



SENATE BILL No. 970

January 18, 1994, Introduced by Senators Hoffman, Ehlers, Wartner, Gast and Dingell and referred to the Committee on Natural Resources and Environmental Affairs

A bill to amend the title and sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Act No 149 of the Public Acts of 1960, entitled

"An act to authorize the state conservation commission to acquire land and undertake an improvement program at certain state parks to provide for financing through the issuance of revenue bonds to provide the terms, conditions and limitations on such bonds to prescribe the powers and duties of certain state officers to authorize the imposition of certain charges and fees for the payment and security of such bonds and for other purposes to authorize the refunding of such bonds and to prescribe penalties for violations of this act,"

sections 3 and 10 as amended and section 3a as added by Act No 177 of the Public Acts of 1989 and section 6 as amended by Act No 66 of the Public Acts of 1983, being sections 318 301, 318 302, 318 303, 318 303a, 318 304, 318 305, 318 306, 318 307, 318 308, 318 309, 318 310, 318 311, 318 312, 318 313, and 318 314 of the Michigan Compiled Laws to add sections 1a, 1b, 1c, 2a,

7a, 12a, 13a, and 13b to repeal certain acts and parts of acts and to repeal certain parts of the act

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 The title and sections 1, 2, 3, 3a, 4, 5, 6, 7,
2 8, 9, 10, 11, 12, 13, and 14 of Act No 149 of the Public Acts of
3 1960, sections 3 and 10 as amended and section 3a as added by Act
4 No 177 of the Public Acts of 1989 and section 6 as amended by
5 Act No 66 of the Public Acts of 1983, being sections 318 301,
6 318 302, 318 303, 318 303a, 318 304, 318 305, 318 306, 318 307,
7 318 308, 318 309, 318 310, 318 311, 318 312, 318 313, and 318 314
8 of the Michigan Compiled Laws, are amended and sections 1a, 1b,
9 1c, 2a, 7a, 12a, 13a, and 13b are added to read as follows

10

TITLE

11 An act to PROVIDE FOR THE OPERATION OF MICHIGAN STATE PARKS
12 TO REGULATE CERTAIN ACTIVITIES AT STATE PARKS TO authorize the
13 ~~state conservation commission~~ DEPARTMENT OF NATURAL RESOURCES
14 to acquire land FOR STATE PARKS and TO undertake an improvement
15 program at certain state parks to provide for financing through
16 the issuance of revenue bonds to provide the terms, conditions,
17 and limitations on ~~such~~ bonds to prescribe the powers and
18 duties of certain state AGENCIES AND officers to authorize the
19 imposition of certain charges and fees for the payment and secur-
20 ity of ~~such~~ bonds and for other purposes to authorize the
21 refunding of ~~such~~ bonds TO LIMIT THE LIABILITY OF VOLUNTEERS
22 IN STATE PARKS and to prescribe penalties AND PROVIDE REMEDIES
23 for violations of this act

1 Sec (1) ~~(1) As used in this act.~~

2 ~~(a) "Department" means the department of natural resources~~

3 ~~(b) "Improvement program" means the construction, recon-~~
 4 ~~struction, development, improvement, bettering, operating, main-~~
 5 ~~taining, and extending a facility in the Michigan state park~~
 6 ~~system, including a site improvement, impoundment, road and park-~~
 7 ~~ing, toilet building, concession building, shelter building,~~
 8 ~~bathhouse, utility, outdoor center, ski area, ski tow, ski shel-~~
 9 ~~ter, and administration unit.~~

10 ~~(c) "State park" means a state park or state recreation area~~
 11 ~~designated by the department, but does not include a state forest~~
 12 ~~campground, state game area, or state public fishing access~~
 13 ~~site.~~

14 ~~(2) The department may acquire land and undertake an~~
 15 ~~improvement program for state parks under its jurisdiction, pur-~~
 16 ~~suant to the powers, rights, and privileges conferred by this~~
 17 ~~act, but land acquisition or an improvement program shall not be~~
 18 ~~undertaken until approved by the legislature in the annual capi-~~
 19 ~~tal outlay appropriation act.~~ THIS ACT SHALL BE KNOWN AND MAY BE

20 CITED AS THE "MICHIGAN STATE PARKS SYSTEM ACT"

21 SEC 1A (1) THE LEGISLATURE FINDS

22 (A) MICHIGAN STATE PARKS PRESERVE AND PROTECT MICHIGAN'S
 23 SIGNIFICANT NATURAL AND HISTORIC RESOURCES

24 (B) MICHIGAN STATE PARKS ARE APPROPRIATE AND UNIQUELY SUITED
 25 TO PROVIDE OPPORTUNITIES TO LEARN ABOUT PROTECTION AND MANAGEMENT
 26 OF MICHIGAN'S NATURAL RESOURCES

1 (C) MICHIGAN STATE PARKS ARE AN IMPORTANT COMPONENT OF
2 MICHIGAN'S TOURISM INDUSTRY AND VITAL TO LOCAL ECONOMIES

3 (2) THE DEPARTMENT SHALL CREATE, MAINTAIN, OPERATE, PROMOTE,
4 AND MAKE AVAILABLE FOR PUBLIC USE AND ENJOYMENT A SYSTEM OF STATE
5 PARKS TO PRESERVE AND PROTECT MICHIGAN'S SIGNIFICANT NATURAL
6 RESOURCES AND AREAS OF NATURAL BEAUTY OR HISTORIC SIGNIFICANCE,
7 TO PROVIDE OPEN SPACE FOR PUBLIC RECREATION, AND TO PROVIDE AN
8 OPPORTUNITY TO UNDERSTAND MICHIGAN'S NATURAL RESOURCES AND NEED
9 TO PROTECT AND MANAGE THOSE RESOURCES

10 SEC 1B (1) AS USED IN THIS ACT

11 (A) "COMMISSION" MEANS THE COMMISSION OF NATURAL RESOURCES

12 (B) "DEPARTMENT" MEANS THE DIRECTOR OF THE DEPARTMENT OF
13 NATURAL RESOURCES OR HIS OR HER DESIGNEE

14 (C) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF NATU-
15 RAL RESOURCES

16 (D) "FUND" MEANS THE STATE PARK IMPROVEMENT FUND CREATED IN
17 SECTION 3

18 (E) "IMPROVEMENT PROGRAM" MEANS THE CONSTRUCTION, RECON-
19 STRUCTION, DEVELOPMENT, IMPROVEMENT, BETTERING, OPERATING, MAIN-
20 TAINING, AND EXTENDING A FACILITY AT A STATE PARK, INCLUDING A
21 SITE IMPROVEMENT, IMPOUNDMENT, ROAD AND PARKING LOT, TOILET
22 BUILDING, CONCESSION BUILDING, SHELTER BUILDING, BATHHOUSE, UTIL-
23 ITY, OUTDOOR CENTER, VISITOR SERVICE FACILITY, SKI AREA, SKI TOW,
24 SKI SHELTER, AND ADMINISTRATION UNIT

25 (F) "MOTOR VEHICLE" MEANS A VEHICLE THAT IS SELF-PROPELLED

26 (G) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION,
27 ASSOCIATION, GOVERNMENTAL ENTITY, OR OTHER LEGAL ENTITY

1 (H) "STATE PARK" MEANS A STATE PARK OR STATE RECREATION AREA
2 DESIGNATED BY THE DIRECTOR

3 (I) "STATE PARK REVENUES" MEANS ALL REVENUES COLLECTED IN
4 STATE PARKS, INCLUDING BUT NOT LIMITED TO, MOTOR VEHICLE PERMITS,
5 CONCESSION FEES, NONMOTORIZED TRAIL PERMITS, FEES, LEASES, CAMP-
6 ING FEES, SALE OF FARM ANIMALS FROM MAYBURY STATE PARK, DONA-
7 TIONS, AND GIFTS

8 (2) THE DEPARTMENT MAY ACQUIRE LAND AND UNDERTAKE AN
9 IMPROVEMENT PROGRAM FOR STATE PARKS, PURSUANT TO THE POWERS,
10 RIGHTS, AND PRIVILEGES CONFERRED BY THIS ACT, BUT LAND ACQUI-
11 TION OR AN IMPROVEMENT PROGRAM SHALL NOT BE UNDERTAKEN UNTIL
12 APPROVED BY THE LEGISLATURE IN THE ANNUAL CAPITAL OUTLAY APPRO-
13 PRIATION ACT

14 SEC 1C IN IMPLEMENTING THE RESPONSIBILITIES UNDER THIS
15 ACT, THE DEPARTMENT MAY DO 1 OR MORE OF THE FOLLOWING

16 (A) ENTER INTO CONTRACTS OR AGREEMENTS THAT MAY BE NECESSARY
17 TO IMPLEMENT THIS ACT

18 (B) LEASE STATE PARK PROPERTY TO A PERSON

19 (C) ACCEPT GIFTS GRANTS OR BEQUESTS FROM ANY PUBLIC OR
20 PRIVATE SOURCE TO BE USED FOR A PURPOSE CONSISTENT WITH THIS
21 ACT

22 (D) ACQUIRE PROPERTY FOR DESIGNATION AS A STATE PARK

23 (E) PROVIDE THE GRANTING OF CONCESSIONS TO A PERSON WITHIN
24 THE BOUNDARIES OF A STATE PARK IN GRANTING A CONCESSION, THE
25 DEPARTMENT SHALL PROVIDE THAT EACH CONCESSION IS AWARDED AT LEAST
26 EVERY 7 YEARS BASED ON EXTENSION, RENEGOTIATION, OR COMPETITIVE
27 BIDDING

1 Sec 2 For the purpose of ~~financing the cost of land and~~
2 ~~the~~ PROVIDING A PARK improvement program, the commission may
3 issue revenue bonds as ~~hereinafter~~ provided IN THIS ACT ~~With~~
4 ~~the consent of the legislature, the~~ THE commission may ~~from~~
5 ~~time to time borrow money and~~ issue revenue bonds payable
6 ~~solely and only~~ from state park revenues ~~as defined in this~~
7 ~~act~~ The aggregate principal amount of the revenue bonds ~~which~~
8 ~~may be issued by the commission pursuant to this act~~ shall not
9 exceed ~~-\$20,000,000 00~~ \$100,000,000 00 ~~The bonds shall be~~
10 ~~serial bonds with annual maturities, the first of which shall~~
11 ~~fall due not more than 5 years after the date of issuance and no~~
12 ~~annual maturity after 5 years from the date of issuance shall be~~
13 ~~less than 1/4 of any subsequent maturity~~ The bonds shall bear
14 ~~interest at a rate or rates not exceeding 8% per annum and shall~~
15 ~~not be issued for a period of time in excess of 30 years after~~
16 ~~the date of the bond~~ THE DEPARTMENT SHALL PROVIDE NOTICE TO THE
17 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE HOUSE OF REPRESENTATIVES
18 AT LEAST 30 DAYS BEFORE BONDS ARE OFFERED FOR SALE There
19 may be included in the cost for which bonds are to be issued a
20 reasonable allowance for legal, engineering, architectural and
21 consultant services, traffic studies, cost of printing and issuing
22 of the bonds, interest on the bonds becoming due before collection
23 of the first ~~revenues~~ available ~~therefor~~ STATE PARK
24 REVENUES and for a period of 1 year thereafter, and other incidental
25 expenses ~~There may be included also in the cost for~~
26 ~~which bonds are to be so issued a sum not to exceed \$50,000 00~~
27 ~~for the construction of gate houses at the collection points, the~~

~~1 preparation and erection of suitable signs and the printing of
2 leaflets advising park visitors of the law The term "state park
3 revenues" as used in this act shall mean all park permit fees as
4 provided in section 10 and shall in no event include other moneys
5 appropriated by the legislature The bonds shall be authorized
6 by a resolution adopted by a majority vote of A QUORUM OF the
7 commission and may be issued in 1 or more series as shall be
8 determined by the commission The provisions of this act pro-
9 viding for annual maturities and the amount thereof and the due
10 date of the first maturity for serial bonds shall not be control-
11 ling as to additional series of bonds The bonds issued in the
12 original instance, any additional bonds of equal standing then
13 outstanding, and the proposed additional bonds shall be treated
14 as a single issue for purposes of complying with the requirements
15 of this act for the due date of the first maturity and for annual
16 maturities with respect to serial bonds~~

17 SEC 2A THE COMMISSION MAY AUTHORIZE THE DEPARTMENT, BUT
18 ONLY WITHIN LIMITATION WHICH SHALL BE CONTAINED IN THE
19 COMMISSION'S AUTHORIZING RESOLUTION TO DO 1 OR MORE OF THE
20 FOLLOWING

21 (A) SELL AND DELIVER AND RECEIVE PAYMENT FOR BONDS

22 (B) APPROVE INTEREST RATES, PURCHASE PRICES DISCOUNTS PRE-
23 MIUMS, MATURITIES, PRINCIPAL AMOUNTS, INTEREST PAYMENT DATES,
24 REDEMPTION RIGHTS AT THE OPTION OF THE COMMISSION OR THE HOLDER,
25 AND THE PLACE AND TIME OF DELIVERY AND PAYMENT FOR THE BONDS

26 (C) DELIVER BONDS TO REFUND PRIOR BONDS OR PARTLY TO REFUND
27 BONDS AND PARTLY FOR OTHER AUTHORIZED PURPOSES

1 (D) SELECT WHICH OUTSTANDING BONDS WILL BE REFUNDED, IF ANY,
2 BY THE NEW ISSUE OF BONDS

3 (E) ANY OTHER MATTERS AND PROCEDURES NECESSARY TO COMPLETE
4 THE ISSUANCE AND DELIVERY OF THE BONDS

5 Sec 3 A resolution adopted by the commission ~~of natural~~
6 ~~resources~~ authorizing the issuance of bonds shall contain all of
7 the following

8 (a) A description in reasonable detail of ~~the land to be~~
9 ~~acquired and~~ the improvement program as approved by the legisla-
10 ture, for which the bonds are to be issued

11 (b) ~~The bond maturities, the maximum rate of interest, the~~
12 ~~form of the bonds, which may be either coupon bonds registered as~~
13 ~~to principal only or bonds registered as to both principal and~~
14 ~~interest, the terms of redemption before maturity with or without~~
15 ~~premium, the manner in which the bonds and the interest coupons~~
16 ~~shall be executed, and other terms and conditions as shall be~~
17 ~~necessary in connection with the bonds and the security for the~~
18 ~~bonds—The premium on a redemption before maturity shall not~~
19 ~~exceed 3% of the par value—~~ THE FORM OF THE BONDS AND ALL OF THE
20 FOLLOWING

21 (1) THE MATURITY DATE OR DATES FOR THE BONDS WITH NO MATU-
22 RITY LATER THAN 30 YEARS AFTER THE ISSUANCE OF THE BONDS

23 (11) THE PRINCIPAL AMOUNT OF AND PRINCIPAL PAYMENT DATES FOR
24 THE BONDS

25 (111) THE INTEREST RATE OR RATES FOR THE BONDS OR THAT BONDS
26 SHALL NOT BEAR ANY INTEREST

1 (1v) THE REDEMPTION PROVISIONS, WITH OR WITHOUT PREMIUM, FOR
2 THE BONDS, IF ANY

3 (v) THE AUTHORIZED DENOMINATIONS FOR THE BONDS

4 (v1) WHETHER THE BONDS MAY BE SOLD AT A DISCOUNT OR FOR A
5 PREMIUM

6 (v11) THE MANNER IN WHICH THE BONDS WILL BE EXECUTED

7 (v111) ANY OTHER PROVISION CONCERNING THE BONDS OR THE
8 SECURITY FOR THE BONDS THE COMMISSION CONSIDERS APPROPRIATE

9 (c) A provision that the state park revenues shall be
10 pledged for the payment of the bonds However, the pledge of
11 state park revenues shall be on a parity with pledges of the rev-
12 enues previously or subsequently made by the commission pursuant
13 to any other resolution authorizing the issuance of bonds under
14 this act and the resolution shall state that the pledge complies
15 with this subdivision

16 ~~-(d) A listing by the commission of the state parks or por-~~
17 ~~tions of state parks previously posted or to be posted within a~~
18 ~~time specified in the resolution and in accordance with section~~
19 ~~9—~~

20 (D) ~~-(e)~~ A covenant that the park permit fees AND PENALTIES
21 provided in section 10 shall be revised from time to time within
22 the limits permitted by law when necessary to insure that the
23 revenues to be derived from the fees shall be sufficient to pay
24 the principal of and interest on bonds issued pursuant to this
25 act and other obligations of the commission in connection with
26 the issuance of bonds

1 (E) ~~(f)~~ A provision requiring the fiscal agent to set
2 aside money from the state park revenue bond receiving fund into
3 a fund to be designated as the state park ~~revenue bond and~~
4 ~~interest redemption~~ DEBT SERVICE fund in a sum proportionately
5 sufficient to provide for the payment of the principal of and
6 interest upon all bonds payable from the fund as and when the
7 principal and interest becomes due and payable in the manner pre-
8 scribed by the commission In addition the resolution shall
9 authorize the commission to provide that a reasonable excess
10 amount may be set aside by the fiscal agent from time to time as
11 directed by the commission in the state park ~~revenue bond and~~
12 ~~interest redemption~~ DEBT SERVICE fund to produce and provide a
13 reserve to meet a possible future deficiency in the fund The
14 resolution shall further provide that out of the revenues remain-
15 ing each quarter, after having first met the requirements of the
16 state park ~~revenue bond and interest redemption~~ DEBT SERVICE
17 fund, including the reserve for the fund, the commission may by
18 direction to the fiscal agent next set aside additional money in
19 the state park ~~revenue bond and interest redemption~~ DEBT
20 SERVICE fund for the purpose of calling bonds for redemption,
21 subject to approval by the state administrative board The reso-
22 lution shall also contain a provision for the investment of funds
23 held by the fiscal agent

24 (F) ~~(g)~~ A provision that money on deposit in the state
25 park revenue bond receiving fund after setting aside the amounts
26 in the state park ~~revenue bond and interest redemption~~ DEBT
27 SERVICE fund ~~shall be considered to be~~ IS surplus money, and

1 ~~to the extent in excess of a constant balance of \$100,000 00,~~
2 shall be deposited quarterly by the fiscal agent upon the order
3 of the commission in the state treasury in a ~~special~~ fund to be
4 designated as the state park improvement fund This ~~special~~
5 fund shall be subject to appropriation by the legislature for the
6 improvement, operation, and maintenance of state parks and recre-
7 ation areas ~~and for no other purpose~~ ANY UNEXPENDED REVENUE
8 IN THE FUND, ALONG WITH EXCESS REVENUE FROM PRIOR FISCAL YEARS,
9 SHALL BE CARRIED OVER INTO SUBSEQUENT FISCAL YEARS INTEREST AND
10 EARNINGS OF THE FUND SHALL REMAIN IN THE FUND Not less than
11 \$10 00 of each annual permit and not less than \$2 00 of each
12 daily permit projected to be sold in a fiscal year may be appro-
13 priated for the maintenance and operation of state parks and rec-
14 reation areas in that fiscal year

15 (G) ~~(h)~~ The terms and conditions under which additional
16 bonds payable from the state park revenues of equal standing with
17 a prior issue of bonds may be issued

18 (H) ~~(i)~~ A provision for deposit and expenditure of the
19 proceeds of sale of the bonds and for investment of the proceeds
20 of sale of the bonds and of other funds of the commission relat-
21 ing to bonds authorized by this act

22 (I) ~~(j)~~ A provision that in the event of a default in the
23 payment of principal of or interest on the bonds, or in the per-
24 formance of an agreement or covenant contained in the resolution,
25 the holders of a specified percentage of the outstanding bonds
26 may institute 1 or more of the following for the equal benefit of
27 the holders of all of the bonds

1 (1) An action of mandamus or any other suit, action, or
2 proceeding to enforce the rights of the holders of the bonds

3 (11) An action upon the defaulted bonds or coupons

4 (111) Any other action as may be provided by law

5 Sec 3a The increased fee revenue as a result of ~~this~~
6 ~~amendatory act that added this section~~ ACT NO 177 OF THE PUBLIC
7 ACTS OF 1989 shall not be used to reduce the state general
8 fund/general purpose support for state park operations If the
9 state general fund/general purpose support for state park opera-
10 tions does not equal or exceed the amount appropriated in fiscal
11 year ~~1988-89~~ 1993-94, then ~~this amendatory act~~ ACT NO 177 OF
12 THE PUBLIC ACTS OF 1989 shall be repealed

13 Sec 4 ~~Each of said bonds~~ ANY BOND ISSUED UNDER THIS ACT
14 shall state ~~on its face~~ that it is not a general obligation of
15 the state of Michigan, but is a revenue bond payable ~~solely and~~
16 only from state park revenues ~~as defined in this act~~ The
17 ~~interest coupons to be attached to the bonds shall contain a~~
18 ~~statement that the interest coupons are not general obligations~~
19 ~~of the state of Michigan but are payable only from such state~~
20 ~~park revenues~~ Nothing in this act ~~shall be construed or inter-~~
21 ~~preted so as to authorize or permit the incurring of the indebt-~~
22 ~~edness of~~ AUTHORIZES the state TO INCUR DEBT contrary to the
23 ~~provisions of the~~ constitution or laws of the state ~~In no~~
24 ~~event shall the~~ THE holders of the bonds ~~or interest coupons~~
25 SHALL NOT have the right to compel a sale of any real estate or
26 personal property of the state parks, nor shall the holders of
27 the bonds ~~or interest coupons~~ have any lien, mortgage, or other

1 encumbrances upon any property of the state of Michigan, real,
2 personal, or mixed ~~Said bonds~~ BONDS shall be fully negotiable
3 within the meaning of ~~and for all purposes of~~ the negotiable
4 instruments law of this state

5 Sec 5 The commission ~~, with consent of the legislature,~~
6 may issue bonds ~~hereunder~~ for the purpose of refunding any
7 obligations ~~theretofore~~ issued under ~~the provisions of~~ this
8 act, or may authorize ~~and deliver~~ a single issue of bonds
9 ~~hereunder~~ in part for the purpose of refunding such obligations
10 and in part for the purpose of financing any additional cost of
11 land or improvement program ~~, as authorized by the legislature~~
12 ~~in a capital outlay appropriation act~~ Bonds issued under this
13 section ~~shall be~~ ARE payable ~~solely and~~ only from state park
14 revenues and may ~~either be sold as in this act provided or~~
15 ~~delivered in exchange for outstanding bonds issued hereunder and~~
16 ~~to the extent not so exchanged, said bonds shall~~ be sold in the
17 manner provided for the sale of bonds ~~hereunder~~ IN THIS ACT
18 If sold, that portion of the proceeds representing the refunding
19 portion may be either applied to the payment of the obligations
20 refunded or deposited in escrow for ~~the~~ THEIR retirement
21 ~~thereof~~ No bonds may be refunded hereunder unless they either
22 mature or are subject to redemption under their terms within 12
23 months from the date of sale of the refunding bonds, or unless
24 the holders thereof voluntarily surrender them for exchange or
25 payment

26 Sec 6 ~~(1) Any bonds issued under this act, except bonds~~
27 ~~issued for delivery in exchange as permitted by section 5, shall~~

1 ~~be sold at public sale in accordance with the provisions of the~~
 2 ~~municipal finance act, Act No 202 of the Public Acts of 1943, as~~
 3 ~~amended, being sections 131 1 to 139 3 of the Michigan Compiled~~
 4 ~~Laws, and, unless an exception from prior approval is available~~
 5 ~~pursuant to subsection (2), shall require as a condition prece-~~
 6 ~~dent to their issuance the approval of the municipal finance com-~~
 7 ~~mission or its successor agency under Act No 202 of the Public~~
 8 ~~Acts of 1943, as amended~~

9 ~~(2) The requirement of subsection (1) for obtaining the~~
 10 ~~prior approval of the municipal finance commission or its succes-~~
 11 ~~or agency before issuing bonds under this act shall be subject~~
 12 ~~to sections 10 and 11 of chapter III of Act No 202 of the Public~~
 13 ~~Acts of 1943, being sections 133 10 and 133 11 of the Michigan~~
 14 ~~Compiled Laws, and the department of treasury shall have the same~~
 15 ~~authority as provided by section 11 of chapter III of Act No 202~~
 16 ~~of the Public Acts of 1943 to issue an order providing or denying~~
 17 ~~an exception from the prior approval required by subsection (1)~~
 18 ~~for bonds, other than bonds issued for delivery in exchange as~~
 19 ~~permitted by section 5, authorized by this act~~ THE MAXIMUM RATE
 20 OF INTEREST ON BONDS ISSUED UNDER THIS ACT SHALL BE THAT SET
 21 FORTH FOR BONDS IN THE MUNICIPAL FINANCE ACT, ACT NO 202 OF THE
 22 PUBLIC ACTS OF 1943, BEING SECTIONS 131 1 TO 139 2 OF THE
 23 MICHIGAN COMPILED LAWS, BUT BONDS ISSUED UNDER THIS ACT SHALL NOT
 24 IN ANY OTHER WAY BE SUBJECT TO ACT NO 202 OF THE PUBLIC ACTS OF
 25 1943 THE SALE AND AWARD OF BONDS SHALL BE CONDUCTED AND MADE BY
 26 THE COMMISSION AT A PUBLIC OR PRIVATE SALE IF A PUBLIC SALE IS
 27 HELD, THE BONDS SHALL BE ADVERTISED FOR SALE ONCE NOT LESS THAN 7

1 DAYS BEFORE SALE IN A PUBLICATION WITH STATEWIDE CIRCULATION
 2 WHICH CARRIES AS A PART OF ITS REGULAR SERVICE NOTICES OF THE
 3 SALES OF MUNICIPAL BONDS AND THAT HAS BEEN DESIGNATED IN THE RES-
 4 OLUTION AS A PUBLICATION COMPLYING WITH THESE QUALIFICATIONS
 5 THE NOTICE OF SALE SHALL BE IN THE FORM AS DESIGNATED BY THE
 6 COMMISSION

7 Sec 7 All state park revenues ~~as defined in this act~~
 8 shall be deposited ~~, as collected by the commission,~~ with the
 9 state treasurer who shall ~~be~~ ACT AS THE fiscal agent for the
 10 ~~commission~~ DEPARTMENT The state treasurer ~~as such fiscal~~
 11 ~~agent~~ shall ~~open~~ ESTABLISH a special depository account ~~with~~
 12 ~~a federal reserve system member bank or banks selected by the~~
 13 ~~fiscal agent with the approval of the commission, said account~~
 14 to be designated "state park revenue bond receiving fund" The
 15 necessary expenses of the fiscal agent incurred by reason of
 16 ~~said agent's~~ HIS OR HER duties under this act shall be paid
 17 from the state park revenue bond receiving fund ~~The fiscal~~
 18 ~~agent, with the approval of the commission, shall designate banks~~
 19 ~~or trust companies located in Detroit, Michigan New York New~~
 20 ~~York or Chicago, Illinois, to act as paying agent or agents for~~
 21 ~~the said revenue bonds and interest coupons~~ ~~The fees and neces-~~
 22 ~~sary expenses of such agent or agents shall be paid from the~~
 23 ~~state park revenue bond and interest redemption fund~~ THE COM-
 24 MISSION MAY DESIGNATE BANKS OR TRUST COMPANIES TO ACT AS PAYING
 25 AGENTS FOR BONDS ISSUED PURSUANT TO THE ACT THE PAYING AGENT
 26 SHALL BE PAID FROM THE STATE PARK DEBT SERVICE FUND

1 SEC 7A THE DEPARTMENT MAY ESTABLISH FEES AND COLLECT FEES
2 FOR ACTIVITIES IN STATE PARKS EXCEPT THOSE ACTIVITIES IN WHICH
3 FEES ARE ESTABLISHED UNDER THIS ACT ALL FEES COLLECTED UNDER
4 THIS SECTION SHALL BE DEPOSITED INTO THE FUND

5 Sec 8 Except as otherwise provided ~~herein~~ IN THIS ACT,
6 ~~no~~ free entry of a motor vehicle shall NOT be permitted into
7 any state park or portion ~~thereof~~ OF A STATE PARK posted in
8 accordance with this act

9 Sec 9 The ~~commission by resolution~~ DEPARTMENT shall
10 designate ~~from time to time~~ the state parks in which a park
11 permit ~~shall be~~ IS required for lawful entry by motor vehicle
12 ~~under the provisions of this act~~ In making such designation
13 ~~the commission~~ THE DEPARTMENT shall ~~consider~~ DESIGNATE only
14 those parks in which state facilities and services are provided
15 for the public The ~~commission~~ DEPARTMENT may ~~in its judgment~~
16 ~~limit the requirement for a park permit for lawful entry to a~~
17 ~~portion of a designated state park and in such event shall recite~~
18 ~~in the resolution a reasonable description of the area in which~~
19 ~~the park permit shall be required~~ DESIGNATE PORTIONS OF STATE
20 PARKS WHERE A PARK PERMIT IS NOT NECESSARY The ~~commission~~
21 DEPARTMENT shall ~~promptly cause signs to be posted and main-~~
22 ~~tained at the entrances to all such~~ POST SIGNS AT designated
23 parks or designated portions ~~thereof, said signs to display a~~
24 ~~legend that entrance by motor vehicle into the park or designated~~
25 ~~portion is prohibited unless there is displayed on said motor~~
26 ~~vehicle a park permit of the type described in section 10 of this~~
27 ~~act~~ OF PARKS THAT STATE THAT A MOTOR VEHICLE PARK PERMIT IS

1 REQUIRED ~~As used in this act the term "motor vehicle" means~~
2 ~~every vehicle which is self-propelled It shall be unlawful for~~
3 ~~any~~ A person ~~to~~ SHALL NOT enter any state park or portion
4 ~~thereof, posted in accordance with this act, in a motor vehicle~~
5 ~~unless a~~ OF A STATE PARK IN WHICH A MOTOR VEHICLE PARK PERMIT IS
6 REQUIRED WITHOUT A VALID MOTOR VEHICLE PERMIT AFFIXED TO THE
7 VEHICLE A VALID park permit ~~valid under the provisions of~~
8 ~~section 10 hereof has been~~ procured ~~and~~ PURSUANT TO SECTION 10
9 SHALL BE PERMANENTLY affixed to the lower right-hand corner of
10 the windshield of ~~such~~ ANY motor vehicle ENTERING A STATE PARK
11 OR PORTION OF A STATE PARK IN WHICH A MOTOR VEHICLE PARK PERMIT
12 IS REQUIRED, except that ~~no~~ A park permit ~~shall be~~ IS NOT
13 required to be affixed to a motor vehicle while THE MOTOR VEHICLE
14 IS being driven or parked within an established federal, state,
15 or county highway within a state park The ~~provisions of this~~
16 ~~act shall~~ REQUIREMENT TO OBTAIN A MOTOR VEHICLE PARK PERMIT DOES
17 not apply to motor vehicles used in the operation or maintenance
18 of state parks, to emergency vehicles, ~~nor~~ OR to state-owned or
19 law enforcement motor vehicles or private motor vehicles being
20 operated on official state business

21 Sec 10 (1) The ~~commission~~ DEPARTMENT may require park
22 permits and ~~impose and~~ collect park permit fees for entry into
23 a state park or portion of a state park posted in the manner pre-
24 scribed by this act The ~~commission~~ DEPARTMENT shall prepare
25 and distribute ~~suitable~~ park permits to ~~carry out~~ IMPLEMENT
26 this act

1 (2) Except as otherwise provided in this section, an annual
2 park permit shall be issued and shall authorize the entry of the
3 motor vehicle to which it is originally attached within the con-
4 fines of any state park or recreation area during the calendar
5 year in which issued The fee for the annual park permit ~~shall~~
6 ~~be \$15 00 in 1990, 1991, and 1992,~~ IS \$18 00 in ~~1993 and~~ 1994,
7 and \$20 00 in 1995 and thereafter, except that an owner of a res-
8 ident motor vehicle ~~,~~ who is 65 years of age or older ~~,~~ shall
9 be issued a special annual park permit for 1/4 the amount of the
10 annual park permit

11 (3) A daily park permit, valid for 1 day only, shall be
12 issued for a fee to be fixed by the ~~commission~~ DEPARTMENT, but
13 in an amount not to exceed \$4 00 for resident motor vehicles and
14 \$6 00 for nonresident motor vehicles The fee for nonresident
15 motor vehicles may be \$4 00 in all parks except where nonresident
16 day use is extremely high The ~~commission~~ DEPARTMENT shall
17 identify parks where nonresident day use is extremely high and
18 set the nonresident fee at \$6 00 The daily permit shall autho-
19 rize the entry of the motor vehicle to which it is originally
20 attached within the confines of a state park during the day in
21 which issued

22 (4) A resident motor vehicle is a vehicle that is registered
23 as a motor vehicle in this state

24 (5) This act ~~shall apply~~ APPLIES only to the entry of
25 motor vehicles into the state parks and to the park permits
26 authorized in this act and ~~shall~~ DOES not obviate the necessity
27 of obtaining additional permits for special services or park

1 privileges as previously or subsequently may be required by law
 2 or by rules promulgated by the ~~commission~~ DEPARTMENT The
 3 ~~director of the~~ department ~~of natural resources~~ shall desig-
 4 nate each person ~~, partnership, or corporation~~ in the state
 5 authorized to sell park permits and shall require as a condition
 6 of the designation that a surety bond be furnished in an amount
 7 and in a form and with the surety as ~~shall be~~ IS acceptable to
 8 the ~~director~~ DEPARTMENT A person ~~, partnership, or corpora-~~
 9 ~~tion so~~ designated by the ~~director of the~~ department ~~of natu-~~
 10 ~~ral resources~~ after being designated may issue park permits in
 11 accordance with this act

12 (6) Commercial motor coaches or vans are not eligible to
 13 enter a state park with an annual park permit The ~~commission~~
 14 ~~of natural resources~~ DEPARTMENT may establish a daily fee not to
 15 exceed \$15 00 to allow commercial motor coaches or vans with a
 16 capacity of over 12 passengers daily entry into a state park

17 (7) The department ~~of natural resources~~ may add to the
 18 cost of a reservation or for payment for a motor vehicle entrance
 19 or camping fee the charges that the state incurs because of the
 20 use of a credit card

21 Sec 11 On or before the tenth day of every month, all
 22 persons ~~, partnerships or corporations~~ authorized to sell park
 23 permits ~~as provided in this act~~ shall pay ~~over~~ to the depart-
 24 ment ~~of conservation~~ all ~~moneys~~ MONEY received from the sale
 25 of park permits for the preceding month Any person ~~, partner-~~
 26 ~~ship or corporation which~~ WHO refuses or neglects to pay ~~over~~
 27 the ~~moneys~~ MONEY as ~~herein~~ provided IN THIS SECTION, in

1 addition to other penalties provided by law, ~~shall forfeit~~
 2 FORFEITS the right to sell park permits All persons ~~, partner~~
 3 ~~ships or corporations~~ authorized to sell park permits, except
 4 ~~conservation~~ employees OF THE DEPARTMENT who receive a regular
 5 salary from the state, may charge the purchaser as compensation
 6 ~~therefor~~ 15 cents additional for each annual park permit and 10
 7 cents additional for each daily park permit issued On or before
 8 February 15 of each year a complete report of all permits sold
 9 during the previous calendar year shall be filed with the
 10 ~~commission~~ DEPARTMENT by each person ~~, partnership or~~
 11 ~~corporation~~ authorized to sell ~~the same~~ PARK PERMITS, and all
 12 unsold park permits for the previous year shall be returned to
 13 the department ~~of conservation~~

14 Sec 12 The ~~commission is hereby authorized to adopt such~~
 15 ~~rules and regulations, in accordance with the provisions of Act~~
 16 ~~No 88 of the Public Acts of 1943, as amended, being sections~~
 17 ~~24 71 to 24 82 of the Compiled Laws of 1948, and subject to Act~~
 18 ~~No 197 of the Public Acts of 1952, as amended, being sections~~
 19 ~~24 101 to 24 110 of the Compiled Laws of 1948, governing the~~
 20 ~~administration of this act, as may be deemed necessary~~

21 DEPARTMENT MAY PROMULGATE RULES PURSUANT TO THE ADMINISTRATIVE
 22 PROCEDURES ACT OF 1969, ACT NO 306 OF THE PUBLIC ACTS OF 1969,
 23 BEING SECTIONS 24 201 TO 24 328 OF THE MICHIGAN COMPILED LAWS, TO
 24 IMPLEMENT THIS ACT

25 SEC 12A A PERSON SHALL NOT DO THE FOLLOWING IN A STATE
 26 PARK

1 (A) DESTROY, DAMAGE, OR REMOVE ANY TREE, SHRUB, WILDFLOWER,
2 OR OTHER VEGETATION OR PROPERTY WITHOUT THE PERMISSION OF THE
3 DEPARTMENT

4 (B) OPERATE A MOTOR VEHICLE EXCEPT IN A DESIGNATED AREA

5 (C) VIOLATE THIS ACT OR RULES PROMULGATED UNDER THIS ACT

6 Sec 13 (1) A ~~violation of~~ PERSON WHO VIOLATES this act
7 or ~~the valid rules and regulations~~ A RULE promulgated ~~by the~~
8 ~~commission shall constitute~~ UNDER THIS ACT IS GUILTY OF a
9 misdemeanor In any proceeding for the violation of this act OR
10 A RULE PROMULGATED UNDER THIS ACT, where a motor vehicle without
11 the required park permit affixed is found parked in any state
12 park, the registration plate displayed on the motor vehicle shall
13 constitute prima facie evidence that the owner of the motor vehi-
14 cle was the person who parked or placed it at the location where
15 found

16 (2) IN ADDITION TO THE PENALTIES PROVIDED FOR IN SUBSECTION
17 (1), A PERSON CONVICTED OF AN ACT OF VANDALISM SHALL REIMBURSE
18 THE DEPARTMENT UP TO 3 TIMES THE AMOUNT OF THE DAMAGE AS DETER-
19 MINED BY THE COURT ALL MONEY COLLECTED PURSUANT TO THIS SUBSEC-
20 TION SHALL BE CREDITED TO THE FUND

21 SEC 13A THE DEPARTMENT MAY ESTABLISH A FINE FOR FAILURE
22 TO PURCHASE A PARK PERMIT WHICH SHALL BE TWICE THE COST OF A
23 MOTOR VEHICLE ENTRANCE PERMIT OR DAILY PERMIT AS ESTABLISHED BY
24 THIS ACT OR BY THE DEPARTMENT

25 SEC 13B (1) TO ENSURE COMPLIANCE WITH THIS ACT AND THE
26 RULES PROMULGATED UNDER THIS ACT, THE DIRECTOR MAY COMMISSION
27 PARK AND RECREATION ENFORCEMENT OFFICERS WITH LIMITED ARREST

1 POWERS TO ENFORCE UPON PROPERTIES ADMINISTERED BY THE DEPARTMENT
2 UNDER THIS ACT, RULES PROMULGATED UNDER THIS ACT, AND ANY LAWS OF
3 THIS STATE SPECIFIED IN THOSE RULES AS ENFORCEABLE BY COMMIS-
4 SIONED PARK AND RECREATION ENFORCEMENT OFFICERS IN PERFORMING
5 THESE DUTIES, PARK AND RECREATION ENFORCEMENT OFFICERS SHALL BE
6 VESTED WITH THE POWERS, PRIVILEGES, PREROGATIVES, AND IMMUNITIES
7 CONFERRED UPON PEACE OFFICERS BY THE GENERAL LAWS OF THIS STATE

8 (2) IN ADDITION TO THE LIMITED ARREST AUTHORITY GRANTED IN
9 SUBSECTION (1), A PARK AND RECREATION ENFORCEMENT OFFICER MAY
10 ARREST A PERSON WITHOUT A WARRANT IF 1 OR MORE OF THE FOLLOWING
11 EXIST

12 (A) THE PERSON COMMITS AN ASSAULT OR AN ASSAULT AND BATTERY
13 PUNISHABLE UNDER SECTION 81 OR 81A OF THE MICHIGAN PENAL CODE,
14 ACT NO 328 OF THE PUBLIC ACTS OF 1931, BEING SECTIONS 750 81 AND
15 750 81A OF THE MICHIGAN COMPILED LAWS, AGAINST THE PARK AND REC-
16 REATION ENFORCEMENT OFFICERS OR AGAINST ANOTHER PERSON WHILE IN
17 THE PRESENCE OF THE PARK AND RECREATION ENFORCEMENT OFFICERS

18 (B) THE PARK AND RECREATION ENFORCEMENT OFFICERS HAVE REA-
19 SONABLE CAUSE TO BELIEVE THAT A FELONY HAS BEEN COMMITTED AND
20 REASONABLE CAUSE TO BELIEVE THAT THE PERSON HAS COMMITTED IT

21 (C) THE PARK AND RECREATION ENFORCEMENT OFFICERS HAVE POSI-
22 TIVE INFORMATION BY WRITTEN, TELEGRAPHIC, TELETYPE, TELEPHONIC,
23 RADIO, OR OTHER AUTHORITATIVE SOURCE THAT A PEACE OFFICER HOLDS A
24 WARRANT FOR THE PERSON'S ARREST

25 (D) THE PERSON COMMITS A CIVIL INFRACTION OR MISDEMEANOR IN
26 VIOLATION OF THE FOLLOWING SECTIONS OF THE MICHIGAN VEHICLE CODE,
27 ACT NO 300 OF THE PUBLIC ACTS OF 1949

1 (1) SECTION 625 OR 625B, BEING SECTIONS 257 625 AND 257 625B
2 OF THE MICHIGAN COMPILED LAWS

3 (11) SECTION 611, BEING SECTION 257 611 OF THE MICHIGAN
4 COMPILED LAWS

5 (111) SECTIONS 626 AND 626B, BEING SECTIONS 257 626 AND
6 257 626B OF THE MICHIGAN COMPILED LAWS

7 (1v) SECTION 627, BEING SECTION 257 627 OF THE MICHIGAN
8 COMPILED LAWS

9 (E) THE PERSON VIOLATES ACT NO 319 OF THE PUBLIC ACTS OF
10 1975, BEING SECTIONS 257 1601 TO 257 1626 OF THE MICHIGAN
11 COMPILED LAWS

12 (F) THE PERSON VIOLATES SECTIONS 63(6) AND 192(2) OF THE
13 MARINE SAFETY ACT, ACT NO 303 OF THE PUBLIC ACTS OF 1967, BEING
14 SECTIONS 281 1063 AND 281 1192 OF THE MICHIGAN COMPILED LAWS

15 Sec 14 All bonds issued ~~hereunder~~ PURSUANT TO THIS ACT
16 and the interest ~~thereon shall be~~ ON THOSE BONDS IS exempt from
17 taxation by the state, ~~of Michigan,~~ or by any municipality,
18 corporation, county, or other political subdivision or taxing
19 district of the state

20 Section 2 Sections 15 and 16 of Act No 149 of the Public
21 Acts of 1960, being sections 318 315 and 318 316 of the Michigan
22 Compiled Laws, are repealed

23 Section 3 The following acts are repealed

24 (a) Act No 218 of the Public Acts of 1919, being sections
25 318 3 to 318 8 of the Michigan Compiled Laws

26 (b) Act No 212 of the Public Acts of 1915, being section
27 318 41 of the Michigan Compiled Laws

1 (c) Act No 4 of the Public Acts of 1921, being
2 sections 318 51 to 318 54 of the Michigan Compiled Laws

3 (d) Act No 51 of the Public Acts of 1970, being sections
4 318 221 to 318 222 of the Michigan Compiled Laws

5 (e) Act No 280 of the Public Acts of 1969, being sections
6 318 251 to 318 255 of the Michigan Compiled Laws