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TO: Natural Resources Commission  
Department of Natural Resources Management Team

FROM: Anna Mooney, Legislative Liaison, Legislative & Legal Affairs Office

SUBJECT: Department of Natural Resources Legislative Update

**PA 165 of 2018 (SB 883) –MNRTF 2018 Supplemental – Sen. Booher**

Pursuant to the recommendation of the Natural Resources Trust Fund Board, this act appropriates \$49.9 million from the MNRTF for 34 acquisition projects (approximately \$28.9 million) and 97 development projects (approximately \$21 million). Total matching funds of \$45 million result in total project costs of \$94.9 million.

**PA 166 of 2018 (SB 551) – MNRTF Recommendations – Sen. Hildenbrand**

This act amends Part 19 of the Natural Resources and Environmental Protection Act to establish an advisory group to provide guidance to the MNRTF Board in determining the amount of money to be made available for annual spending and operations. The advisory group will be comprised of the Governor, State Treasurer, Senate Majority Leader, Speaker of the House or their designees and a member of the MNRTF Board.

**SB 763, SJR O; SB 931-932 – MNRTF and SPEF Changes – Sen. Casperson, Hansen, and Booher**

This legislation seeks to amend the Natural Resources and Environmental Protection Act (NREPA) and the Michigan Constitution to provide flexibility for the manner in which oil, gas and mineral royalty revenue is to be distributed to the Michigan Natural Resources Trust Fund (MNRTF) and the State Park Endowment Fund (SPEF).

This legislation would change the formula for funds currently distributed from the SPEF to designate at least 15% of the royalties to be used towards local public recreation projects. The proposed changes to NREPA and the Michigan Constitution would also allow for more grants to be awarded from the MNRTF each year for the development of public recreation facilities.

- This legislation passed the Senate and was referred to the House Committee on Appropriations.
- The Administration supports this legislation.

### **HB 4475 -- Restrictions on Land Acquisitions, Land Sales and Land Management by the Department -- Rep. Howell**

This bill seeks to amend the Natural Resources and Environmental Protection Act by prohibiting the Department from acquiring land north of the Mason-Arenac line if any state PILT payments, commercial forestland payments, or payments on tax-reverted land are not paid in full and on time. Further, the bill provides counties or townships the ability to prohibit the Department from acquiring land where 40% of that local jurisdiction's land is either owned by the state, federal government, or in commercial forestland. The bill also would require the Department to give written notice in a newspaper publication and to provide an opportunity for a public meeting when disposing, acquiring, leasing or significantly developing land more than 80 acres in size.

- This bill passed the Senate and was returned to the House for consideration.
- The Administration supports this amended legislation.

### **SB 302 -- Restrictions on Land Acquisitions, Land Sales and Land Management by the Department -- Sen. Casperson**

This bill seeks to amend the Natural Resources and Environmental Protection Act to require the Department to provide notice to the public and legislature when a rule is promulgated and when issuing an order. The bill also urges the Department to provide motorized public access to all lands under the control of the Department, modifies the process for land exchanges, sales and appraisal valuations, and requires for each forest management area the establishment of an allowable sale quantity, a minimum sale quantity, and management goals.

- This bill passed the House and was returned to the Senate for consideration.
- The Administration supports this amended legislation.

### **SB 303 -- Land Exchange Facilitation Fund -- Sen. Booher**

This bill seeks to amend the Natural Resources and Environmental Protection Act by amending Sections 2130, 2134, 2135, 2154 and 51106 to expand the acceptable uses of the land exchange facilitation fund to pay for surveys and environmental assessments incurred by the Department in land transactions, as well as the costs of managing the natural resources for public recreation activities and development projects on department managed lands. In addition, the bill changes the name of the fund to the "Land Exchange Facilitation and Management Fund." The bill further increases the payment amount per acre on commercial forestlands.

- This bill passed the House and was returned to the Senate for consideration.
- The Administration supports this amended legislation.

### **HB 5836, HBs 5988-5989 --Electronic Boater's Safety Certificate-- Rep. Marino, Bellino, LaFave**

These bills seek to amend the Natural Resources and Environmental Protection Act to allow an individual that is required to display their boater's safety certificate upon request when operating a motorboat to do so electronically. The bill would also require the Department to allow law enforcement agencies to verify that an individual has obtained a boater's safety certificate.

- These bills were reported from the House Committee on Natural Resources and are awaiting a vote on the House floor.
- The Administration has not taken a position on this legislation.

### **HB 5854-5855 – Voluntary Wetland Restoration Program– Rep. Howell and Bellino**

These bills seek to amend the Natural Resources and Environmental Protection Act to create a Voluntary Wetland Restoration Program within the Department of Natural Resources. The program would be required to enhance coordination and operational procedures to improve and streamline the permitting process to facilitate a net gain in wetland quantity and/or quality.

- These bills passed the House and were referred to the Senate Committee on Natural Resources.
- The Administration has not taken a position on this legislation.

### **HB 5866 – Sport Fishing – Rep. Bellino**

This bill seeks to amend the Natural Resources and Environmental Protection Act to make several clarifications in decision making authority from the department to the commission in the section of law pertaining to sport fishing.

- This bill was reported from the House Committee on Natural Resources and is awaiting a vote on the House floor.
- The Administration supports this legislation.

### **HB 5889 & 6076 – Lake Level Assessments -- Rep. VanSingel**

These bills seek to amend the Natural Resources and Environmental Protection Act to allow the department to pay the lake level assessments on tax-reverted lands, owned by the department, through special assessments.

- These bills passed the House and were referred to the Senate Committee on Natural Resources.
- The Administration supports this legislation.

### **HB 5638 – Water Withdrawal Tool– Rep. Miller**

This bill seeks to amend Part 327 of the Natural Resources and Environmental Protection Act to provide an alternative route for a property owner to submit a water withdrawal assessment. Instead of a request for a site-specific review, the bill would allow a property owner to submit to the Department of Environmental Quality (DEQ) the data used when entering the required fields of the Online Assessment Tool. The bill would also give options to the property owner to submit either registration for a proposed withdrawal that will draw water from aquifers separated from glacial aquifers by bedrock or an analysis by a professional hydrologist demonstrating that the withdrawal is unlikely to cause an adverse resource impact.

- This bill has been presented to the Governor.

### **HB 6050 –Breeding of Black Bears– Rep. Lauwers**

This bill seeks to amend the Large Carnivore Act to allow a for-profit or nonprofit business meeting certain criteria to breed up to four black bears per year. The eligible business would have to be a business with a Class C license whose primary purpose of their business being the presentation of animals including large carnivore.

- This bill passed the House and was referred to the Senate Committee on Agriculture.
- The Administration has not taken a position on this legislation.

If you would like to learn more about these and other bills, you can access the Michigan Legislature website at [www.legislature.mi.gov](http://www.legislature.mi.gov).

