

HOUSE BILL No. 5189

September 7, 2007, Introduced by Reps. McDowell, Meadows, Stahl, Donigan, Corriveau, Byrum, Lahti, Lindberg, Hood, Valentine, Garfield, Spade, Brown, Espinoza, Meisner, Polidori, Hansen, Ball, Mayes, Pastor, Young, Angerer, Ebli, Bennett, Vagnozzi, Clack, Sheltroun, Brandenburg and Gillard and referred to the Committee on Military and Veterans Affairs and Homeland Security.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 43537, 74117, and 83106 (MCL 324.43537,
324.74117, and 324.83106), section 43537 as amended by 1996 PA 585,
section 74117 as amended by 2006 PA 477, and section 83106 as
amended by 2004 PA 587.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43537. (1) A resident who is declared legally blind is
2 eligible to purchase a senior restricted or senior all-species
3 fishing license. The department may demand proof of blindness. The
4 licensee, when fishing, shall possess proof of blindness and shall
5 furnish the proof upon the request of a peace officer.

6 (2) A resident who has been determined by the United States
7 department of veterans affairs to be permanently and totally

1 disabled and entitled to ~~veteran~~**VETERANS'** benefits at the 100%
2 rate, for a disability other than blindness, is eligible to
3 purchase any senior hunting license as described in section 43535
4 or any senior fishing license described in section 43536, or both.

5 (3) A RESIDENT WHO HAS BEEN DETERMINED BY THE UNITED STATES
6 DEPARTMENT OF VETERANS AFFAIRS TO BE PERMANENTLY AND TOTALLY
7 DISABLED AS A RESULT OF MILITARY SERVICE AND ENTITLED TO VETERANS'
8 BENEFITS AT THE 100% RATE, FOR A DISABILITY OTHER THAN BLINDNESS,
9 OR A RESIDENT WHO HAS BEEN A PRISONER OF WAR IS ELIGIBLE TO OBTAIN
10 ANY LICENSE UNDER THIS PART FREE OF CHARGE.

11 (4) The department may demand proof of eligibility under ~~this~~
12 subsection (2) OR (3). ~~The~~**A licensee UNDER SUBSECTION (2) OR (3),**
13 when hunting or taking aquatic species, shall possess proof of his
14 or her eligibility under ~~this~~ subsection (2) OR (3) and shall
15 furnish the proof upon the request of a peace officer.

16 (5) ~~(3)~~The department shall process licenses issued under
17 this section in the same manner as licenses issued to senior
18 citizens for purposes of receiving appropriations from the
19 legislature under section 43546.

20 Sec. 74117. (1) The department may require park permits and
21 collect park permit fees for entry into a state park or portion of
22 a state park posted in the manner prescribed by this part. The
23 department may waive the permit requirement for department-
24 sponsored events or other circumstances as determined by the
25 director or the director's designee. The department shall prepare
26 and distribute park permits to implement this part.

27 (2) Except as otherwise provided in this section, an annual

1 park permit shall be issued and shall authorize the entry of the
2 motor vehicle to which it is originally attached within the
3 confines of any state park or recreation area during the calendar
4 year for which it is issued. The fee for the annual park permit is
5 as follows:

6 (a) Until January 1, 2010, for the owner of a resident motor
7 vehicle, \$24.00, except as follows:

8 (i) The fee for the owner of a resident motor vehicle who is 65
9 years of age or older is \$6.00.

10 (ii) The fee for the owner of a resident motor vehicle who, at
11 the time of purchase, is in possession of a food stamp card and
12 personal identification is \$18.00.

13 (b) Until January 1, 2010, for the owner of a nonresident
14 motor vehicle, \$29.00.

15 (3) A daily permit, valid for 1 day only, shall authorize the
16 entry of the motor vehicle to which it is originally attached
17 within the confines of a state park during the day for which it is
18 issued. The fee for a daily permit is as follows:

19 (a) Until January 1, 2010, for the owner of a resident motor
20 vehicle, \$6.00.

21 (b) Until January 1, 2010, for the owner of a nonresident
22 motor vehicle, \$8.00.

23 (4) A person who has obtained an annual motor vehicle permit
24 under this section for a recreational vehicle to be used as a
25 stationary primary camping shelter camped legally in and not moved
26 from a state park campground during the period of the camping stay
27 may obtain a duplicate motor vehicle permit for a towed second

1 motor vehicle present at the time of entry for a fee of \$6.00
2 effective for the duration of **THE** camping stay.

3 (5) The department shall provide to the standing committees in
4 the senate and house of representatives along with the appropriate
5 budget subcommittees that primarily consider issues pertaining to
6 natural resources an annual report that details the revenue stream
7 generated by the fee structure under this section. This report
8 shall be presented not later than December 31 each year and shall
9 include information on the impact of the revenue stream on the
10 Michigan state parks endowment fund created in section 35a of
11 article IX of the state constitution of 1963 and provided for in
12 section 74119, the use of the general fund for funding the state
13 park system, and other relevant issues that impact funding needs
14 for the state park system.

15 (6) This part applies only to the entry of motor vehicles into
16 the state parks and to the park permits authorized in this part and
17 does not obviate the necessity of obtaining additional permits for
18 special services or park privileges as previously or subsequently
19 may be required by law or by rules promulgated by the department.
20 The department shall designate each person in the state authorized
21 to sell park permits and shall require as a condition of the
22 designation that a surety bond be furnished in an amount, ~~and~~ in a
23 form, and with ~~the~~ **A** surety as ~~as~~ **THAT** is acceptable to the
24 department. After being designated by the department, a person may
25 issue park permits ~~in accordance with~~ **UNDER** this part.

26 (7) Commercial motor coaches or vans with a capacity of more
27 than 12 passengers are not eligible to enter a state park with an

1 annual park permit. Until January 1, 2010, the daily fee to allow
2 commercial motor coaches or vans with a capacity of over 12
3 passengers daily entry into a state park is \$15.00.

4 (8) THE DEPARTMENT SHALL WAIVE STATE PARK ENTRY AND CAMPING
5 FEES FOR A RESIDENT WHO HAS BEEN DETERMINED BY THE UNITED STATES
6 DEPARTMENT OF VETERANS' AFFAIRS TO BE PERMANENTLY AND TOTALLY
7 DISABLED AS A RESULT OF MILITARY SERVICE AND ENTITLED TO VETERANS'
8 BENEFITS AT THE 100% RATE, FOR A DISABILITY OTHER THAN BLINDNESS,
9 OR A RESIDENT WHO HAS BEEN PRISONER OF WAR. THE DEPARTMENT MAY
10 DEMAND PROOF OF ELIGIBILITY UNDER THIS SUBSECTION.

11 (9) ~~(8)~~—The department may add to the cost of a reservation or
12 a motor vehicle entrance or camping fee the charges that the state
13 incurs because of the use of a credit card.

14 (10) ~~(9)~~—If a person's annual park permit is lost or
15 destroyed, the department shall provide that person with a
16 replacement park permit free of charge. The department may require
17 a person requesting a replacement park permit to supply sufficient
18 evidence of the loss or destruction of the original park permit.

19 (11) ~~(10)~~—It is the intent of the legislature that if, on
20 September 30 of any state fiscal year, the amount of money in the
21 countercyclical budget and economic stabilization fund created in
22 section 351 of the management and budget act, 1984 PA 431, MCL
23 18.1351, exceeds \$250,000,000.00, then general fund/general purpose
24 support for state parks operations for the following state fiscal
25 year shall be equal to or exceed 50% of the revenues generated by
26 motor vehicle entrance fees under this section during the previous
27 state fiscal year.

1 (12) ~~(11)~~—As used in this section, "resident motor vehicle"
2 means a vehicle that is registered as a motor vehicle in this
3 state.

4 Sec. 83106. (1) The department may require a person to obtain
5 a permit for camping in designated state forest campgrounds and may
6 establish and collect a fee for the camping permit. However, at
7 least 6 months before increasing a camping permit fee, the
8 department shall provide written notice of its intent to do so to
9 the standing committees of the senate and the house of
10 representatives that have primary jurisdiction over legislation
11 pertaining to natural resources and the environment. **THE DEPARTMENT**
12 **SHALL WAIVE CAMPING PERMIT FEES FOR A RESIDENT WHO HAS BEEN**
13 **DETERMINED BY THE UNITED STATES DEPARTMENT OF VETERANS' AFFAIRS TO**
14 **BE PERMANENTLY AND TOTALLY DISABLED AS A RESULT OF MILITARY SERVICE**
15 **AND ENTITLED TO VETERANS' BENEFITS AT THE 100% RATE, FOR A**
16 **DISABILITY OTHER THAN BLINDNESS, OR A RESIDENT WHO HAS BEEN A**
17 **PRISONER OF WAR. THE DEPARTMENT MAY DEMAND PROOF OF ELIGIBILITY**
18 **UNDER THIS SUBSECTION.**

19 (2) The department may require a person to obtain a permit,
20 except as otherwise provided by law, for the use of lands and
21 facilities within the state forest as designated by the department
22 for recreation use.

23 (3) Money collected under this section shall be deposited into
24 the forest recreation account.