

Act No. 252
Public Acts of 2008
Approved by the Governor*
July 17, 2008
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*Item Vetoes

Sec. 802.
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**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Senator McManus

ENROLLED SENATE BILL No. 1106

AN ACT 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:

PART 1

LINE-ITEM APPROPRIATIONS

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, 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	2,167.9	
GROSS APPROPRIATION		\$ 289,977,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		3,802,200
ADJUSTED GROSS APPROPRIATION		\$ 286,174,900
Federal revenues:		
Total federal revenues		51,702,100
Special revenue funds:		
Total local revenue		0
Total private revenues		4,745,000
Total other state restricted revenues		219,103,600
State general fund/general purpose		\$ 10,624,200
FUND SOURCE SUMMARY:		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,167.9	
GROSS APPROPRIATION		\$ 289,977,100
Interdepartmental grant revenues:		
IDG, engineering services to work orders		1,972,100

	For Fiscal Year Ending Sept. 30, 2009
IDG, land acquisition services to work orders.....	\$ 417,000
IDG, MacMullan conference center revenue	1,413,100
Total interdepartmental grants and intradepartmental transfers	3,802,200
ADJUSTED GROSS APPROPRIATION.....	\$ 286,174,900
Federal revenues:	
DAG, federal.....	13,352,700
DHS, federal.....	6,144,300
DHS, U.S. coast guard.....	1,293,000
DOC, federal.....	71,400
DOE, federal.....	1,000
DOI, federal.....	28,451,900
DOT, federal.....	2,100,000
EPA, federal.....	287,800
Total federal revenues	51,702,100
Special revenue funds:	
Private funds	4,745,000
Total private revenues.....	4,745,000
Aircraft fees.....	257,200
Cervidae licensing and inspection fees	165,100
Clean Michigan initiative fund	45,900
Commercial forest fund	53,000
Forest development fund	31,905,800
Forestland user charges.....	560,200
Forest recreation fund.....	1,422,000
Game and fish protection fund	64,513,700
Game and fish protection fund - deer habitat reserve.....	3,125,800
Game and fish protection fund - fisheries settlement.....	906,300
Game and fish protection fund - turkey permit fees.....	1,880,300
Game and fish protection fund - waterfowl fees.....	111,000
Game and fish - wildlife resource protection fund.....	1,649,300
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	28,700
Land exchange facilitation fund.....	6,286,900
Marine safety fund	4,793,400
Michigan civilian conservation corps endowment fund	500,000
Michigan natural resources trust fund	2,641,600
Michigan state parks endowment fund.....	13,645,900
Michigan state waterways fund	24,559,000
Nongame wildlife fund.....	699,100
Off-road vehicle trail improvement fund.....	4,722,900
Park improvement fund.....	40,381,300
Recreation improvement fund.....	1,465,800
Safety education fund	216,800
Shop fees	66,000
Snowmobile registration fee revenue	2,300,200
Snowmobile trail improvement fund.....	9,942,800
Sportsmen against hunger fund.....	257,600
Total other state restricted revenues	219,103,600
State general fund/general purpose	\$ 10,624,200
Sec. 102. EXECUTIVE	
Full-time equated unclassified positions	6.0
Full-time equated classified positions.....	64.3
Commission (including travel expense—per diem)	\$ 91,100
Unclassified salaries—6.0 FTE positions	416,500
Communications—48.3 FTE positions	3,950,000
Executive direction—16.0 FTE positions	2,104,400
GROSS APPROPRIATION.....	\$ 6,562,000

Appropriated from:	
Special revenue funds:	
Forest development fund	\$ 301,500
Forestland user charges	2,100
Forest recreation fund	28,100
Game and fish protection fund	2,610,900
Game and fish protection fund - deer habitat reserve.....	38,100
Game and fish protection fund - turkey permit fees.....	16,100
Game and fish protection fund - waterfowl fees.....	900
Game and fish - wildlife resource protection fund.....	15,600
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	28,700
Land exchange facilitation fund	65,500
Marine safety fund	30,100
Michigan natural resources trust fund	33,000
Michigan state parks endowment fund.....	134,900
Michigan state waterways fund	289,800
Nongame wildlife fund.....	7,000
Off-road vehicle trail improvement fund.....	24,400
Park improvement fund.....	2,242,200
Recreation improvement fund.....	9,300
Snowmobile registration fee revenue	2,900
Snowmobile trail improvement fund.....	47,700
State general fund/general purpose	\$ 633,200

Sec. 103. ADMINISTRATIVE SERVICES

Full-time equated classified positions	53.5
Budget and support services—16.5 FTE positions	\$ 1,710,500
Financial services—23.0 FTE positions	2,568,600
Grants management—14.0 FTE positions	1,472,800
Internal audit services	490,100
GROSS APPROPRIATION	\$ 6,242,000

Appropriated from:	
Federal revenues:	
DOI, federal	317,200
Special revenue funds:	
Clean Michigan initiative fund	45,900
Forest development fund	1,001,100
Forest recreation fund	48,000
Game and fish protection fund	1,220,800
Game and fish protection fund - deer habitat reserve.....	66,500
Game and fish protection fund - turkey permit fees.....	33,800
Game and fish protection fund - waterfowl fees.....	3,800
Game and fish - wildlife resource protection fund.....	35,100
Land exchange facilitation fund	90,400
Marine safety fund	174,000
Michigan natural resources trust fund	857,900
Michigan state parks endowment fund.....	204,100
Michigan state waterways fund	256,800
Nongame wildlife fund.....	23,700
Off-road vehicle trail improvement fund.....	83,100
Park improvement fund.....	753,600
Recreation improvement fund.....	21,000
Safety education fund	6,200
Snowmobile registration fee revenue	54,100
Snowmobile trail improvement fund.....	184,100
State general fund/general purpose	\$ 760,800

Sec. 104. LAND AND FACILITIES

Full-time equated classified positions	134.2	
Land and facilities—134.2 FTE positions		\$ 20,413,800
GROSS APPROPRIATION		\$ 20,413,800
Appropriated from:		
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
Special revenue funds:		
Forest development fund		1,925,000
Forestland user charges		13,600
Forest recreation fund		11,000
Game and fish protection fund		6,856,400
Game and fish protection fund - deer habitat reserve		198,100
Game and fish protection fund - turkey permit fees		77,300
Game and fish - wildlife resource protection fund		6,200
Land exchange facilitation fund		5,909,600
Marine safety fund		102,600
Michigan natural resources trust fund		5,900
Michigan state parks endowment fund		132,900
Michigan state waterways fund		266,500
Off-road vehicle trail improvement fund		24,000
Park improvement fund		504,900
Snowmobile registration fee revenue		40,100
Snowmobile trail improvement fund		78,900
State general fund/general purpose		\$ 458,600

Sec. 105. DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges		\$ 1,979,600
Rent - privately owned property		490,000
Gifts and bequests		500,000
GROSS APPROPRIATION		\$ 2,969,600
Appropriated from:		
Special revenue funds:		
Private funds		500,000
Forest development fund		593,700
Forest recreation fund		15,100
Game and fish protection fund		853,400
Game and fish protection fund - deer habitat reserve		20,100
Game and fish protection fund - turkey permit fees		19,200
Game and fish - wildlife resource protection fund		7,200
Land exchange facilitation fund		72,500
Marine safety fund		32,600
Michigan natural resources trust fund		39,900
Michigan state parks endowment fund		204,300
Michigan state waterways fund		109,400
Park improvement fund		317,300
Snowmobile trail improvement fund		20,700
State general fund/general purpose		\$ 164,200

Sec. 106. WILDLIFE MANAGEMENT

Full-time equated classified positions	213.0	
Wildlife management—204.0 FTE positions		\$ 30,036,500
Natural resources heritage—9.0 FTE positions		1,270,100
State game and wildlife area maintenance		750,000
GROSS APPROPRIATION		\$ 32,056,600

Appropriated from:	
Federal revenues:	
DAG, federal.....	\$ 206,500
DOI, federal.....	13,631,900
EPA, federal.....	1,000
Special revenue funds:	
Private funds	114,600
Cervidae licensing and inspection fees	101,500
Forest development fund	63,400
Game and fish protection fund	10,579,300
Game and fish protection fund - deer habitat reserve.....	2,729,800
Game and fish protection fund - turkey permit fees.....	1,669,400
Game and fish protection fund - waterfowl fees.....	103,600
Nongame wildlife fund.....	635,200
Sportsmen against hunger fund.....	257,600
State general fund/general purpose	\$ 1,962,800

Sec. 107. FISHERIES MANAGEMENT

Full-time equated classified positions.....	249.0
Aquatic resource mitigation—3.0 FTE positions.....	\$ 907,300
Fish production—64.0 FTE positions	8,877,900
Fisheries resource management—182.0 FTE positions	20,169,700
Water withdrawal assessment program.....	75,000
GROSS APPROPRIATION.....	\$ 30,029,900

Appropriated from:	
Federal revenues:	
DAG, federal.....	134,400
DOC, federal.....	53,400
DOE, federal.....	1,000
DOI, federal.....	9,911,700
EPA, federal.....	165,500
Special revenue funds:	
Private funds	116,700
Game and fish protection fund	18,665,900
Game and fish protection fund - fisheries settlement.....	906,300
State general fund/general purpose	\$ 75,000

Sec. 108. PARKS AND RECREATION

Full-time equated classified positions.....	794.9
Michigan civilian conservation corps—3.0 FTE positions.....	\$ 500,000
Recreational boating—163.5 FTE positions	14,508,800
State parks—628.4 FTE positions.....	44,654,200
State parks improvement revenue bonds - debt service.....	1,138,700
GROSS APPROPRIATION.....	\$ 60,801,700

Appropriated from:	
Federal revenues:	
EPA, federal.....	120,300
Special revenue funds:	
Private funds	363,900
Michigan civilian conservation corps endowment fund	500,000
Michigan state parks endowment fund.....	12,079,400
Michigan state waterways fund	14,508,800
Off-road vehicle trail improvement fund.....	243,100
Park improvement fund.....	32,986,200
State general fund/general purpose	\$ 0

Sec. 109. FOREST, MINERAL, AND FIRE MANAGEMENT

Full-time equated classified positions.....	395.0	
Adopt-a-forest program.....	\$	25,000
Cooperative resource programs—12.0 FTE positions.....		2,283,400
Forest and timber treatments—125.0 FTE positions.....		15,423,900
Forest fire equipment.....		500,000
Wildfire protection—135.0 FTE positions		11,268,600
Forest management initiatives—10.0 FTE positions		838,500
Forest management planning—40.0 FTE positions.....		4,018,100
Forest recreation—50.0 FTE positions		4,769,300
Minerals management—23.0 FTE positions		2,526,100
GROSS APPROPRIATION.....	\$	41,652,900
Appropriated from:		
Federal revenues:		
DAG, federal.....		2,386,800
DHS, federal.....		250,000
DOI, federal.....		2,000
EPA, federal.....		1,000
Special revenue funds:		
Private funds		925,100
Aircraft fees.....		257,200
Commercial forest fund		48,100
Forest development fund		25,270,500
Forestland user charges		528,300
Forest recreation fund.....		1,217,700
Game and fish protection fund		1,707,100
Michigan natural resources trust fund		1,248,500
Michigan state parks endowment fund.....		566,000
Michigan state waterways fund		387,000
Off-road vehicle trail improvement fund.....		664,800
Recreation improvement fund.....		324,100
Shop fees		66,000
Snowmobile trail improvement fund.....		1,524,100
State general fund/general purpose	\$	4,278,600

Sec. 110. LAW ENFORCEMENT

Full-time equated classified positions.....	264.0	
General law enforcement—264.0 FTE positions.....	\$	31,846,600
GROSS APPROPRIATION.....	\$	31,846,600
Appropriated from:		
Federal revenues:		
DHS, federal.....		4,424,300
DOC, federal.....		18,000
DOI, federal.....		1,472,200
Special revenue funds:		
Private funds		74,700
Cervidae licensing and inspection fees		63,600
Forest recreation fund.....		59,600
Game and fish protection fund		18,736,500
Game and fish - wildlife resource protection fund.....		1,529,700
Marine safety fund		1,575,800
Off-road vehicle trail improvement fund.....		1,221,800
Park improvement fund.....		59,600
Safety education fund		60,600
Snowmobile registration fee revenue		1,015,600
State general fund/general purpose	\$	1,534,600

Sec. 111. GRANTS

Federal - clean vessel act grants	\$	400,000
Federal - forest stewardship grants		3,125,000
Federal - land and water conservation fund payments		2,566,900
Federal - rural community fire protection		300,000
Federal - urban forestry grants		4,000,000
Grants to communities - federal oil, gas, and timber payments		3,450,000
National recreational trails		2,150,000
Accessibility grants		1,000,000
Game and nongame wildlife fund grants		10,000
Grant to counties - marine safety		4,275,000
Inland fisheries resources grants		200,000
Off-road vehicle safety training grants		150,000
Off-road vehicle trail improvement grants		2,454,000
Recreation improvement fund grants		1,100,000
Snowmobile law enforcement grants		1,142,000
Snowmobile local grants program		8,014,000
GROSS APPROPRIATION	\$	<u>34,336,900</u>

Appropriated from:

Federal revenues:

DAG, federal	10,625,000
DHS, federal	1,470,000
DOI, federal	3,116,900
DOT, federal	2,100,000

Special revenue funds:

Private funds	1,150,000
Game and fish protection fund	200,000
Marine safety fund	2,805,000
Nongame wildlife fund	10,000
Off-road vehicle trail improvement fund	2,454,000
Recreation improvement fund	1,100,000
Safety education fund	150,000
Snowmobile registration fee revenue	1,142,000
Snowmobile trail improvement fund	8,014,000
State general fund/general purpose	\$ 0

Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects	\$	<u>8,872,100</u>
GROSS APPROPRIATION	\$	8,872,100

Appropriated from:

Special revenue funds:

Commercial forest fund	4,900
Forest development fund	1,450,600
Forestland user charges	16,200
Forest recreation fund	42,500
Game and fish protection fund	3,083,400
Game and fish protection fund - deer habitat reserve	73,200
Game and fish protection fund - turkey permit fees	64,500
Game and fish protection fund - waterfowl fees	2,700
Game and fish - wildlife resource protection fund	55,500
Land exchange facilitation fund	148,900
Marine safety fund	73,300
Michigan natural resources trust fund	456,400
Michigan state parks endowment fund	324,300
Michigan state waterways fund	640,700
Nongame wildlife fund	23,200
Off-road vehicle trail improvement fund	7,700

		For Fiscal Year Ending Sept. 30, 2009
Park improvement fund.....	\$	1,517,500
Recreation improvement fund.....		11,400
Snowmobile registration fee revenue		45,500
Snowmobile trail improvement fund.....		73,300
State general fund/general purpose	\$	756,400

Sec. 113. CAPITAL OUTLAY

(1) STATE PARK AND FOREST AREA IMPROVEMENTS

State parks repair and maintenance	\$	3,500,000
Forest roads, bridges, and facilities		1,300,000
GROSS APPROPRIATION	\$	4,800,000

Appropriated from:

Special revenue funds:

Private funds		1,500,000
Forest development fund		1,300,000
Park improvement fund.....		2,000,000
State general fund/general purpose	\$	0

(2) WATERWAYS BOATING PROGRAM

Infrastructure improvements - state projects.....	\$	4,293,000
Infrastructure improvements - local projects		900,000
Land acquisition		1,000,000

Boating program, state boating access projects:

Port Austin, Huron County, site improvements (total authorized cost \$500,000, state share \$500,000)		500,000
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Boating program, harbors and docks, state facilities:

Mackinaw City, Cheboygan County, new marina, state dock, phase V (total cost authorized cost is increased from \$11,775,000 to \$12,075,000; state share is increased from \$11,775,000 to \$12,075,000)		300,000
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Boating program, harbors and docks, local facilities:

Metro beach metropark, Macomb County, dock replacements, utility and seawall upgrades (total authorized cost \$4,800,000; state share \$2,400,000; local share \$2,400,000)		2,400,000
GROSS APPROPRIATION	\$	9,393,000

Appropriated from:

Federal revenues:

DHS, U.S. coast guard.....		1,293,000
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Special revenue funds:

Michigan state waterways fund		8,100,000
State general fund/general purpose	\$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

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 fiscal year 2008-2009 is \$229,727,800.00 and state spending from state resources to be paid to local units of government for fiscal year 2008-2009 is \$8,357,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF NATURAL RESOURCES

CAPITAL OUTLAY

Waterways boating program.....	\$	3,300,000
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GRANTS

Grants to counties - marine safety		2,805,000
Off-road vehicle safety training grants.....		150,000
Off-road vehicle trail improvement grants		450,000

Recreation improvement fund grants.....	\$	110,000
Snowmobile law enforcement grants		1,142,000
Snowmobile local grants program		400,000
TOTAL	\$	8,357,000

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) "DHS" means the United States department of homeland security.
- (e) "Director" means the director of the department of natural resources.
- (f) "DOC" means the United States department of commerce.
- (g) "DOE" means the United States department of energy.
- (h) "DOI" means the United States department of interior.
- (i) "DOT" means the United States department of transportation.
- (j) "EPA" means the United States environmental protection agency.
- (k) "FTE" means full-time equated.
- (l) "IDG" means interdepartmental grant.

Sec. 204. The civil service commission 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) 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 may 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 exceptions.

Sec. 206. The department shall use the Internet to fulfill the reporting requirements of this act. This requirement can be met if reports are transmitted 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. 207. Within 14 days after the release of the executive budget recommendation, 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, 2008 and September 30, 2009.

Sec. 208. (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, 2009:

- (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, 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		767,800
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 conservation and recreation legacy fund, \$6,000,000.00 for the fiscal year ending September 30, 2009.

Sec. 212. From the funds appropriated in part 1 for information technology, departments and agencies 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. 213. 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. 214. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2009 shall be limited to situations in which 1 or more of the following conditions apply:

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

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

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

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

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

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

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

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

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

- (b) The destination of each travel occurrence.
- (c) The dates of each travel occurrence.
- (d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state-restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

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

Sec. 215. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, 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 quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

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

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

Sec. 218. (1) The department shall report no later than April 1, 2009 on each specific policy change made by the department to implement a public act affecting that department that took effect during the preceding calendar year. The department shall report to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

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

- (3) As used in this section:

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

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

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

Sec. 220. 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, 2009. This plan shall include a cost allocation plan for financial services support, office space rent and building occupancy charges, and 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. 222. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$3,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

Sec. 224. It is the intent of the legislature that revenue shortfalls in the snowmobile trail improvement fund appropriated in part 1 shall be addressed by January 15, 2009.

Sec. 225. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless the professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise. This section does not apply to meetings or to the purchase of excess federal equipment.

Sec. 226. (1) It is the intent of the legislature that the department take all necessary action to facilitate the necessary permits to construct a lake level control structure on Muskrat Lake in Clinton County for the purpose of restoring the water level to a level that allows use of the existing public boat dock.

(2) By February 1, 2009, the department shall notify the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director of the status of the permits and the water level of Muskrat Lake.

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, 2009, 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, 2009, 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 may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2162. 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 address 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. Within 21 days after the end of the fiscal year ending September 30, 2009, the department shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the commission in the previous fiscal year. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

Sec. 406. By January 15, the department shall provide to the department of treasury all billing information received from local units of government that is necessary for making payments in lieu of taxes on purchased lands. Bills received by the department from local units of government after January 15 shall be forwarded to the department of treasury as soon as practical.

WILDLIFE MANAGEMENT

Sec. 501. It is the intent of the legislature that, from 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, coyotes, or cougars under the animal industry act, 1988 PA 466, MCL 287.701 to 287.745.

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

FISHERIES MANAGEMENT

Sec. 601. As a condition of expenditure of fisheries management appropriations under part 1, 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 the federal water pollution control act, 33 USC 1341.

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

Sec. 602. (1) From the appropriation in part 1 for aquatic resource mitigation, 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 fish production and fisheries resource management, the department shall continue to operate the 6 hatcheries that were operational on September 30, 2007.

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, 2009.

Sec. 702. (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 the house and senate fiscal agencies not later than April 1, 2009.

(2) The department shall notify the house and senate appropriations subcommittees on natural resources 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. 703. From the funds appropriated in part 1, the department shall maintain an appropriate number of defibrillators in state parks. State parks shall accept donations of defibrillators.

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

FOREST, MINERAL, AND FIRE MANAGEMENT

Sec. 801. 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. 802. As a condition of expenditure of appropriations in part 1 from the forest development fund, on November 15, 2008 the department shall provide at least \$750,000.00 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. 803. 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 804.

Sec. 804. Of the funds appropriated in part 1, the department shall, subject to the forest certification process, prescribe appropriate treatment on not less than 63,000 acres at the current average rate of 12.5 to 13 cords per acre, and offer those cords for sale in 2009, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2008 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. The department shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues. The department shall complete and deliver these reports no later than 45 days after the end of the fiscal quarter.

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

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

Sec. 807. The department shall continue to work cooperatively with horseback riding interests to maximize riding opportunities in the state.

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

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

GRANTS

Sec. 1101. 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, 2008, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2008.

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

CAPITAL OUTLAY

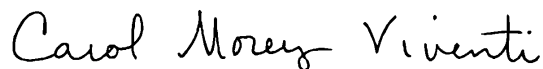
Sec. 1201. The appropriation made in this act for the harbors and docks program is for the purpose of participating with the federal government and assisting political entities and subdivisions of this state in the construction and improvement of recreational boating facilities within this state. Subject to the approval of the state administrative board, this money shall be allocated by the department to the federal government, or to the political entities or local units of government involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within the state, and to meet requirements of the federal government.

Sec. 1202. (1) The director shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

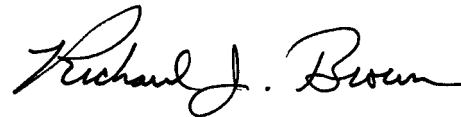
(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1203. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor