



# SENATE BILL No. 316

February 2, 1993, Introduced by Senators GEAKE, EHLERS, 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 2 of Act No. 157 of the Public Acts of 1905, entitled as amended

"An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; and to provide the powers and duties of certain local units of government and certain officials,"

being section 41.422 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 157 of the Public Acts of  
2 1905, being section 41.422 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 2. (1) The board of commissioners ~~shall have the~~  
5 ~~power to~~ MAY adopt rules and regulations for the use and

1 maintenance of ~~such~~ THE place of recreation, including the  
2 hours DURING which the ~~same~~ PLACE OF RECREATION shall be open  
3 to the public, and may make leases for the purposes of erecting  
4 cottages and other necessary buildings under such rules and regu-  
5 lations as it ~~deems~~ CONSIDERS expedient. Under any such lease  
6 no spirituous or malt liquors shall be sold on the premises.

7 ~~Any~~

8 (2) A person who violates the rules and regulations OF THE  
9 BOARD OF COMMISSIONERS is guilty of a misdemeanor. IF THE USE OF  
10 A MOTORIZED VEHICLE ON A RECREATIONAL TRAIL RESERVED FOR NONMO-  
11 TORIZED TRAVEL IS AN ELEMENT OF THE VIOLATION OF A RULE OR REGU-  
12 LATION OF THE BOARD OF COMMISSIONERS, ALL OF THE FOLLOWING  
13 APPLY:

14 (A) IN ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS  
15 SUBSECTION, A COURT OF COMPETENT JURISDICTION MAY ORDER A PERSON  
16 TO RESTORE, AS NEARLY AS POSSIBLE, ANY LAND, WATER, STREAM BANK,  
17 STREAMBED, OR OTHER NATURAL OR GEOGRAPHIC FORMATION DAMAGED BY  
18 THE VIOLATION OF THE RULE OR REGULATION TO THE CONDITION IT WAS  
19 IN BEFORE THE VIOLATION OCCURRED.

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

21 (C) A COURT OF COMPETENT JURISDICTION MAY ORDER THE MOTOR-  
22 IZED VEHICLE AND ANY PERSONAL PROPERTY ON THE MOTORIZED VEHICLE  
23 SEIZED AS A RESULT OF THE VIOLATION RETURNED TO THE OWNER OR, IN  
24 ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS SUBSECTION  
25 AND UPON RECOMMENDATION OF THE PROSECUTING ATTORNEY FOR THE TOWN-  
26 SHIP, FORFEITED TO THE BOARD OF COMMISSIONERS.

1       (3) A charge for admission TO THE PLACE OF RECREATION may be  
2 made by the board OF COMMISSIONERS, but the charge shall not  
3 exceed the charge for admission to state parks of this state.  
4 Funds received from such admissions shall be used for the  
5 improvement of the places of recreation.