

SENATE BILL No. 40

January 27, 2015, Introduced by Senators BOOHER and CASPERSON and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2135, 2154, and 51106 (MCL 324.2135, 324.2154, and 324.51106), section 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. 2135. (1) Money from the fund shall be used by the
2 department only for the following purposes:

3 (a) Upon the recommendation of the department and
4 authorization of the board, the purchase of land for natural
5 resources management, administration, and public recreation that
6 has been approved by the legislature for purchase pursuant to
7 section ~~1908~~-1907.

8 (b) The costs of advertising, appraisals, negotiations, and
9 closings incurred by the department in the sale of surplus land.

1 (c) The costs of appraisals, negotiations, and closings
 2 incurred by the department in the purchase of land authorized by
 3 this subpart.

4 (D) THE COST OF MAINTENANCE AND NATURAL RESOURCE MANAGEMENT
 5 ACTIVITIES, INCLUDING, BUT NOT LIMITED TO, TRAIL DEVELOPMENT AND
 6 MAINTENANCE, RECREATION AND DEVELOPMENT PROJECTS, AQUATIC INVASIVE
 7 AND AQUATIC NUISANCE SPECIES CONTROL, GAME MANAGEMENT, FISH
 8 STOCKING, AND DREDGING.

9 (E) THE PAYMENT OF SPECIAL ASSESSMENTS LEVIED ON LAND OWNED BY
 10 THE DEPARTMENT.

11 (F) STATE PAYMENTS UNDER SECTION 2150.

12 (G) THE PORTION OF STATE PAYMENTS UNDER SECTION 2154
 13 AUTHORIZED PURSUANT TO THAT SECTION TO BE MADE FROM THE LAND
 14 EXCHANGE FACILITATION FUND.

15 (H) STATE PAYMENTS UNDER SECTION 51106.

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

19 (2) ~~(3)~~ The report required by section 506 shall include a
 20 summary of all the disbursements of money from the fund for the
 21 purposes ~~enumerated~~ LISTED in subsection (1).

22 Sec. 2154. (1) The treasurer or other officer charged with the
 23 collection of taxes for an assessing district shall annually
 24 forward a single statement of the assessment of all property for
 25 which payment is claimed under this subpart to the respective
 26 county by December 1. The statement shall include an itemization of
 27 the valuation and assessment for each individual parcel for which

1 payment is claimed under this subpart. The county shall annually
2 forward the statements received from all affected assessing
3 districts in the county to the Lansing office of the department by
4 December 15. The Lansing office of the department shall review each
5 statement. Subject to subsection (2), if the assessment has been
6 determined according to this subpart, the department shall
7 authorize the state treasurer to pay the amount of the assessment
8 by warrant on the state treasury. Beginning in 2014, if an
9 assessing district does not submit a statement under this
10 subsection by January 1, the amount payable to that assessing
11 district shall be reduced by 5% for each month or portion of a
12 month after January 1 that the statement is late. The state
13 treasurer shall annually forward a separate payment in the amount
14 of the assessment to each affected assessing district in the county
15 by February 14 for any assessing district that has submitted a
16 statement as provided in this subsection.

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

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

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

27 ~~—— (i) Not more than 50% from restricted revenue sources of the~~

1 ~~department of natural resources.~~

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

4 (2) ~~(3) For payments made after 2011, the~~ **THE** aggregate amount
 5 for all payments to all assessing districts under section 2153
 6 shall be charged as follows:

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

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

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

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

19 (B) The remaining balance after the charge under sub-
 20 subparagraph (A), from the general fund **OR THE LAND EXCHANGE**
 21 **FACILITATION FUND CREATED IN SECTION 2134.**

22 (b) If the property for which payment is claimed was purchased
 23 with funds from the Michigan natural resources trust fund, ~~that~~
 24 ~~portion of the payment that represents an assessment by a local~~
 25 ~~school district, intermediate school district, or community college~~
 26 ~~district shall be charged against the Michigan natural resources~~
 27 ~~trust fund and the balance of any payment remaining after that~~

1 ~~charge~~ **THE PAYMENT** shall be charged against the Michigan natural
2 resources trust fund.

3 ~~—— (4) Before 2012, if the amount available for payment to all~~
4 ~~local assessing districts from the general fund or from any~~
5 ~~restricted fund is less than the amount required for payment to all~~
6 ~~local assessing districts from the general fund or from any~~
7 ~~restricted fund, the amount available for payment to each local~~
8 ~~assessing district shall be distributed in the same proportion from~~
9 ~~the general fund or from any restricted fund that the required~~
10 ~~payment to that local assessing district is to the total of all~~
11 ~~required payments from the general fund or from any restricted~~
12 ~~fund. Partial payments charged against the Michigan natural~~
13 ~~resources trust fund under subsection (3) do not satisfy payments~~
14 ~~obligated by this state.~~

15 (3) ~~(5)~~ Beginning 2013, this state shall make payment in full
16 to all local assessing districts under this section. Beginning
17 2014, if this state does not make payment in full to all local
18 assessing districts, the delinquent amount that this state failed
19 to pay is subject to penalty and interest as for delinquent taxes
20 under the general property tax act, 1893 PA 206, MCL 211.1 to
21 211.155.

22 (4) ~~(6)~~ As used in this section, "Michigan natural resources
23 trust fund" means the Michigan natural resources trust fund
24 established in section 35 of article IX of the state constitution
25 of 1963 and provided for in section 1902.

26 Sec. 51106. (1) ~~On December~~ **BY NOVEMBER** 1 of each year, the
27 department shall certify to the state treasurer the number of acres

1 that are commercial forestlands in each county. ~~and BY DECEMBER 1~~
 2 ~~OF EACH YEAR,~~ the state treasurer shall transmit to the treasurer
 3 of each county in which these commercial forests are located a
 4 warrant on the state treasurer for an amount equal to ~~the following~~
 5 ~~for \$1.25 PER ACRE OF~~ commercial forest in the county. +

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

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

10 (2) From the payments received under subsection (1), the
 11 county treasurer of each county shall distribute an amount equal to
 12 25 cents per acre for each acre of commercial forest in the county
 13 in the same proportions between the various funds as the ad valorem
 14 general property tax is distributed by the township treasurers in
 15 each township. Except as provided by section 51109(2), the county
 16 treasurer of each county shall distribute the remainder of the
 17 funds received under this section in the same manner and in the
 18 same proportion as ~~ad valorem taxes collected under the ad valorem~~
 19 general property tax.

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

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

24 Enacting section 2. This amendatory act does not take effect
 25 unless Senate Bill No. 39

26 of the 98th Legislature is enacted into law.