

# HOUSE BILL NO. 5738

February 15, 2022, Introduced by Reps. Whitsett and Calley and referred to the Committee on Local Government and Municipal Finance.

A bill to amend 1913 PA 90, entitled

"An act authorizing and empowering the boards of supervisors of counties to purchase, acquire by condemnation, accept gifts and devises of real estate for, and to improve and maintain public parks and zoological gardens, airports and landing fields, and to contribute to the improvement and maintenance of public parks and public zoological gardens, airports and landing fields, owned or held in trust by cities, villages or townships or used for the benefit of the public; to authorize the making of reasonable rules and regulations relative to the public use of park property; and to provide penalties for violations of such rules and regulations,"

by amending section 6 (MCL 123.66).

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

1           Sec. 6. ~~(1) Whenever the board of supervisors of any county~~  
 2 ~~shall have adopted~~ **If a county board of commissioners adopts** a  
 3 ~~resolution to purchase, condemn, or to accept certain lands~~  
 4 **property** for a park purposes, ~~and make~~ **and makes** an appropriation  
 5 ~~therefor under the provisions of sections 1 and 2 of this act,~~  
 6 ~~there shall be created~~ **for park purposes**, a board, ~~of 3 members to~~  
 7 ~~be known and designated as "county park trustees."~~ In counties  
 8 ~~operating under the county road system, the trustees",~~ **is created.**  
 9 ~~The board of county road commissioners is hereby designated and~~  
 10 ~~shall then act~~ **shall serve** as the county park trustees. In all  
 11 ~~other counties the board of supervisors, at the time of making the~~  
 12 ~~appropriation above provided for, shall name and appoint from their~~  
 13 ~~number 3 members to be known and designated as county park~~  
 14 ~~trustees. Said board of trustees shall have the management, control~~  
 15 ~~and expenditure of such funds when collected and shall hold~~

16           **(2) The county park trustees shall do all of the following:**

17           **(a) Manage and control the expenditure of funds appropriated**  
 18 **under subsection (1).**

19           **(b) Hold** in trust for the county the title to any ~~real estate~~  
 20 ~~so purchased, acquired by condemnation or accepted by way of gift~~  
 21 ~~or devise for park purposes, and shall supervise the improvement of~~  
 22 ~~any such property so purchased, acquired or accepted~~ **park property.**

23           **(c) Supervise the improvement of park property** as authorized  
 24 by the **county** board of supervisors. ~~Said board of park trustees~~  
 25 ~~shall have the power to impound water on any property so purchased,~~  
 26 ~~acquired by condemnation or accepted for park purposes and to form~~  
 27 ~~a lake thereon whenever they deem it necessary in the course of~~  
 28 ~~improving such property for park purposes. Such trustees shall also~~

1 ~~have the care and control of such park property and may make~~  
 2 ~~reasonable rules and regulations and enforce the same when made~~  
 3 ~~respecting the use by the public of such park property: Provided,~~  
 4 ~~That no such rule or regulation shall become effective until (1) it~~  
 5 ~~has been commissioners.~~

6 **(d) Exercise care for and control of park property.**

7 **(3) The county park trustees may do any of the following:**

8 **(a) Impound water to form a lake on park property if the**  
 9 **county park trustees consider it necessary to improve the property**  
 10 **for park purposes.**

11 **(b) Adopt and enforce reasonable park rules. A park rule does**  
 12 **not take effect until all of the following requirements are met:**

13 **(i) The rule is** approved by a resolution of the **county** board of  
 14 supervisors, ~~(2) such resolution containing such rule or regulation~~  
 15 ~~has been published at least once in a newspaper of general~~  
 16 ~~circulation within the county, and (3) such commissioners. A~~  
 17 **resolution under this subparagraph must include the text of the**  
 18 **rule.**

19 **(ii) The rule or regulation has been is** posted in at least 3  
 20 conspicuous places ~~in such park property, the posters to~~ **at each**  
 21 **park to which the rule applies. Each required posting must** be not  
 22 less than 10 inches by 12 inches in size and printed in legible  
 23 type. ~~Such~~ **Each required posting shall must** be continuously  
 24 maintained. ~~They~~

25 **(4) The county park trustees** shall elect a chairman  
 26 **chairperson** and secretary. ~~from among their number.~~

27 **(5) All expenditures of funds so appropriated shall by the**  
 28 **county board of commissioners for park purposes must** be paid only  
 29 by the county treasurer on the warrant or voucher of the chairman

1 **chairperson** and 1 other ~~member of such board. The~~ **county park**  
2 **trustee. That other** trustee ~~so appointed~~ shall make a full report  
3 to the **county** board of ~~supervisors~~ **commissioners** at each October  
4 session ~~as to~~ **on** the condition of the ~~park~~ **park** property and the  
5 expenditure of funds. ~~The members of such board of county park~~  
6 ~~trustees shall continue to act until their successors have been~~  
7 ~~duly elected or appointed. In all counties of this state operating~~  
8 ~~under the county road system when this act takes effect, the board~~  
9 ~~of "county park trustees" heretofore appointed shall be immediately~~  
10 ~~dissolved and cease to exist, and the board of county road~~  
11 ~~commissioners shall take the place thereof and thereafter exercise~~  
12 ~~the powers and perform the duties of the board of county park~~  
13 ~~trustees, taking possession of all books, records and office~~  
14 ~~equipment of such former board.~~