant.
- (l) "IGLFC" means the international Great Lakes fish commission.

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) Beginning October 1, 2003, 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 exception.

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. 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.

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.

Sec. 210. By February 15, 2004, 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, 2003 and September 30, 2004.

Sec. 211. 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. 212. (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, 2004:

- (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, 2003.

(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, 2004.

Sec. 213. 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.....		21,400
Attorney general		640,800
Department of management and budget.....		320,500
Department of treasury.....		4,200

Sec. 214. (1) Before January 16, 2004, the department, in cooperation with the Michigan state waterways commission, shall report to the executive budget office, 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 executive budget office, the senate and house fiscal agencies, and the senate and house of representatives appropriations subcommittees on natural resources in January 2004 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. 215. 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, 2004. 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. 216. 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, 2004.

Sec. 217. 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. 218. 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. 219. The department of information technology shall establish a schedule of rates, user fees, and charges or assessments for standard services and information system support requirements to be made to departments for technology-related services and projects. This schedule, as well as copies of related interagency agreements, shall be provided to the state budget office and the house of representatives and senate committees on appropriations before October 15, 2003. The department of natural resources shall not process any payments or fund transfers to the department of information technology until the schedule of rates, user fees, and assessments is provided to the legislature and the department of natural resources.

EXECUTIVE

Sec. 301. On June 15, 2004, 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, 2003 and September 30, 2004. 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, 2003 or September 30, 2004.

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, 2004, 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, 2004, 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. 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 used to purchase the parcel, and the type of transaction, such as tax reversion, purchase, public auction, transfer, exchange, or other type of transaction. The report shall be submitted to the senate and house appropriations subcommittees on natural resources within 21 days of the end of each fiscal quarter.

Sec. 406. The department is encouraged to offer the land occupied by the Roscommon airport for lease or sale.

Sec. 407. The department shall provide a commission subsidy to offset the dealer cost of credit card license sales. This cost reimbursement shall not exceed 5% of the license sales.

Sec. 408. 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, 2004 and September 30, 2004, 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 of 1987, 1988 PA 466, MCL 287.701 to 287.745.

FISHERIES MANAGEMENT

Sec. 601. 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 title IV of the federal water pollution control act, 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.

Sec. 602. (1) From the appropriation in part 1 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.

Sec. 603. From the funds appropriated in part 1 for fisheries resource management, \$22,100.00 is provided to the Big Rapids area foundation for completion of the riverwalk project.

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, 2004.

Sec. 702. The department shall provide trash receptacles and regular trash collection services in all public use areas located in state parks.

Sec. 703. (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 environmental quality and the house and senate fiscal agencies not later than April 1, 2004.

(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.

Sec. 704. From the funds appropriated in part 1, the department shall attempt to place an appropriate number of defibrillators in state parks. State parks may accept donations of defibrillators.

Sec. 705. On September 30, 2004, 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. Except as provided in the current request for proposals process, the department shall not alter or halt operations of the ski hill or demolish buildings related to the ski hill in Porcupine Mountains wilderness state park until this report is received. The department shall collaborate with travel Michigan for both the marketing and promotion of the ski hill and in locating an operating partner through a competitive bidding process.

Sec. 706. As a condition of expenditure of appropriations under part 1 for state parks, the department shall not enter into a lease, concession, or other agreement for the operation of a farm on state park property with a party that has an annual operating budget of less than \$100,000.00, that employs fewer than 2 individuals, or that has not been recognized by the United States government as a 501(c) tax-exempt organization by issuance of an internal revenue service letter of final determination. The party must be licensed to solicit donations under the charitable organizations and solicitation act, 1975 PA 169, MCL 400.271 to 400.294, and must provide a financial statement audited or reviewed by a certified public accountant to the department at the time the lease, concession, or agreement is awarded.

Sec. 707. The department shall collaborate with the department of history, arts, and libraries to begin implementation of the department of natural resources' recommendations for a system of water trails in the state as part of the statewide recreation plan.

FOREST, MINERAL, AND FIRE MANAGEMENT

Sec. 801. 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 2003 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. 802. 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 801.

Sec. 803. 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. 804. 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. 805. It is the intent of the legislature that there shall be at least 1 owner or operator of an off-road vehicle dealership among the members of the off-road vehicle trails advisory committee.

Sec. 806. As a condition of expenditure of appropriations in part 1, on October 1, 2003 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. 807. Forest camping fees shall not be assessed for dispersed camping in state forests.

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 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 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 office on all amounts appropriated under this section during the fiscal year ending September 30, 2003.

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 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.

FEDERAL ADVISORY REPORT

Sec. 1201. The amount appropriated in part 1 for the game and fish protection fund is an appropriation from the general fund to the game and fish protection fund pursuant to the settlement agreement addressing issues raised in the advisory report from the United States fish and wildlife service dated February 5, 2003. Pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, the department shall request the approval of transfers by the legislature from unobligated appropriation balances to the appropriation for the game and fish protection fund of up to \$556,000.00.

PART 2A

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2002-2003

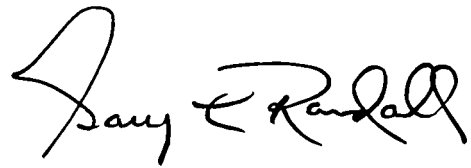
GENERAL SECTIONS

Sec. 1301. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1A for fiscal year 2002-2003 is \$100.00, and state spending from state resources to be paid to local units of government for fiscal year 2002-2003 is \$0.00.

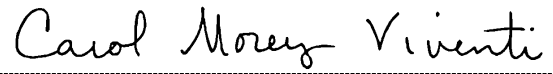
FEDERAL ADVISORY REPORT

Sec. 1401. The amount appropriated in part 1A for the game and fish protection fund is an appropriation from the general fund to the game and fish protection fund pursuant to the settlement agreement addressing issues raised in the advisory report from the United States fish and wildlife service dated February 5, 2003. Pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, the department shall request the approval of transfers by the legislature from unobligated appropriation balances to the appropriation for the game and fish protection fund of up to \$556,000.00.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor