

SENATE BILL NO. 391

August 20, 2019, Introduced by Senator ZORN and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 2045 (MCL 324.2045), as amended by 2013 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2045. (1) The department shall distribute recreation
2 passport fee revenue as follows:

3 (a) First, for necessary expenses incurred by the secretary of
4 state each state fiscal year in administration and implementation

1 of section 805 of the Michigan vehicle code, 1949 PA 300, MCL
 2 257.805. Funds appropriated for necessary expenses shall be based
 3 upon an established cost allocation methodology that reflects
 4 actual costs. Appropriations under this subdivision in a state
 5 fiscal year shall not exceed \$1,000,000.00.

6 (b) The next \$10,700,000.00 received each fiscal year shall be
 7 deposited in the state park improvement account.

8 (c) The next \$1,030,000.00 received each fiscal year shall be
 9 deposited in the waterways account.

10 (d) The remaining revenue shall be deposited as follows:

11 (i) ~~50%~~ **75%** in the state park improvement account to be used
 12 for capital improvements, ~~at state parks, including state~~
 13 ~~recreation areas.~~

14 ~~(ii) 30% in the state park improvement account to be used for~~
 15 ~~operations, and maintenance at state parks, including state~~
 16 ~~recreation areas.~~

17 **(ii)** ~~(iii)~~ 2.75% in the state park improvement account to be used
 18 for operations, maintenance, and capital improvements of state park
 19 cultural and historic resources.

20 **(iii)** ~~(iv)~~ 0.25% in the state park improvement account to be used
 21 to do all of the following:

22 (A) Promote, in concert with other state agencies, the use of
 23 state parks, state-operated public boating access sites, state
 24 forest campgrounds, and state forest nonmotorized trails and
 25 pathways.

26 (B) Promote the use of the internet for state park camping
 27 reservations and for payment of the recreation passport fee in
 28 conjunction with motor vehicle registration.

29 **(iv)** ~~(v)~~ ~~10%~~ **15%** in the local public recreation facilities fund

1 created in section 1911, to be used for development of public
2 recreation facilities for local units of government.

3 (v) ~~(vi)~~—7% in the forest recreation account to be used for
4 operating, maintaining, and making capital improvements to state
5 forest campgrounds and the state forest system of pathways and
6 nonmotorized trails, including, but not limited to, equestrian
7 trails.

8 (2) For each state fiscal year, beginning with the 2011-2012
9 state fiscal year, the state treasurer shall adjust the amounts set
10 forth in subsection (1)(b) and (c) by an amount determined by the
11 state treasurer to reflect the cumulative percentage change in the
12 ~~consumer price index~~ **Consumer Price Index** for the most recent 1-
13 year period for which data are available. As used in this
14 subsection, ~~"consumer price index"~~ **"Consumer Price Index"** means the
15 most comprehensive index of consumer prices available for this
16 state from the ~~bureau of labor statistics~~ **Bureau of Labor**
17 **Statistics** of the United States ~~department of labor~~ **Department of**
18 **Labor**.

19 (3) By January 15 of each year, the department, in
20 consultation with the department of state, shall estimate the
21 amount of additional **recreation passport fee** revenue that would
22 have been collected ~~as recreation passport fees~~ during the
23 immediately preceding state fiscal year if owners of resident motor
24 vehicles described in sections 74116(4)(c) and 78119(4)(b) were not
25 exempt under those provisions from paying the recreation passport
26 fee. The department shall estimate the amount as follows:

27 (a) Determine the total number of resident motor vehicles
28 described in sections 74116(4)(c) and 78119(4)(b).

29 (b) Multiply the number under subdivision (a) by the

1 percentage of resident motor vehicles with single-year
2 registrations for which a recreation passport fee was paid during
3 the preceding state fiscal year.

4 (c) Subtract from the result under subdivision (b) the number
5 of resident motor vehicles described in sections 74116(4) (c) and
6 78119(4) (b) for which a recreation passport fee was paid during the
7 preceding state fiscal year under rules promulgated under section
8 74120(3).

9 (d) Multiply the result under subdivision (c) by the current
10 amount of the recreation passport fee during the preceding state
11 fiscal year.

12 (4) The legislature shall annually appropriate from the
13 general fund a sum equal to the amount estimated under subsection
14 (3). The sum appropriated shall be distributed as provided in
15 subsection (1) (d).

16 (5) The department shall submit a report to the standing
17 committees and appropriations subcommittees of the legislature with
18 jurisdiction over issues pertaining to natural resources and the
19 environment by February 1 each year. The report shall provide
20 information on all of the following for the preceding state fiscal
21 year:

22 (a) The total amount of recreation passport fee revenue
23 received by the department and the amounts allocated under
24 subsection (1).

25 (b) The total amount of annual and daily state park motor
26 vehicle permit fee revenue received by the department under section
27 74117.

28 (c) The total amount of seasonal or daily state-operated
29 public boating access site revenue received by the department under

1 section 78105(3).

2 (d) Details on the specific uses of the revenue described in
3 subdivisions (a), (b), and (c) and the amounts expended for each
4 specific use.

5 (e) The amount of revenue received during the preceding state
6 fiscal year under subsection (4).

7 (f) The adequacy of the revenue described in subdivisions (a)
8 and (e) for each of the purposes for which it is allocated under
9 subsection (1).

10 (g) The impact of the state park revenue stream described in
11 subdivisions (a), (b), and (d) on the Michigan state parks
12 endowment fund created in section 35a of article IX of the state
13 constitution of 1963 and provided for in section 74119.

14 (h) Other relevant issues that affect funding needs for the
15 state park system.

16 (6) By February 1, 2012 and every 2 years thereafter, the
17 department shall submit a report to the standing committees and
18 appropriations subcommittees of the legislature with jurisdiction
19 over issues pertaining to natural resources and the environment.
20 The report shall provide information on how frequently motor
21 vehicles for which the registrant declined to pay the recreation
22 passport fee entered state parks and state-operated public boating
23 access sites designated under section 78105 during the registration
24 period. The information shall be based on random audits conducted
25 by the department. A report under this subsection may be combined
26 with a report required under subsection (5).

27 (7) The department may prepare a list of frequently asked
28 questions and answers concerning the recreation passport fee. The
29 department and the department of state may post the information on

1 their websites. The department of state may provide the information
2 with ~~any~~ applications for registration of motor vehicles that are
3 mailed by the department of state.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect
7 unless all of the following bills of the 100th Legislature are
8 enacted into law:

9 (a) House Bill No. 4486.

10 (b) House Bill No. 4776.