



SENATE BILL No. 312

February 2, 1993, Introduced by Senators EHLERS, GEAKE, WARTNER, EMMONS, SCHWARZ, ARTHURHULTZ, CISKY, PRIDNIA, KELLY, MC MANUS and CHERRY and referred to the Committee on Local Government and Urban Development.

A bill to amend section 14 of Act No. 261 of the Public Acts of 1965, entitled

"An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of supervisors with respect thereto,"

being section 46.364 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 14 of Act No. 261 of the Public Acts of
2 1965, being section 46.364 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 14. (1) A county or regional commission may ~~make~~
5 ADOPT, amend, or repeal rules for the protection, regulation, and
6 control of ~~all~~ its facilities and areas with the approval of
7 the ~~local~~ COUNTY board or boards of ~~supervisors~~
8 COMMISSIONERS.

1 (2) Rules shall not be contrary to or inconsistent with the
2 laws of ~~the~~ THIS state. Rules shall not take effect until ~~10~~
3 ~~days after their adoption~~ ALL OF THE FOLLOWING OCCUR:

4 (A) THE ELAPSE OF 9 DAYS AFTER THE RULES ARE ADOPTED by the
5 county or regional commission. ~~and after their~~

6 (B) THE publication OF THE RULES once a week for 2 consecu-
7 tive weeks in ~~at least 1~~ A newspaper of general circulation in
8 the county in which the area or facility to which the rules apply
9 ~~are~~ IS located. ~~and only after a copy thereof has been~~
10 ~~posted~~

11 (C) THE POSTING OF A COPY OF THE RULES near each gate or
12 principal entrance to the area or facility.

13 (3) ~~Any person violating any~~ A PERSON WHO VIOLATES A rule
14 adopted by a county or regional commission ~~created shall be~~
15 ~~deemed~~ IS guilty of a misdemeanor ~~and upon conviction thereof~~
16 ~~shall be fined~~ PUNISHABLE BY A FINE OF not more than \$100.00 and
17 costs of prosecution ~~, or imprisoned in the county jail for a~~
18 ~~period not exceeding~~ OR BY IMPRISONMENT FOR NOT MORE THAN 90
19 days, or both. IF THE USE OF A MOTORIZED VEHICLE ON A RECREA-
20 TIONAL TRAIL RESERVED FOR NONMOTORIZED TRAVEL IS AN ELEMENT OF
21 THE VIOLATION OF THE RULE, ALL OF THE FOLLOWING APPLY:

22 (A) IN ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS
23 SUBSECTION, A COURT OF COMPETENT JURISDICTION MAY ORDER A PERSON
24 TO RESTORE, AS NEARLY AS POSSIBLE, ANY LAND, WATER, STREAM BANK,
25 STREAMBED, OR OTHER NATURAL OR GEOGRAPHIC FORMATION DAMAGED BY
26 THE VIOLATION OF THE RULE TO THE CONDITION IT WAS IN BEFORE THE
27 VIOLATION OCCURRED.

1 (B) A PEACE OFFICER MAY IMPOUND THE MOTORIZED VEHICLE.

2 (C) A COURT OF COMPETENT JURISDICTION MAY ORDER THE MOTOR-
3 IZED VEHICLE AND ANY PERSONAL PROPERTY ON THE MOTORIZED VEHICLE
4 SEIZED AS A RESULT OF THE VIOLATION RETURNED TO THE OWNER OR, IN
5 ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS SUBSECTION
6 AND UPON RECOMMENDATION OF THE PROSECUTING ATTORNEY, FORFEITED TO
7 THE COUNTY OR REGIONAL COMMISSION.

8 (4) A county or regional commission may appoint park rangers
9 who may be deputized by a sheriff to enforce the laws of ~~the~~
10 THIS state. ~~and the apprehension of violators thereof. Park~~
11 WHETHER DEPUTIZED OR NOT, PARK rangers may enforce the rules
12 adopted by a county or regional commission ~~whether deputized or~~
13 ~~not,~~ and ~~shall~~ have the powers, privileges, and immunities
14 conferred upon peace officers by the laws of this state. ~~No~~ A
15 park ranger shall NOT be appointed unless he or she meets the
16 minimum standards established by the law enforcement officers
17 training council. Park rangers shall exercise their authority
18 and powers only on lands, waters, and property administered by or
19 under the jurisdiction of a county or regional commission.

20 (5) A county or regional commission may contract with town-
21 ships, cities, villages, or sheriffs for police services required
22 under this section and may appropriate and expend funds for
23 ~~such~~ THOSE services.