

SUBSTITUTE FOR
SENATE BILL NO. 1106

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2009; 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:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. Subject to the conditions set forth in this act, the
4 amounts listed in this part are appropriated for the department of

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natural resources for the fiscal year ending September 30, 2009,
 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..... 2,164.9

GROSS APPROPRIATION..... \$ <<274,579,700>>

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 3,802,200

ADJUSTED GROSS APPROPRIATION..... \$ <<270,777,500>>

Federal revenues:

Total federal revenues..... 49,909,100

Special revenue funds:

Total local revenues..... 0

Total private revenues..... 3,245,000

Total other state restricted revenues..... <<204,203,600>>

State general fund/general purpose..... \$ 13,419,800

FUND SOURCE SUMMARY:

Full-time equated unclassified positions..... 6.0

Full-time equated classified positions..... 2,164.9

GROSS APPROPRIATION..... \$ <<274,579,700>>

Interdepartmental grant revenues:

IDG, engineering services to work orders..... 1,972,100

IDG, land acquisition services to work orders..... 417,000

IDG, MacMullan conference center revenue..... 1,413,100

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1	Total interdepartmental grants and intradepartmental	
2	transfers	3,802,200
3	ADJUSTED GROSS APPROPRIATION	\$ <<270,777,500>>
4	Federal revenues:	
5	DAG, federal	13,352,700
6	DHS, federal	6,144,300
7	DOC, federal	71,400
8	DOE, federal	1,000
9	DOI, federal	27,951,900
10	DOT, federal	2,100,000
11	EPA, federal	287,800
12	Total federal revenues	49,909,100
13	Special revenue funds:	
14	Private funds	3,245,000
15	Total private revenues	3,245,000
16	Aircraft fees	257,200
17	Cervidae licensing and inspection fees	165,100
18	Clean Michigan initiative fund	45,900
19	Commercial forest fund	53,000
20	Forest development fund	27,605,800
21	Forestland user charges	560,200
22	Forest recreation fund	1,422,000
23	Game and fish protection fund	64,513,700
24	Game and fish protection fund - deer habitat reserve .	3,125,800
25	Game and fish protection fund - fisheries settlement .	906,300
26	Game and fish protection fund - turkey permit fees ...	1,880,300
27	Game and fish protection fund - waterfowl fees	111,000

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1	Game and fish - wildlife resource protection fund....	1,649,300
2	Game and fish protection fund - youth hunting and	
3	fishing education and outreach fund.....	28,700
4	Land exchange facilitation fund.....	6,286,900
5	Marine safety fund.....	4,793,400
6	Michigan natural resources trust fund.....	<<2,641,600>>
7	Michigan state parks endowment fund.....	13,645,900
8	Michigan state waterways fund.....	16,459,000
9	Nongame wildlife fund.....	699,100
10	Off-road vehicle trail improvement fund.....	4,722,900
11	Park improvement fund.....	38,381,300
12	Recreation improvement fund.....	1,465,800
13	Safety education fund.....	216,800
14	Shop fees.....	66,000
15	Snowmobile registration fee revenue.....	2,300,200
16	Snowmobile trail improvement fund.....	9,942,800
17	Sportsmen against hunger fund.....	257,600
18	Total other state restricted revenues.....	<<204,203,600>>
19	State general fund/general purpose.....	\$ 13,419,800
20	Sec. 102. EXECUTIVE	
21	Full-time equated unclassified positions..... 6.0	
22	Full-time equated classified positions..... 61.3	
23	Commission (including travel expense--per diem)	\$ 91,300
24	Unclassified salaries--6.0 FTE positions.....	416,500
25	Communications--45.3 FTE positions.....	3,398,200
26	Executive direction--16.0 FTE positions.....	<u>2,108,800</u>
27	GROSS APPROPRIATION.....	\$ 6,014,800

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	Special revenue funds:	
4	Forest development fund.....	301,500
5	Forestland user charges.....	2,100
6	Forest recreation fund.....	28,100
7	Game and fish protection fund.....	2,057,300
8	Game and fish protection fund - deer habitat reserve .	38,100
9	Game and fish protection fund - turkey permit fees ...	16,100
10	Game and fish protection fund - waterfowl fees	900
11	Game and fish - wildlife resource protection fund....	15,600
12	Game and fish protection fund - youth hunting and	
13	fishing education and outreach fund.....	28,700
14	Land exchange facilitation fund.....	65,500
15	Marine safety fund.....	30,100
16	Michigan natural resources trust fund.....	33,000
17	Michigan state parks endowment fund.....	134,900
18	Michigan state waterways fund.....	289,800
19	Nongame wildlife fund.....	7,000
20	Off-road vehicle trail improvement fund.....	24,400
21	Park improvement fund.....	2,242,200
22	Recreation improvement fund.....	9,300
23	Snowmobile registration fee revenue.....	2,900
24	Snowmobile trail improvement fund.....	47,700
25	State general fund/general purpose.....	\$ 639,600
26	Sec. 103. ADMINISTRATIVE SERVICES	
27	Full-time equated classified positions.....	53.5

1	Budget and support services--16.5 FTE positions	\$	1,712,900
2	Financial services--23.0 FTE positions		2,572,200
3	Grants management--14.0 FTE positions		1,475,000
4	Internal audit services		<u>491,100</u>
5	GROSS APPROPRIATION	\$	6,251,200
6	Appropriated from:		
7	Interdepartmental grant revenues:		
8	Federal revenues:		
9	DOI, federal		317,200
10	Special revenue funds:		
11	Clean Michigan initiative fund		45,900
12	Forest development fund		1,001,100
13	Forest recreation fund		48,000
14	Game and fish protection fund		1,220,800
15	Game and fish protection fund - deer habitat reserve .		66,500
16	Game and fish protection fund - turkey permit fees ...		33,800
17	Game and fish protection fund - waterfowl fees		3,800
18	Game and fish - wildlife resource protection fund		35,100
19	Land exchange facilitation fund		90,400
20	Marine safety fund		174,000
21	Michigan natural resources trust fund		857,900
22	Michigan state parks endowment fund		204,100
23	Michigan state waterways fund		256,800
24	Nongame wildlife fund		23,700
25	Off-road vehicle trail improvement fund		83,100
26	Park improvement fund		753,600
27	Recreation improvement fund		21,000

1	Safety education fund.....	6,200
2	Snowmobile registration fee revenue.....	54,100
3	Snowmobile trail improvement fund.....	184,100
4	State general fund/general purpose.....	\$ 770,000
5	Sec. 104. LAND AND FACILITIES	
6	Full-time equated classified positions.....	134.2
7	Land and facilities--134.2 FTE positions.....	\$ <u>20,417,700</u>
8	GROSS APPROPRIATION.....	\$ 20,417,700
9	Appropriated from:	
10	Interdepartmental grant revenues:	
11	IDG, engineering services to work orders.....	1,972,100
12	IDG, land acquisition services to work orders.....	417,000
13	IDG, MacMullan conference center revenue.....	1,413,100
14	Special revenue funds:	
15	Forest development fund.....	1,925,000
16	Forestland user charges.....	13,600
17	Forest recreation fund.....	11,000
18	Game and fish protection fund.....	6,856,400
19	Game and fish protection fund - deer habitat reserve .	198,100
20	Game and fish protection fund - turkey permit fees ...	77,300
21	Game and fish - wildlife resource protection fund....	6,200
22	Land exchange facilitation fund.....	5,909,600
23	Marine safety fund.....	102,600
24	Michigan natural resources trust fund.....	5,900
25	Michigan state parks endowment fund.....	132,900
26	Michigan state waterways fund.....	266,500
27	Off-road vehicle trail improvement fund.....	24,000

1	Park improvement fund.....		504,900
2	Snowmobile registration fee revenue.....		40,100
3	Snowmobile trail improvement fund.....		78,900
4	State general fund/general purpose.....	\$	462,500
5	Sec. 105. DEPARTMENTAL OPERATION SUPPORT		
6	Building occupancy charges.....	\$	1,979,600
7	Rent - privately owned property.....		490,000
8	Gifts and bequests.....		<u>500,000</u>
9	GROSS APPROPRIATION.....	\$	2,969,600
10	Appropriated from:		
11	Special revenue funds:		
12	Private funds.....		500,000
13	Forest development fund.....		593,700
14	Forest recreation fund.....		15,100
15	Game and fish protection fund.....		853,400
16	Game and fish protection fund - deer habitat reserve .		20,100
17	Game and fish protection fund - turkey permit fees ...		19,200
18	Game and fish - wildlife resource protection fund....		7,200
19	Land exchange facilitation fund.....		72,500
20	Marine safety fund.....		32,600
21	Michigan natural resources trust fund.....		39,900
22	Michigan state parks endowment fund.....		204,300
23	Michigan state waterways fund.....		109,400
24	Park improvement fund.....		317,300
25	Snowmobile trail improvement fund.....		20,700
26	State general fund/general purpose.....	\$	164,200
27	Sec. 106. WILDLIFE MANAGEMENT		

1	Full-time equated classified positions.....	214.0	
2	Wildlife management--205.0 FTE positions.....		\$ 30,152,200
3	Natural resources heritage--9.0 FTE positions.....		1,271,300
4	State game and wildlife area maintenance.....		<u>750,000</u>
5	GROSS APPROPRIATION.....		\$ 32,173,500
6	Appropriated from:		
7	Federal revenues:		
8	DAG, federal.....		206,500
9	DOI, federal.....		13,631,900
10	EPA, federal.....		1,000
11	Special revenue funds:		
12	Private funds.....		114,600
13	Cervidae licensing and inspection fees.....		101,500
14	Forest development fund.....		63,400
15	Game and fish protection fund.....		10,678,900
16	Game and fish protection fund - deer habitat reserve .		2,729,800
17	Game and fish protection fund - turkey permit fees ...		1,669,400
18	Game and fish protection fund - waterfowl fees		103,600
19	Nongame wildlife fund.....		635,200
20	Sportsmen against hunger fund.....		257,600
21	State general fund/general purpose.....		\$ 1,980,100
22	Sec. 107. FISHERIES MANAGEMENT		
23	Full-time equated classified positions.....	250.0	
24	Aquatic resource mitigation--3.0 FTE positions.....		\$ 907,300
25	Fish production--64.0 FTE positions.....		8,677,900
26	Fisheries resource management--183.0 FTE positions ...		<u>20,148,700</u>
27	GROSS APPROPRIATION.....		\$ 29,733,900

1	Appropriated from:		
2	Federal revenues:		
3	DAG, federal.....		134,400
4	DOC, federal.....		53,400
5	DOE, federal.....		1,000
6	DOI, federal.....		9,411,700
7	EPA, federal.....		165,500
8	Special revenue funds:		
9	Private funds.....		116,700
10	Game and fish protection fund.....		18,944,900
11	Game and fish protection fund - fisheries settlement .		906,300
12	State general fund/general purpose.....	\$	0
13	Sec. 108. PARKS AND RECREATION		
14	Full-time equated classified positions.....	791.9	
15	Recreational boating--163.5 FTE positions.....	\$	14,508,800
16	State parks--628.4 FTE positions.....		44,654,200
17	State parks improvement revenue bonds - debt service .		<u>1,138,700</u>
18	GROSS APPROPRIATION.....	\$	60,301,700
19	Appropriated from:		
20	Interdepartmental grant revenues:		
21	Federal revenues:		
22	EPA, federal.....		120,300
23	Special revenue funds:		
24	Private funds.....		363,900
25	Michigan state parks endowment fund.....		12,079,400
26	Michigan state waterways fund.....		14,508,800
27	Off-road vehicle trail improvement fund.....		243,100

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1	Park improvement fund.....	32,986,200
2	State general fund/general purpose.....	\$ 0
3	Sec. 109. FOREST, MINERAL, AND FIRE MANAGEMENT	
4	Full-time equated classified positions.....	395.0
5	Adopt-a-forest program.....	\$ 25,000
6	Cooperative resource programs--12.0 FTE positions....	3,342,100
7	Forest and timber treatments--125.0 FTE positions....	14,197,300
8	Forest fire equipment.....	500,000
9	Wildfire protection--135.0 FTE positions.....	11,268,600
10	Forest management initiatives--10.0 FTE positions....	836,600
11	Forest management planning--40.0 FTE positions.....	3,996,600
12	Forest recreation--50.0 FTE positions.....	5,471,500
13	Minerals management--23.0 FTE positions.....	<u><<2,526,100>></u>
14	GROSS APPROPRIATION.....	\$ <<42,163,800>>
15	Appropriated from:	
16	Federal revenues:	
17	DAG, federal.....	2,386,800
18	DHS, federal.....	250,000
19	DOI, federal.....	2,000
20	EPA, federal.....	1,000
21	Special revenue funds:	
22	Private funds.....	925,100
23	Aircraft fees.....	257,200
24	Commercial forest fund.....	48,100
25	Forest development fund.....	22,270,500
26	Forestland user charges.....	528,300
27	Forest recreation fund.....	1,217,700

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1	Game and fish protection fund.....	1,707,100
2	Michigan natural resources trust fund.....	<<1,248,500>>
3	Michigan state parks endowment fund.....	566,000
4	Michigan state waterways fund.....	387,000
5	Off-road vehicle trail improvement fund.....	664,800
6	Recreation improvement fund.....	324,100
7	Shop fees.....	66,000
8	Snowmobile trail improvement fund.....	2,224,100
9	State general fund/general purpose.....	\$ 7,089,500
10	Sec. 110. LAW ENFORCEMENT	
11	Full-time equated classified positions.....	265.0
12	General law enforcement--265.0 FTE positions.....	\$ <u>32,036,500</u>
13	GROSS APPROPRIATION.....	\$ 32,036,500
14	Appropriated from:	
15	Federal revenues:	
16	DHS, federal.....	4,424,300
17	DOC, federal.....	18,000
18	DOI, federal.....	1,472,200
19	Special revenue funds:	
20	Private funds.....	74,700
21	Cervidae licensing and inspection fees.....	63,600
22	Forest recreation fund.....	59,600
23	Game and fish protection fund.....	18,911,500
24	Game and fish - wildlife resource protection fund....	1,529,700
25	Marine safety fund.....	1,575,800
26	Off-road vehicle trail improvement fund.....	1,221,800
27	Park improvement fund.....	59,600

1	Safety education fund.....	60,600
2	Snowmobile registration fee revenue.....	1,015,600
3	State general fund/general purpose.....	\$ 1,549,500
4	Sec. 111. GRANTS	
5	Federal - clean vessel act grants.....	\$ 400,000
6	Federal - forest stewardship grants.....	3,125,000
7	Federal - land and water conservation fund payments ..	2,566,900
8	Federal - rural community fire protection.....	300,000
9	Federal - urban forestry grants.....	4,000,000
10	Grants to communities - federal oil, gas, and timber	
11	payments	3,450,000
12	National recreational trails.....	2,150,000
13	Accessibility grants.....	1,000,000
14	Game and nongame wildlife fund grants.....	10,000
15	Grant to counties-marine safety.....	4,275,000
16	Inland fisheries resources grants.....	200,000
17	Off-road vehicle safety training grants.....	150,000
18	Off-road vehicle trail improvement grants.....	2,454,000
19	Recreation improvement fund grants.....	1,100,000
20	Snowmobile law enforcement grants.....	1,142,000
21	Snowmobile local grants program.....	<u>7,314,000</u>
22	GROSS APPROPRIATION.....	\$ 33,636,900
23	Appropriated from:	
24	Federal revenues:	
25	DAG, federal.....	10,625,000
26	DHS, federal.....	1,470,000
27	DOI, federal.....	3,116,900

1	DOT, federal.....	2,100,000
2	Special revenue funds:	
3	Private funds.....	1,150,000
4	Game and fish protection fund.....	200,000
5	Marine safety fund.....	2,805,000
6	Nongame wildlife fund.....	10,000
7	Off-road vehicle trail improvement fund.....	2,454,000
8	Recreation improvement fund.....	1,100,000
9	Safety education fund.....	150,000
10	Snowmobile registration fee revenue.....	1,142,000
11	Snowmobile trail improvement fund.....	7,314,000
12	State general fund/general purpose.....	\$ 0
13	Sec. 112. INFORMATION TECHNOLOGY	
14	Information technology services and projects.....	\$ <u>8,880,100</u>
15	GROSS APPROPRIATION.....	\$ 8,880,100
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	Special revenue funds:	
19	Commercial forest fund.....	4,900
20	Forest development fund.....	1,450,600
21	Forestland user charges.....	16,200
22	Forest recreation fund.....	42,500
23	Game and fish protection fund.....	3,083,400
24	Game and fish protection fund - deer habitat reserve .	73,200
25	Game and fish protection fund - turkey permit fees...	64,500
26	Game and fish protection fund - waterfowl fees.....	2,700
27	Game and fish - wildlife resource protection fund....	55,500

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1	Land exchange facilitation fund.....	148,900
2	Marine safety fund.....	73,300
3	Michigan natural resources trust fund.....	456,400
4	Michigan state parks endowment fund.....	324,300
5	Michigan state waterways fund.....	640,700
6	Nongame wildlife fund.....	23,200
7	Off-road vehicle trail improvement fund.....	7,700
8	Park improvement fund.....	1,517,500
9	Recreation improvement fund.....	11,400
10	Snowmobile registration fee revenue.....	45,500
11	Snowmobile trail improvement fund.....	73,300
12	State general fund/general purpose..... \$	764,400

13 PART 2

14 PROVISIONS CONCERNING APPROPRIATIONS

15 GENERAL SECTIONS

16 Sec. 201. Pursuant to section 30 of article IX of the state
 17 constitution of 1963, total state spending from state resources
 18 under part 1 for fiscal year 2008-2009 is <<\$217,623,400.00>> and state
 19 spending from state resources to be paid to local units of
 20 government for fiscal year 2008-2009 is \$5,057,000.00. The itemized
 21 statement below identifies appropriations from which spending to
 22 local units of government will occur:

23 DEPARTMENT OF NATURAL RESOURCES

24 GRANTS

25 Grants to counties - marine safety..... \$ 2,805,000

1	Off-road vehicle safety training grants	150,000
2	Off-road vehicle trail improvement grants	450,000
3	Recreation improvement fund grants	110,000
4	Snowmobile law enforcement grants	1,142,000
5	Snowmobile local grants program	<u>400,000</u>
6	TOTAL	\$ 5,057,000

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

10 Sec. 203. As used in this act:

11 (a) "Commission" means the commission of natural resources.

12 (b) "DAG" means the United States department of agriculture.

13 (c) "Department" means the department of natural resources.

14 (d) "DHS" means the United States department of homeland
15 security.

16 (e) "Director" means the director of the department of natural
17 resources.

18 (f) "DOC" means the United States department of commerce.

19 (g) "DOE" means the United States department of energy.

20 (h) "DOI" means the United States department of interior.

21 (i) "DOT" means the United States department of
22 transportation.

23 (j) "EPA" means the United States environmental protection
24 agency.

25 (k) "FTE" means full-time equated.

26 (l) "IDG" means interdepartmental grant.

27 Sec. 204. The department of civil service shall bill

1 departments and agencies at the end of the first fiscal quarter for
2 the 1% charge authorized by section 5 of article XI of the state
3 constitution of 1963. Payments shall be made for the total amount
4 of the billing by the end of the second fiscal quarter.

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

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

23 Sec. 206. The department shall use the Internet to fulfill the
24 reporting requirements of this act. This requirement can be met if
25 reports are transmitted via electronic mail to the recipients
26 identified for each reporting requirement or it may include
27 placement of reports on an Internet or Intranet site.

1 Sec. 207. Within 14 days after the release of the executive
2 budget recommendation, the department shall provide the state
3 budget director, the senate and house appropriations subcommittees
4 on natural resources, and the senate and house fiscal agencies with
5 an annual report on estimated restricted fund balances, projected
6 revenues, and expenditures for the fiscal years ending September
7 30, 2008 and September 30, 2009.

8 Sec. 208. (1) From the funds appropriated under part 1, the
9 department shall prepare a report that lists all of the following
10 regarding grant, loan, or grant and loan programs administered by
11 the department for the fiscal year ending on September 30, 2009:

12 (a) The name of each program.

13 (b) The goals, criteria, filing fees, nominating procedures,
14 eligibility requirements, processes, and deadlines for each
15 program.

16 (c) The maximum and minimum grant and loan available and
17 whether there is a match requirement for each program.

18 (d) The amount of any required match, and whether in-kind
19 contributions may be used as part or all of a required match.

20 (e) Information pertaining to the application process,
21 timeline for each program, and the contact people within the
22 department.

23 (f) The source of funds for each program, including the
24 citation of pertinent authorizing acts.

25 (g) Information regarding plans for the next fiscal year for
26 the phaseout, expansion, or changes for each program.

27 (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, 2008.

(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, 2009.

Sec. 209. Appropriations of state-restricted game and fish protection funds have been made to the following departments and agencies in their respective appropriation acts. The amounts appropriated to these departments and agencies are listed below:

Civil service commission.....	\$	876,100
History, arts, and libraries.....		3,500
Legislative auditor general.....		21,400
Attorney general.....		917,800
Department of management and budget.....		235,300
Department of treasury.....		7,000

Sec. 210. Before January 31, 2009, the department, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies a list of projects completed by the commission in fiscal year 2007-2008, including the county and municipality in which each project is located.

Sec. 211. 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 account of the Michigan

1 conservation and recreation legacy fund, \$6,000,000.00 for the
2 fiscal year ending September 30, 2009.

3 Sec. 212. From the funds appropriated in part 1 for
4 information technology, departments and agencies shall pay user
5 fees to the department of information technology for technology-
6 related services and projects. Such user fees shall be subject to
7 provisions of an interagency agreement between the department and
8 the department of information technology.

9 Sec. 213. Amounts appropriated in part 1 for information
10 technology may be designated as work projects and carried forward
11 to support technology projects under the direction of the
12 department of information technology. Funds designated in this
13 manner are not available for expenditure until approved as work
14 projects under section 451a of the management and budget act, 1984
15 PA 431, MCL 18.1451a.

16 Sec. 214. (1) Due to the current budgetary problems in this
17 state, out-of-state travel for the fiscal year ending September 30,
18 2009 shall be limited to situations in which 1 or more of the
19 following conditions apply:

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

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

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

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

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

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

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

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

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

23 (b) The destination of each travel occurrence.

24 (c) The dates of each travel occurrence.

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

27 (e) The transportation and related costs of each travel

1 occurrence, including the proportion funded with state general
2 fund/general purpose revenues, the proportion funded with state-
3 restricted revenues, the proportion funded with federal revenues,
4 and the proportion funded with other revenues.

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

7 Sec. 215. Funds appropriated in part 1 shall not be used for
8 the purchase of foreign goods or services, or both, if
9 competitively priced and comparable quality American goods or
10 services, or both, are available. Preference should be given to
11 goods or services, or both, manufactured or provided by Michigan
12 businesses if they are competitively priced and of comparable
13 quality. In addition, preference should be given to goods or
14 services, or both, that are manufactured or provided by Michigan
15 businesses owned and operated by veterans, if they are
16 competitively priced and of comparable quality.

17 Sec. 216. The director shall take all reasonable steps to
18 ensure businesses in deprived and depressed communities and in Lake
19 County compete for and perform contracts to provide services or
20 supplies, or both. The director shall strongly encourage firms with
21 which the department contracts to subcontract with certified
22 businesses in depressed and deprived communities for services,
23 supplies, or both.

24 Sec. 217. The department shall not take disciplinary action
25 against an employee for communicating truthfully and factually with
26 a member of the legislature or his or her staff.

27 Sec. 218. (1) The department shall report no later than April

1 1, 2009 on each specific policy change made to implement a public
2 act affecting the department that took effect during the prior
3 calendar year to the house and senate appropriations subcommittees
4 on the budget for the department, the joint committee on
5 administrative rules, and the senate and house fiscal agencies.

6 (2) Funds appropriated in part 1 shall not be used by the
7 department to adopt a rule that will apply to a small business and
8 that will have a disproportionate economic impact on small
9 businesses because of the size of those businesses if the
10 department fails to reduce the disproportionate economic impact of
11 the rule on small businesses as provided under section 40 of the
12 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

13 (3) As used in this section:

14 (a) "Rule" means that term as defined under section 7 of the
15 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

16 (b) "Small business" means that term as defined under section
17 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
18 24.207a.

19 Sec. 219. Funds appropriated in part 1 shall not be used by a
20 principal executive department, state agency, or authority to hire
21 a person to provide legal services that are the responsibility of
22 the attorney general. This prohibition does not apply to legal
23 services for bonding activities and for those activities that the
24 attorney general authorizes.

25 Sec. 220. The department shall develop a plan for allocating
26 restricted funds among department administrative support and
27 regulatory activities. This plan shall be submitted to the house

1 and senate appropriations subcommittees on natural resources by
2 January 30, 2009. This plan shall include a cost allocation plan
3 for financial services support, office space rent and building
4 occupancy charges, and support division service for information
5 systems and technology and a methodology to use information
6 generated through activity reports that identifies the percentage
7 of employee time spent on restricted fund activities.

8 Sec. 222. (1) In addition to the funds appropriated in part 1,
9 there is appropriated an amount not to exceed \$3,000,000.00 for
10 federal contingency funds. These funds are not available for
11 expenditure until they have been transferred to another line item
12 in this act under section 393(2) of the management and budget act,
13 1984 PA 431, MCL 18.1393.

14 (2) In addition to the funds appropriated in part 1, there is
15 appropriated an amount not to exceed \$5,000,000.00 for state
16 restricted contingency funds. These funds are not available for
17 expenditure until they have been transferred to another line item
18 in this act under section 393(2) of the management and budget act,
19 1984 PA 431, MCL 18.1393.

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

26 (4) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$100,000.00 for private

1 contingency funds. These funds are not available for expenditure
2 until they have been transferred to another line item in this act
3 under section 393(2) of the management and budget act, 1984 PA 431,
4 MCL 18.1393.

5 Sec. 223. It is the intent of the legislature that the
6 recommendations of the workgroup on long-term funding that was
7 established in section 223 of 2007 PA 122 are included in the
8 appropriations in part 1.

9 Sec. 224. It is the intent of the legislature to fund payments
10 in lieu of taxes through an appropriation in the department of
11 treasury.

12 Sec. 225. The department shall not approve the travel of more
13 than 1 departmental employee to a specific professional development
14 conference or training seminar that is located outside of this
15 state. The only exception to this travel restriction involves a
16 professional development conference or training seminar that is
17 funded by a federal or private funding source and requires more
18 than 1 person from a department to attend.

19 **ADMINISTRATIVE SERVICES**

20 Sec. 401. The department may charge the appropriations
21 contained in part 1, including all special maintenance and capital
22 projects appropriated for the fiscal year ending September 30,
23 2009, for engineering services provided, a standard percentage fee
24 to recover actual costs. The department may use the revenue derived
25 to support the engineering services charges provided for in part 1.

26 Sec. 402. The department may charge land acquisition projects

1 appropriated for the fiscal year ending September 30, 2009, and for
2 prior fiscal years, a standard percentage fee to recover actual
3 costs, and may use the revenue derived to support the land
4 acquisition service charges provided for in part 1.

5 Sec. 403. The department may charge both application fees and
6 transaction fees related to the exchange or sale of state-owned
7 land or rights in land authorized by part 21 of the natural
8 resources and environmental protection act, 1994 PA 451, MCL
9 324.2101 to 324.2162. The fees shall be set by the director at a
10 rate which allows the department to recover its costs for providing
11 these services.

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

20 Sec. 405. Within 21 days after the end of the fiscal year
21 ending September 30, 2009, the department shall submit to the
22 senate and house appropriations subcommittees on natural resources
23 a report on all land transactions approved by the commission in the
24 previous fiscal year. For each land transaction, the report shall
25 include the size of the parcel, the county and municipality in
26 which the parcel is located, the dollar amount of the transaction,
27 the fund source affected by the transaction, and whether the

1 transaction is by purchase, public auction, transfer, exchange, or
2 conveyance.

3 **WILDLIFE MANAGEMENT**

4 Sec. 501. It is the intent of the legislature that, from the
5 funds appropriated in part 1, the department shall reimburse the
6 department of agriculture for costs incurred for indemnification
7 payments for livestock losses caused by wolves, coyotes, or cougars
8 under the animal industry act, 1988 PA 466, MCL 287.701 to 287.745.

9 Sec. 502. From the funds appropriated in part 1, the
10 department shall submit quarterly reports to the state budget
11 director, the senate and house appropriations subcommittees on
12 natural resources, and the senate and house fiscal agencies that
13 provide detail about enforcement actions taken to eradicate bovine
14 tuberculosis, the number of infected deer found, new science it is
15 working on to detect bovine tuberculosis, and other relevant
16 information about the department's efforts to address the presence
17 of bovine tuberculosis in this state.

18 **FISHERIES MANAGEMENT**

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

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

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

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

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

14 Sec. 603. From the funds appropriated in part 1 for fish
15 production and fisheries resource management, the department shall
16 continue to operate the 6 hatcheries that were operational on
17 September 30, 2007.

18 **PARKS AND RECREATION**

19 Sec. 701. Pursuant to section 1902(2) of the natural resources
20 and environmental protection act, 1994 PA 451, MCL 324.1902, there
21 is appropriated from the Michigan natural resources trust fund to
22 the Michigan state parks endowment fund an amount not to exceed
23 \$10,000,000.00 for the fiscal year ending September 30, 2009.

24 Sec. 702. (1) The department shall prepare detailed reports
25 for construction projects in state parks that will involve campsite
26 or campground closures. These reports shall include expected costs,

1 impacts on recreation opportunities, impacts on state park
2 revenues, and the expected impact on state park users. The
3 department shall also prepare reports on average monthly campground
4 occupancy rates for every state park during the previous summer
5 season. The department shall provide reports described in this
6 subsection to the house and senate appropriations subcommittees on
7 natural resources and the house and senate fiscal agencies not
8 later than April 1, 2009.

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

13 Sec. 703. From the funds appropriated in part 1, the
14 department shall maintain an appropriate number of defibrillators
15 in state parks. State parks shall accept donations of
16 defibrillators.

17 Sec. 704. The department shall not alter or halt operations of
18 the ski hill or demolish buildings related to the ski hill, the
19 assistant manager residence, the 3-unit apartment building, or the
20 carpenter's shop and garage in Porcupine Mountains wilderness state
21 park. The department shall collaborate with travel Michigan for the
22 marketing and promotion of the ski hill.

23 **FOREST, MINERAL, AND FIRE MANAGEMENT**

24 Sec. 801. In addition to the funds appropriated in part 1,
25 \$350,000.00 is appropriated to cover costs related to any declared
26 emergency involving the collapse of any abandoned mine shaft

1 located on state land. This appropriation shall not be expended
2 unless the state budget director recommends the expenditure and the
3 department notifies the house and senate committees on
4 appropriations.

5 Sec. 802. As a condition of expenditure of appropriations in
6 part 1 from state general fund/general purpose, on November 15,
7 2008 the department shall provide at least \$1,800,000.00 from
8 cooperative resources programs as an interdepartmental grant to the
9 department of agriculture for the cooperative resources management
10 initiative program for the purposes of supporting forestry programs
11 in local conservation districts.

12 Sec. 803. The department shall spend amounts appropriated in
13 part 1 for forest-related activities to employ or contract for
14 additional foresters to mark timber, pursuant to section 804.

15 Sec. 804. Of the funds appropriated in part 1, the department
16 shall, subject to the forest certification process, prescribe
17 appropriate treatment on not less than 63,000 acres at the current
18 average rate of 12.5 to 13 cords per acre, and offer those cords
19 for sale in 2009, provided that the department shall take into
20 consideration the impact of timber harvesting on wildlife habitat
21 and recreation uses. The department shall, subject to the forest
22 certification process, increase marking or treatment of hardwood
23 timber for sale and harvest by 10% over 2008 levels. In addition,
24 the department shall take into consideration silvicultural analysis
25 and report annually to the legislature on plans and efforts to
26 address factors limiting management of timber. The department shall
27 provide quarterly reports on the number of acres treated, pursuant

1 to this section, to the senate and house appropriations
2 subcommittees on natural resources and the standing committees of
3 the senate and house of representatives with primary responsibility
4 for natural resources issues.

5 Sec. 805. From the funds appropriated in part 1, the
6 department shall allow for a designated snowmobile route connecting
7 the Village of Bellaire to the Jordan River Trail across state-
8 owned land with associated reasonable restrictions that mitigate
9 negative impacts on the natural resources.

10 Sec. 806. In addition to the money appropriated in this act,
11 the department may receive and expend money from federal sources
12 for the purpose of providing response to wildfires as required by a
13 compact with the federal government. If additional expenditure
14 authorization is required, the department shall notify the state
15 budget office that expenditure under this section is required. The
16 department shall notify the house and senate appropriations
17 subcommittees on natural resources and the house and senate fiscal
18 agencies of the expenditures under this section by November 1,
19 2009.

20 LAW ENFORCEMENT

21 Sec. 901. The appropriation in part 1 for snowmobile law
22 enforcement grants shall be used to provide grants to county law
23 enforcement agencies to enforce part 821 of the natural resources
24 and environmental protection act, 1994 PA 451, MCL 324.82101 to
25 324.82160, including rules promulgated under that part and
26 ordinances enacted pursuant to that part. The department shall

1 consider the number of enforcement hours and the number of miles of
2 snowmobile trails in each county in allocating these grants. Any
3 funds not distributed to counties revert back to the snowmobile
4 registration fee subaccount created under section 82111 of the
5 natural resources and environmental protection act, 1994 PA 451,
6 MCL 324.82111. Counties shall provide semiannual reports to the
7 department on the use of grant money received under this section.

8 Sec. 902. From the funds appropriated in part 1, not less than
9 6 months before expiration of a contract or adoption of amendments
10 to an existing contract with the concessionaire at the Island Lake
11 shooting range, the department shall notify in the least expensive
12 method possible all residents within 5 miles of the shooting range
13 and the state and local elected officials representing Green Oak
14 Township in Livingston County of the contract expiration date or
15 adoption of amendments to an existing contract. If the department
16 intends to extend or amend the contract with the concessionaire, it
17 shall hold 1 public hearing in Livingston County on the matter not
18 less than 60 days before execution.

19 GRANTS

20 Sec. 1101. Federal pass-through funds to local institutions
21 and governments that are received in amounts in addition to those
22 included in part 1 for grants to communities - federal oil, gas,
23 and timber payments and that do not require additional state
24 matching funds are appropriated for the purposes intended. By
25 November 30, 2008, the department shall report to the senate and
26 house appropriations subcommittees on natural resources, the senate

1 and house fiscal agencies, and the state budget director on all
2 amounts appropriated under this section during the fiscal year
3 ending September 30, 2008.

4 Sec. 1102. Subject to part 811 of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.81101 to
6 324.81150, from the funds appropriated in part 1 for off-road
7 vehicle trail improvements grants, not less than \$980,000.00 shall
8 be spent on the development of new trails in accordance with the
9 off-road vehicle trail expansion plan submitted to the legislature
10 pursuant to section 807 of article 14 of 2005 PA 154.