

# Legislative Analysis

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## CONSERVATION AND RECREATION LEGACY FUND

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### House Bill 5870 and House Joint Resolution Z

Sponsor: Rep. Randy Richardville

Committee: Conservation and Outdoor Recreation

Complete to 6-29-04

## A SUMMARY OF HOUSE JOINT RESOLUTION Z AND HOUSE BILL 5870 AS INTRODUCED 5-12-04

### House Joint Resolution Z

The joint resolution establishes the Michigan Conservation and Recreation Legacy Fund, and its related accounts (as later described in House Bill 5870), within the state constitution. The joint resolution also specifies revenue sources and allowable expenditures.

In addition, the bill would also establish the Michigan Game and Fish Protection Trust Fund within the state constitution. The trust fund was created by Public Act 73 of 1986 (now Part 437 of the Natural Resources and Environmental Protection Act). The joint resolution would place current language related to revenue sources and allowable uses for the trust fund in the constitution as Article IX, Section 40.

The proposed constitutional amendment would be presented to the voters at the next general election.

### House Bill 5870

The bill would create a new Part 20 of the Natural Resources and Environmental Protection Act concerning the Michigan Conservation and Recreation Legacy Trust Fund and numerous accounts within the fund. The bill is tie-barred to HJR Z.

The fund would include the state park improvement account, waterways account, snowmobile account, off-road vehicle account, forest recreation account, recreation improvement account, and the game and fish protection account. In general, these accounts directly replace similar, separate funds already established within the state treasury and, at times, several smaller funds established for the same general purpose. Aside from the added language in Part 20, the bill makes numerous technical amendments throughout the rest of the NREPA that are related to the legacy fund and accounts within it.

*State Park Improvement Account* - The state park improvement account would include revenue from the former state park improvement fund established in Part 741 of NREPA, revenue generated from activities in state parks and recreation areas, damages paid for

illegal activities in state parks and recreation areas, revenue from the sale of state park property, any funds transferred from the recreation improvement account, and other revenue as authorized by law. Funds in the account would be expended pursuant to Part 741 of NREPA.

*Waterways Account* - The waterways account would include revenue from (1) the former Michigan State Waterways Fund and former Michigan Harbor Development Fund, both established in Part 781, (2) the former Marine Safety Fund established in Part 801, (3) watercraft registration fees, (4) fees for mooring watercraft at state-operated mooring facilities, (5) fees for using state-operated public access sites, and (6) transfers from the recreation improvement account and other sources as authorized by law. Funds in the account would be expended pursuant to Parts 781, 791, and 801.

*Snowmobile Account* - The snowmobile account would include revenue from (1) the former Recreational Snowmobile Trail Improvement Fund and the former Snowmobile Registration Fee Fund, both created in Part 82, (2) snowmobile registration and use fees, (3) revenue from the use of snowmobile trails, and (4) transfers from the recreation improvement account and other sources as authorized by law. Funds in the account would be expended pursuant to Part 821 of NREPA.

*Off-Road Vehicle Account* - The off-road vehicle account would include revenue from (1) the former Trail Improvement Fund and former Safety Education Fund, both created in Part 811, (2) ORV registration and use fees, and (3) transfers from the recreation improvement account and other sources as authorized by law. Funds in the account would be expended pursuant to Part 811 of NREPA.

*Forest Recreation Account* - The forest recreation account would include revenue from (1) the former Forest Recreation Fund created in Part 831, (2) revenue from activities on state forestland, and (3) other sources as authorized by law. Funds in the account would be expended pursuant to Part 831 of NREPA.

*Recreation Improvement Account* - The recreation improvement account would include revenue from (1) the former recreation improvement fund created in Part 711, (2) two percent of the gasoline tax sold in the state, (3) all revenue generated from the sale of diesel fuel sold in the state for use by watercraft, ORVs, and snowmobiles, and (4) other sources as authorized by law. Funds in the account would be transferred pursuant to Part 711 of NREPA to the waterways account, snowmobile account, and the off-road vehicle account.

*Game and Fish Protection Account* - The game and fish protection account would include revenue from (1) the former Game and Fish Protection Fund created in Part 435, (2) revenue from hunting and fishing licenses, fees, passbooks, and fees, (3) damages paid for the illegal taking of game and fish, (4) revenue related to game, game areas, and game fish, and (5) other sources as authorized by law. Funds in the account would be expended pursuant to Part 435 of NREPA.

**FISCAL IMPACT:**

This bill would preclude the state from transferring funds from the Conservation and Recreation Legacy Fund to other state funds, but there would be no revenue increase or impact on license or fee payers. There would be no fiscal impact on the State or on local governmental units.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.