

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.1903 Expenditures; applicability of MCL 324.2132a.

Sec. 1903. (1) Subject to the limitations of this part and of section 35 of article IX of the state constitution of 1963, the interest and earnings of the trust fund in any 1 state fiscal year may be expended in subsequent state fiscal years only for the following purposes:

(a) Acquisition of land or rights in land for recreational uses or protection of the land because of its environmental importance or its scenic beauty.

(b) Development, renovation, and redevelopment of public recreation facilities.

(c) Administration of the trust fund, including payments in lieu of taxes on state-owned land purchased through the trust fund. The legislature shall make appropriations from the trust fund each state fiscal year to make full payments in lieu of taxes on state-owned land purchased through the trust fund, as provided in section 2154.

(2) An expenditure from the trust fund may be made in the form of a grant to a local unit of government or public authority, subject to all of the following conditions:

(a) The grant is used for the purposes described in subsection (1).

(b) The grant is matched by the local unit or public authority with at least 25% of the total cost of the project.

(3) Not less than 25% of the money made available for expenditure from the trust fund from any state fiscal year shall be expended for acquisition of land and rights in land for recreational uses or protection of the land because of its environmental importance or its scenic beauty, and not less than 25% of the money made available for expenditure from the trust fund from any state fiscal year shall be expended for development, renovation, and redevelopment of public recreation facilities.

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

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

(i) The net proceeds of the sale.

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

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

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

(5) This part is subject to section 2132a.

History: Add. 1995, Act 60, Imd. Eff. May 24, 1995;—Am. 2002, Act 52, Eff. Sept. 21, 2002;—Am. 2011, Act 117, Imd. Eff. July 20, 2011;—Am. 2018, Act 166, Imd. Eff. June 4, 2018;—Am. 2018, Act 238, Eff. Sept. 25, 2018;—Am. 2018, Act 597, Eff. Dec. 19, 2020.

Compiler's note: Enacting section 3 of Act 597 of 2018 provides:

"Enacting section 3. This amendatory act does not take effect unless Senate Joint Resolution O of the 99th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

Senate Joint Resolution O was agreed to by the House of Representatives and the Senate on December 21, 2018, and filed with the Secretary of State December 27, 2018. The proposed amendment to the constitution was submitted to, and approved, by the electors on November 3, 2020, and became effective December 19, 2020.

Popular name: Act 451

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