



SENATE JOINT RESOLUTION Y

March 12, 1996, Introduced by Senator HOFFMAN and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 35 of article IX, to provide for the use of certain revenues otherwise dedicated to the natural resources trust fund to be used for the cleanup and redevelopment of sites of environmental contamination.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for the use of certain revenues otherwise dedicated to the natural resources trust fund to be used for the cleanup and redevelopment of sites of environmental contamination, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IX

1
2 Sec. 35. There is hereby established the Michigan natural
3 resources trust fund. The trust fund shall consist of all
4 bonuses, rentals, delayed rentals, and royalties collected or
5 reserved by the state under provisions of leases for the extrac-
6 tion of nonrenewable resources from state owned lands, except
7 such revenues accruing under leases of state owned lands acquired
8 with money from state or federal game and fish protection funds
9 or revenues accruing from lands purchased with such revenues.
10 The trust fund may receive appropriations, money, or other things
11 of value.

12 ~~All money in the state recreational land acquisition trust~~
13 ~~and the heritage trust shall be transferred to the trust fund.~~
14 ~~Until September 30, 1994, the legislature may provide by law that~~
15 ~~revenues otherwise dedicated to the trust fund be distributed to~~
16 ~~the Michigan economic development authority under the terms and~~
17 ~~in amounts not to exceed the distributions allowed by law on~~
18 ~~March 30, 1994. The legislature shall provide by law that all~~
19 ~~rights acquired by holders of bonds heretofore issued by the~~
20 ~~Michigan economic development authority shall remain unimpaired.~~
21 Until the trust fund reaches an accumulated principal of
22 \$400,000,000.00, \$10,000,000.00 of the revenues from bonuses,
23 rentals, delayed rentals, and royalties described in this section
24 otherwise dedicated to the trust fund that are received by the
25 state each state fiscal year shall be deposited into the Michigan
26 state parks endowment fund. However, until the trust fund
27 reaches an accumulated principal of \$400,000,000.00, in any state

1 fiscal year, not more than 50 percent of the total revenues from
2 bonuses, rentals, delayed rentals, and royalties described in
3 this section otherwise dedicated to the trust fund that are
4 received by the state each state fiscal year shall be deposited
5 into the Michigan state parks endowment fund.

6 The amount accumulated in the trust fund in any state fiscal
7 year shall not exceed \$400,000,000.00, exclusive of interest and
8 earnings and amounts authorized for expenditure pursuant to this
9 section. When the accumulated principal of the trust fund
10 reaches \$400,000,000.00, all revenue from bonuses, rentals,
11 delayed rentals, and royalties described in this section that
12 would be received by the trust fund but for this limitation shall
13 be deposited into the Michigan state parks endowment fund until
14 the Michigan state parks endowment fund reaches an accumulated
15 principal of \$800,000,000.00. When the Michigan state parks
16 endowment fund reaches an accumulated principal of
17 \$800,000,000.00, all revenues from bonuses, rentals, delayed
18 rentals, and royalties described in this section shall be dis-
19 tributed as provided by law.

20 The interest and earnings of the trust fund shall be
21 expended for the acquisition of land or rights in land for recre-
22 ational uses or protection of the land because of its environmen-
23 tal importance or its scenic beauty, FOR A PERIOD OF 10 YEARS
24 AFTER THE EFFECTIVE DATE OF THE 1996 AMENDMENTS TO THIS SECTION
25 FOR THE REMEDIATION AND REDEVELOPMENT OF ENVIRONMENTALLY CONTAMI-
26 NATED LAND, for the development of public recreation facilities,
27 and for the administration of the trust fund, which may include

1 payments in lieu of taxes on state owned land purchased through
2 the trust fund. The trust fund may provide grants to units of
3 local government or public authorities which shall be used for
4 the purposes of this section. The legislature shall provide that
5 a portion of the cost of a project funded by such grants be pro-
6 vided by the local unit of government or public authority.

7 FOR A PERIOD OF 10 YEARS AFTER THE EFFECTIVE DATE OF THE
8 1996 AMENDMENTS TO THIS SECTION, IN ADDITION TO THE EXPENDITURE
9 OF INTEREST AND EARNINGS AUTHORIZED BY THIS SECTION, THE LEGISLA-
10 TURE MAY PROVIDE THAT REVENUES FROM BONUSES, RENTALS, DELAYED
11 RENTALS, AND ROYALTIES DESCRIBED IN THIS SECTION RECEIVED BY THE
12 TRUST FUND DURING EACH STATE FISCAL YEAR MAY BE EXPENDED DURING
13 SUBSEQUENT FISCAL YEARS FOR REMEDIATION AND REDEVELOPMENT OF
14 ENVIRONMENTALLY CONTAMINATED LAND. HOWEVER, TOTAL EXPENDITURES
15 FROM THE TRUST FUND IN ANY STATE FISCAL YEAR FOR REMEDIATION AND
16 REDEVELOPMENT OF ENVIRONMENTALLY CONTAMINATED LAND SHALL NOT
17 EXCEED \$25,000,000.00.

18 Until the trust fund reaches an accumulated principal of
19 \$200,000,000.00, the legislature may provide, in addition to the
20 expenditure of interest and earnings authorized by this section
21 AND THE EXPENDITURE OF REVENUES FOR REMEDIATION AND REDEVELOPMENT
22 OF ENVIRONMENTALLY CONTAMINATED LAND, that a portion, not to
23 exceed 33-1/3 percent, of the revenues from bonuses, rentals,
24 delayed rentals, and royalties described in this section received
25 by the trust fund during each state fiscal year may be expended
26 during subsequent state fiscal years for the purposes of this
27 section.

1 Not less than 25 percent of the total amounts made available
2 for expenditure from the trust fund from any state fiscal year,
3 OTHER THAN AMOUNTS EXPENDED FOR REMEDIATION AND REDEVELOPMENT OF
4 ENVIRONMENTALLY CONTAMINATED LAND, shall be expended for acquisi-
5 tion of land and rights in land and not more than 25 percent of
6 the total amounts made available for expenditure from the trust
7 fund from any state fiscal year, OTHER THAN AMOUNTS EXPENDED FOR
8 REMEDIATION AND REDEVELOPMENT OF ENVIRONMENTALLY CONTAMINATED
9 LAND, shall be expended for development of public recreation
10 facilities.

11 The legislature shall provide by law for the establishment
12 of a trust fund board within the department of natural
13 resources. The trust fund board shall recommend ~~the~~ projects
14 ~~to be funded~~ RELATED TO THE ACQUISITION OF LAND OR RIGHTS IN
15 LAND FOR RECREATIONAL USES OR PROTECTION OF THE LAND BECAUSE OF
16 ITS ENVIRONMENTAL IMPORTANCE OR ITS SCENIC BEAUTY AND PROJECTS
17 RELATED TO THE DEVELOPMENT OF PUBLIC RECREATION FACILITIES, WHICH
18 SHOULD BE FUNDED BY THE TRUST FUND. The board shall submit its
19 recommendations to the governor who shall submit the board's rec-
20 ommendations to the legislature in an appropriations bill.

21 The legislature shall provide by law for the implementation
22 of this section.

23 Resolved further, That the foregoing amendment shall be sub-
24 mitted to the people of the state at the next general election in
25 the manner provided by law.