

HOUSE JOINT RESOLUTION J

June 18, 2003, Introduced by Reps. Tabor and Palsrok and referred to the Committee on Conservation and Outdoor Recreation.

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 40 to article IX, to provide for the establishment of the Michigan habitat trust fund.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for the establishment of the Michigan habitat trust fund, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IX

Sec. 40. The Michigan habitat trust fund is established as an endowment fund. The fund shall consist of all of the following:

(1) All bonuses, rentals, delayed rentals, and royalties collected or reserved by the state under provisions of leases for

1 the extraction of nonrenewable resources and from timber sales
2 from state owned lands acquired with money from state or federal
3 game and fish protection funds or revenues accruing from lands
4 purchased with such revenues.

5 (2) All settlements and civil judgments received by the
6 state for natural resource damage claims.

7 (3) Money or assets from any other source appropriated,
8 transferred, directed, or contributed to the fund.

9 (4) All money or other assets in the following funds on the
10 effective date of this section, which shall be transferred to the
11 fund on that date:

12 (a) The game and fish protection trust fund created in
13 section 43702 of the natural resources and environmental
14 protection act, 1994 PA 451, MCL 324.43702.

15 (b) The nongame fish and wildlife trust fund created in
16 section 43902 of the natural resources and environmental
17 protection act, 1994 PA 451, MCL 324.43902.

18 (c) The game and fish lifetime license trust fund created in
19 section 44104 of natural resources and environmental protection
20 act, 1994 PA 451, MCL 324.44104.

21 (d) The Michigan civilian conservation corps endowment fund
22 created in section 12a of the Michigan civilian conservation
23 corps act, 1984 PA 22, MCL 409.312a.

24 The money and other assets of the fund shall be invested as
25 provided by law. Any increase in the assets of the fund during a
26 state fiscal year, whether from interest and earnings accruing to
27 the fund or other revenues received by the fund, except revenues

1 transferred to the fund on the effective date of this section, to
2 the extent the increase in assets exceeds any increase in the
3 general price level for that state fiscal year, may be
4 appropriated by the legislature in subsequent state fiscal
5 years.

6 Money from the fund may be used only for the following
7 purposes:

8 (1) Not more than 50 percent for the acquisition of land and
9 rights in land for the protection of fish or wildlife habitat.

10 (2) Not less than 50 percent for activities or improvements
11 to enhance fish or wildlife habitat.

12 (3) For the administration of the fund, which may include
13 payments in lieu of taxes on state owned land purchased through
14 the fund.

15 The legislature may provide by law for fund subaccounts to
16 be used for the designated purposes of the fund.

17 Money in the fund may be used for grants for the purposes of
18 the fund to local units of government, public authorities, and
19 nonprofit entities organized for a conservation purpose. The
20 legislature shall provide that a portion of the cost of a project
21 funded by a grant be provided by the local unit of government,
22 public authority, or nonprofit entity receiving the grant.

23 The Michigan natural resources trust fund board established
24 by law pursuant to section 35 of this article shall recommend the
25 projects to be funded with money from the fund. The Michigan
26 natural resources trust fund board shall submit its
27 recommendations to the governor who shall submit the board's

1 recommendations to the legislature in an appropriations bill.

2 As used in this section, "general price level" means the
3 consumer price index for the United States as defined and
4 officially reported by the United States department of labor or
5 its successor agency.

6 The legislature shall provide by law for the implementation
7 of this section.

8 Resolved further, That the foregoing amendment shall be
9 submitted to the people of the state at the next general election
10 in the manner provided by law.