

# HOUSE BILL No. 6400

September 5, 2006, Introduced by Reps. Vander Veen, Kathleen Law and Zelenko and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 74117, 74121, and 74122 (MCL 324.74117, 324.74121, and 324.74122), section 74117 as amended by 2003 PA 170 and sections 74121 and 74122 as added by 1995 PA 58.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 74117. (1) The department may require park permits and  
2 collect park permit fees for entry into a state park or portion of  
3 a state park posted in the manner prescribed by this part. **THE**  
4 **DEPARTMENT MAY CONDITION ENTRY INTO A STATE PARK UPON COMPLIANCE**  
5 **WITH STATE PARK RULES.** The department shall prepare and distribute  
6 park permits to implement this part.

7           (2) Except as otherwise provided in this section, an annual

1 park permit shall be issued and shall authorize the entry of the  
2 motor vehicle to which it is originally attached within the  
3 confines of any state park or recreation area during the calendar  
4 year for which it is issued. The fee for the annual park permit is  
5 as follows:

6 (a) Until January 1, 2007, for the owner of a resident motor  
7 vehicle, \$24.00, except as follows:

8 (i) The fee for the owner of a resident motor vehicle who is 65  
9 years of age or older is \$6.00.

10 (ii) The fee for the owner of a resident motor vehicle who, at  
11 the time of purchase, is in possession of a food stamp card and  
12 personal identification is \$18.00.

13 (b) Until January 1, 2007, for the owner of a nonresident  
14 motor vehicle, \$29.00.

15 (3) A daily permit, valid for 1 day only, shall authorize the  
16 entry of the motor vehicle to which it is originally attached  
17 within the confines of a state park during the day for which it is  
18 issued. The fee for a daily permit is as follows:

19 (a) Until January 1, 2007, for the owner of a resident motor  
20 vehicle, \$6.00.

21 (b) Until January 1, 2007, for the owner of a nonresident  
22 motor vehicle, \$8.00.

23 (4) A person who has obtained an annual motor vehicle permit  
24 under this section for a recreational vehicle to be used as a  
25 stationary primary camping shelter camped legally in and not moved  
26 from a state park campground during the period of the camping stay  
27 may obtain a duplicate motor vehicle permit for a towed second

1 motor vehicle present at the time of entry for a fee of \$6.00  
2 effective for the duration of camping stay.

3 (5) The department shall provide an annual report to the  
4 standing committees in the senate and house of representatives  
5 along with the appropriate budget subcommittees that primarily  
6 consider natural resources issues that details the revenue stream  
7 generated by the fee structure under this section. This report  
8 shall be presented not later than December 31 each year and shall  
9 include information on the impact of the revenue stream on the  
10 Michigan state parks endowment fund created in section 35a of  
11 article IX of the state constitution of 1963 and provided for in  
12 section 74119, the use of the general fund for funding the state  
13 park system, and other relevant issues that impact funding needs  
14 for the state park system.

15 (6) A resident motor vehicle is a vehicle that is registered  
16 as a motor vehicle in this state.

17 (7) This part applies only to the entry of motor vehicles into  
18 the state parks and to the park permits authorized in this part and  
19 does not obviate the necessity of obtaining additional permits for  
20 special services or park privileges as ~~previously or subsequently~~  
21 may be required by law or by rules promulgated by the department.  
22 The department shall designate each person in the state authorized  
23 to sell park permits and shall require as a condition of the  
24 designation that a surety bond be furnished in an amount and in a  
25 form and with the surety as is acceptable to the department. After  
26 being designated by the ~~Department~~ **DEPARTMENT**, a person may issue  
27 park permits in accordance with this part.

1 (8) Commercial motor coaches or vans with a capacity of more  
2 than 12 passengers are not eligible to enter a state park with an  
3 annual park permit. Until January 1, 2007, the daily fee to allow  
4 commercial motor coaches or vans with a capacity of over 12  
5 passengers daily entry into a state park is \$15.00.

6 (9) The department may add to the cost of a reservation or a  
7 motor vehicle entrance or camping fee the charges that the state  
8 incurs because of the use of a credit card.

9 (10) It is the intent of the legislature that if, on September  
10 30 of any state fiscal year, the amount of money in the  
11 countercyclical budget and economic stabilization fund created in  
12 section 351 of the management and budget act, 1984 PA 431, MCL  
13 18.1351, exceeds \$250,000,000.00, then general fund/general purpose  
14 support for state parks operations for the following state fiscal  
15 year shall be equal to or exceed 50% of the revenues generated by  
16 motor vehicle entrance fees under this section during the previous  
17 state fiscal year.

18 Sec. 74121. A person shall not do the following in a state  
19 park:

20 (a) Destroy, damage, or remove any tree, shrub, wildflower, or  
21 other vegetation or property without the permission of the  
22 department.

23 (b) Operate a motor vehicle except in a designated area.

24 **(C) FEED SEAGULLS.**

25 **(D) ~~(e)~~** Violate this part or rules promulgated under this  
26 part.

27 Sec. 74122. (1) ~~A~~ **EXCEPT AS PROVIDED IN SUBSECTION (3), A**

1 person who violates this part or a rule promulgated under this part  
2 is guilty of a misdemeanor. In any proceeding for the violation of  
3 this part or a rule promulgated under this part, where a motor  
4 vehicle without the required park permit affixed is found parked in  
5 any state park, the registration plate displayed on the motor  
6 vehicle constitutes prima facie evidence that the owner of the  
7 motor vehicle was the person who parked or placed it at the  
8 location where it was found.

9 (2) In addition to the penalties provided for in subsection  
10 (1), a person convicted of an act of vandalism shall reimburse the  
11 department up to 3 times the amount of the damage as determined by  
12 the court. All money collected pursuant to this subsection shall be  
13 credited to the fund.

14 (3) **A PERSON WHO VIOLATES SECTION 74121(C) SHALL BE EXPELLED**  
15 **FROM THE STATE PARK FOR THE DAY.**