SENATE BILL NO. 407

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 74103 and 78105 (MCL 324.74103 and 324.78105), section 74103 as added by 1995 PA 58 and section 78105 as amended by 2013 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 74103. (1) In implementing its responsibilities under this part, the department may do 1 or more of the following:

(a) Enter into contracts or agreements that may be necessary
to implement this part.

(b) Lease state park property to a person.

c) Accept gifts, grants, or bequests from any public or private source to be used for a purpose consistent with this part.

d) Acquire property for designation as a state park.

e) Provide the granting of concessions Grant to a person a concession within the boundaries of a state park. In granting a concession, the department shall provide that each the concession is awarded at least not less frequently than every 7 years, based on extension, renegotiation, or competitive bidding.

(2) The department may acquire land and undertake an improvement program for state parks, pursuant to the powers, rights, and privileges conferred by subject to this part, but land acquisition or an improvement program shall not be undertaken until approved by the legislature in the annual capital outlay appropriation act.

(3) The department may install or allow the installation of charging stations for electric vehicles at state parks and state-operated harbors. The department may enter into a lease for the installation or operation of the charging station infrastructure. Revenue from such a lease shall be deposited, respectively, into the state park improvement account, established under section 2030, or the waterways account, established under section 2035, of the conservation and recreation legacy fund.

(4) The department shall cooperate with the office of climate and energy in the department of licensing and regulatory affairs, electric utilities, and other interested parties to identify those state parks and state-operated harbors best suited for electric vehicle charging stations. In determining suitability, the
department shall consider both of the following:

(a) Where grid infrastructure exists sufficient to support electric vehicle charging stations.

(b) Where seasonal traffic patterns and seasonal park and harbor visitation volumes necessitate access to electric vehicle charging stations to accommodate long-distance or local travel and use of state parks and harbors.

(5) Within 1 year after the enactment date of the amendatory act that added this subsection, the department shall do both of the following:

(a) Submit a report of its findings under subsection (4) to the legislative committees of the senate and house of representatives with responsibility for issues involving electric vehicles and state parks.

(b) Post the report on its website. The department shall maintain the website posting for at least 1 year.

Sec. 78105. (1) The department has the following powers and duties:

(a) To acquire, construct, and maintain harbors, channels, and facilities for vessels in the navigable waters lying within the boundaries of this state.

(b) To acquire, by purchase, lease, gift, or condemnation the lands, rights of way, and easements necessary for harbors and channels. For the purposes of this subdivision, the department shall be considered a state agency under 1911 PA 149, MCL 213.21 to 213.25.

(c) To acquire, by purchase, lease, gift, or condemnation suitable areas on shore for disposal of the material from dredging.

(d) To enter into any contracts or agreements that may be
necessary in carrying out this part, including agreements to hold and save the United States free from damages due to that may result from the construction and maintenance by the United States of those works that the United States undertakes.

(e) To provide for the granting of concessions within the boundaries of harbors, so as to furnish the public gas, oil, food, and other facilities.

(f) To provide for charging facilities for electric vehicles at harbors, subject to section 74103.

(g) To represent this state and the governor in dealings with the chief of engineers of the United States Army and his or her authorized agents for the purposes set forth in this part.

(h) To charge fees for both seasonal and daily moorage at state-operated small craft mooring facilities. All revenues derived from this source shall be deposited in the waterways account.

(i) To collect the proceeds from the sale of marine fuel at harbors operated by the department. The proceeds from the sales shall be credited to the waterways account and used for the purchase of marine fuel supplies as may be needed. Any remaining revenue from this source not needed for the purchase of marine fuel supplies may be expended in the same manner as other funds within the waterways account.

(2) The director shall designate state-operated public boating access sites that, subject to section 78119(4), shall not be entered by a resident motor vehicle unless the recreation passport fee has been paid or by a nonresident or commercial motor vehicle unless a pass purchased under subsection (3) is affixed to the motor vehicle as described in section 78119.

(3) The department shall charge fees for passes authorizing
seasonal or daily entry by nonresident motor vehicles or commercial
motor vehicles at designated state-operated public boating access
sites. Fee revenue under this subsection shall be deposited in the
waterways account.