

SUBSTITUTE FOR
HOUSE BILL NO. 5674

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 76702 (MCL 324.76702), as added by 1995 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 76702. The Mackinac Island state park commission ~~is~~
2 ~~authorized and empowered~~ **MAY**, in addition to the powers already
3 conferred on it by law, ~~to~~ exercise the following powers: ~~—~~
4 ~~rights, and privileges:~~

5 (a) To acquire, construct, ~~develop,~~ improve, ~~better,~~
6 ~~extend,~~ repair, maintain, **RESTORE, EQUIP, FURNISH**, use, and
7 operate all property, real or personal, necessary **OR CONVENIENT** to
8 the exercise of the powers ~~—, rights, privileges, and functions~~ **OR**
9 **THE PERFORMANCE OF THE DUTIES** conferred upon it by law, ~~and this~~

~~part including, but not limited to, the power to acquire, construct, develop, improve, better, extend, restore, reconstruct, renovate, refurbish, repair, equip, furnish, maintain, use, and operate, and to provide landscaping, driveways, streets, and walkways for, buildings, structures, areas (any and all), and facilities of all kinds~~ **PROPERTY** that in the judgment of the commission will increase the beauty and utility of the state park facilities and provide recreational, historical, or other facilities for the benefit and enjoyment of the public ~~—, or that are necessary or convenient to the exercise of the powers of the commission~~ **AND LANDSCAPING, DRIVEWAYS, STREETS, OR WALKWAYS FOR SUCH PROPERTY.**

(b) To employ consulting architects, engineers, museum technicians, landscape architects, supervisors, managers, lawyers, fiscal agents, and other agents and employees as it considers necessary, and to establish their compensation.

(c) To enlist the guidance, assistance, and cooperation of the Michigan historical commission.

(d) To establish charges for admission to the facilities under its jurisdiction, to establish other charges for the use of any facilities, including fees or charges to be imposed on concessionaires, and to charge rentals for the lease or use of any of its facilities as the commission determines proper and as will assure the prompt and full carrying out of all covenants contained in the proceedings authorizing any bonds pursuant to this part.

(E) TO ACCEPT GIFTS, GRANTS, AND DONATIONS.

(F) ~~—(e)~~ To acquire, construct, develop, improve, repair,

1 maintain, and operate, but not to extend the runway beyond 3,600
2 feet, an airport or landing field on property under its
3 jurisdiction, and to lease to any governmental unit any real or
4 personal property under its jurisdiction for use as an airport or
5 landing field on the terms and conditions approved by the
6 commission and the department of management and budget. The
7 exercise of any power granted by this ~~subsection~~ **SUBDIVISION** is
8 subject to determination by the proper federal authority that such
9 exercise will not affect the title of the state to the land
10 involved. All rules and regulations established by any lessee shall
11 reflect written approval by the commission before the rules or
12 regulations are in effect.

13 (G) TO SELL REAL OR PERSONAL PROPERTY THAT IS UNDER THE
14 CONTROL OF THE COMMISSION IF ALL OF THE FOLLOWING REQUIREMENTS ARE
15 MET:

16 (i) THE PROPERTY IS SOLD FOR FAIR MARKET VALUE. THE
17 DETERMINATION OF FAIR MARKET VALUE MAY TAKE INTO ACCOUNT A
18 COMMITMENT BY THE BUYER TO KEEP THE PROPERTY OPEN OR ACCESSIBLE TO
19 THE PUBLIC. FURTHERMORE, IF THE PROPERTY IS SOLD TO A PERSON WHO
20 DONATED LABOR OR MATERIALS FOR THE IMPROVEMENT, REPAIR,
21 MAINTENANCE, OR RESTORATION OF THE PROPERTY, THE PRICE MAY BE
22 REDUCED BY AN AMOUNT NOT GREATER THAN THE PORTION OF THE FAIR
23 MARKET VALUE ATTRIBUTABLE TO THE DONATION OF LABOR OR MATERIALS.

24 (ii) THE COMMISSION DETERMINES THAT THE PROPERTY IS NOT OF
25 CURRENT OR POTENTIAL VALUE TO THE PURPOSES OF THE COMMISSION AS SET
26 FORTH IN THIS SUBCHAPTER.

27 (iii) THE COMMISSION DETERMINES THAT THE SALE OF THE PROPERTY IS

1 IN THE BEST INTERESTS OF THE STATE.

2 (iv) THE SALE OF THE PROPERTY IS NOT OTHERWISE PROHIBITED BY
3 LAW.

4 (v) IF THE PROPERTY IS REAL PROPERTY, THE PROPERTY IS ZONED
5 RESIDENTIAL OR COMMERCIAL AND IS NOT CONTIGUOUS TO STATE PARK LAND.