

**SUBSTITUTE FOR
SENATE BILL NO. 40**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 2130, 2134, 2135, 2154, and 51106 (MCL
324.2130, 324.2134, 324.2135, 324.2154, and 324.51106), sections
2130, 2134, and 2135 as added by 1995 PA 60 and sections 2154 and
51106 as amended by 2012 PA 604.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2130. As used in this subpart:

2 (a) "Board" means the Michigan natural resources trust fund
3 board established in part 19.

4 (b) "Fund" means the land exchange facilitation **AND MANAGEMENT**
5 fund created in section 2134.

6 (c) "Land" includes lands, tenements, and real estate and

1 rights to and interests in lands, tenements, and real estate.

2 Sec. 2134. (1) A land exchange facilitation **AND MANAGEMENT**
3 fund is created in the state treasury.

4 (2) **THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM**
5 **ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL**
6 **DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT**
7 **TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS.**

8 (3) The fund shall be administered by the department and shall
9 be used only as provided in section 2135.

10 (4) ~~(2)~~ Any money, including interest earned by the fund,
11 remaining in the fund at the end of a fiscal year shall be carried
12 over in the fund to the next and succeeding fiscal years and shall
13 not be credited to or revert **LAPSE** to the general fund.

14 Sec. 2135. (1) Money from the fund shall be used by the
15 department only for the following purposes:

16 ~~(a) Upon the recommendation of the department and~~
17 ~~authorization of the board, the~~ **THE** purchase of land for natural
18 resources management, ~~administration, and public recreation that~~
19 ~~has been approved by the legislature for purchase pursuant to~~
20 ~~section 1908.~~ **IF THE LAND MEETS THE NEEDS OUTLINED IN THE STRATEGIC**
21 **PLAN MOST RECENTLY APPROVED BY THE LEGISLATURE UNDER SECTION 503.**

22 (b) The costs of advertising, appraisals, negotiations,
23 **SURVEYS**, and closings incurred by the department in the sale of
24 surplus land.

25 (c) The costs of **ENVIRONMENTAL ASSESSMENTS**, appraisals,
26 negotiations, **SURVEYS**, and closings incurred by the department in
27 the purchase of land authorized by this subpart.

1 (D) THE COSTS OF MANAGING THE NATURAL RESOURCES FOR PUBLIC
2 RECREATION ACTIVITIES AND DEVELOPMENT PROJECTS.

3 ~~—— (2) If the board does not authorize or reject a recommendation~~
4 ~~of the department to purchase land within 60 days, the department~~
5 ~~may purchase the land identified in the recommendation.~~

6 (2) ~~(3)~~—The report required by section 506 shall include a
7 summary of all the disbursements of money from the fund for the
8 purposes ~~enumerated~~ **LISTED** in subsection (1).

9 Sec. 2154. (1) The treasurer or other officer charged with the
10 collection of taxes for an assessing district shall annually
11 forward a single statement of the assessment of all property for
12 which payment is claimed under this subpart to the respective
13 county by December 1. The statement shall include an itemization of
14 the valuation and assessment for each individual parcel for which
15 payment is claimed under this subpart. The county shall annually
16 forward the statements received from all affected assessing
17 districts in the county to the Lansing office of the department by
18 December 15. The Lansing office of the department shall review each
19 statement. Subject to subsection (2), if the assessment has been
20 determined according to this subpart, the department shall
21 authorize the state treasurer to pay the amount of the assessment
22 by warrant on the state treasury. Beginning in 2014, if an
23 assessing district does not submit a statement under this
24 subsection by January 1, the amount payable to that assessing
25 district shall be reduced by 5% for each month or portion of a
26 month after January 1 that the statement is late. The state
27 treasurer shall annually forward a separate payment in the amount

1 of the assessment to each affected assessing district in the county
2 by February 14 for any assessing district that has submitted a
3 statement as provided in this subsection.

4 ~~—— (2) For payments made before 2012, the aggregate amount for~~
5 ~~all payments to all assessing districts under section 2153 shall be~~
6 ~~charged as follows:~~

7 ~~—— (a) That portion of the payment that represents an assessment~~
8 ~~by a local school district, intermediate school district, or~~
9 ~~community college district shall be charged against the state~~
10 ~~school aid fund established in section 11 of article IX of the~~
11 ~~state constitution of 1963.~~

12 ~~—— (b) The balance of any payment remaining after the charge made~~
13 ~~in subdivision (a) shall be charged as follows:~~

14 ~~—— (i) Not more than 50% from restricted revenue sources of the~~
15 ~~department of natural resources.~~

16 ~~—— (ii) The remaining balance after the charge under subparagraph~~
17 ~~(i), from the general fund.~~

18 (2) ~~(3) For payments made after 2011, the **THE** aggregate amount~~
19 ~~for all payments to all assessing districts under section 2153~~
20 ~~shall be charged as follows:~~

21 (a) If property for which payment is claimed was not purchased
22 with funds from the Michigan natural resources trust fund, payments
23 shall be charged as follows:

24 (i) That portion of the payment that represents an assessment
25 by a local school district, intermediate school district, or
26 community college district shall be charged against the state
27 school aid fund established in section 11 of article IX of the

1 state constitution of 1963.

2 (ii) The balance of any payment remaining after the charge
3 made in subparagraph (i) shall be charged as follows:

4 (A) Not more than 50% from restricted revenue sources of the
5 department of natural resources.

6 (B) The remaining balance after the charge under sub-
7 subparagraph (A), from the general fund.

8 (b) If the property for which payment is claimed was purchased
9 with funds from the Michigan natural resources trust fund, ~~that~~
10 ~~portion of the payment that represents an assessment by a local~~
11 ~~school district, intermediate school district, or community college~~
12 ~~district shall be charged against the Michigan natural resources~~
13 ~~trust fund and the balance of any payment remaining after that~~
14 ~~charge~~ **THE PAYMENT** shall be charged against the Michigan natural
15 resources trust fund.

16 ~~— (4) Before 2012, if the amount available for payment to all~~
17 ~~local assessing districts from the general fund or from any~~
18 ~~restricted fund is less than the amount required for payment to all~~
19 ~~local assessing districts from the general fund or from any~~
20 ~~restricted fund, the amount available for payment to each local~~
21 ~~assessing district shall be distributed in the same proportion from~~
22 ~~the general fund or from any restricted fund that the required~~
23 ~~payment to that local assessing district is to the total of all~~
24 ~~required payments from the general fund or from any restricted~~
25 ~~fund. Partial payments charged against the Michigan natural~~
26 ~~resources trust fund under subsection (3) do not satisfy payments~~
27 ~~obligated by this state.~~

1 (3) ~~(5)~~ Beginning 2013, this state shall make payment in full
 2 to all local assessing districts under this section. Beginning
 3 2014, if this state does not make payment in full to all local
 4 assessing districts, the delinquent amount that this state failed
 5 to pay is subject to penalty and interest as for delinquent taxes
 6 under the general property tax act, 1893 PA 206, MCL 211.1 to
 7 211.155.

8 (4) ~~(6)~~ As used in this section, "Michigan natural resources
 9 trust fund" means the Michigan natural resources trust fund
 10 established in section 35 of article IX of the state constitution
 11 of 1963 and provided for in section 1902.

12 Sec. 51106. (1) ~~On December~~ **BY NOVEMBER** 1 of each year, the
 13 department shall certify to the state treasurer the number of acres
 14 that are commercial forestlands in each county. ~~and~~ **BY DECEMBER 1**
 15 **OF EACH YEAR,** the state treasurer shall transmit to the treasurer
 16 of each county in which these commercial forests are located a
 17 warrant on the state treasurer for an amount equal to ~~the following~~
 18 ~~for~~ **\$1.25 PER ACRE OF** commercial forest in the county. +

19 ~~(a) Until December 31, 2011, \$1.20 per acre.~~

20 ~~(b) Beginning January 1, 2012-2017~~ and every 5 years after
 21 that date, the amount of the annual payment under this section
 22 shall be increased by 5 cents per acre.

23 (2) From the payments received under subsection (1), the
 24 county treasurer of each county shall distribute an amount equal to
 25 25 cents per acre for each acre of commercial forest in the county
 26 in the same proportions between the various funds as the ad valorem
 27 general property tax is distributed by the township treasurers in

1 each township. Except as provided by section 51109(2), the county
2 treasurer of each county shall distribute the remainder of the
3 funds received under this section in the same manner and in the
4 same proportion as ~~ad valorem taxes collected under~~ the ad valorem
5 general property tax.

6 (3) This state shall make payment in full to each county under
7 this section.

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

10 Enacting section 2. This amendatory act does not take effect
11 unless Senate Bill No. 39 of the 98th Legislature is enacted into
12 law.