

# SENATE BILL No. 804

February 20, 2014, Introduced by Senators KAHN and BOOHER and referred to the Committee on Government Operations.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 76504 (MCL 324.76504), as amended by 2004 PA  
325.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 76504. (1) ~~The~~ **SUBJECT TO SUBSECTION (3), THE** Mackinac  
2       Island state park shall be under the control and management of the  
3       commission, and a majority of the members of the commission  
4       constitutes a quorum for the transaction of business. The business  
5       which the commission may perform shall be conducted at a public  
6       meeting of the commission held in compliance with the open meetings  
7       act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time,  
8       date, and place of the meeting shall be given in the manner  
9       required by the open meetings act, 1976 PA 267, MCL 15.261 to

1 15.275.

2 (2) ~~The~~**SUBJECT TO SUBSECTION (3), THE** commission shall have  
3 the exclusive right to do either or both of the following:

4 (a) Lay out, manage, and maintain the park and preserve the  
5 old fort and other property held by the commission on or acquired  
6 by the commission after August 6, 2001.

7 (b) Promulgate and enforce rules not inconsistent with the  
8 laws of this state and necessary to implement the commission's  
9 duties.

10 (3) **THE FOLLOWING PROPERTIES WITHIN THE MACKINAC ISLAND STATE**  
11 **PARK SHALL BE UNDER THIS EXCLUSIVE CONTROL OF THE OFFICIAL**  
12 **RESIDENCES COMMISSION ESTABLISHED IN SECTION 4 OF THE OFFICIAL**  
13 **RESIDENCES ACT:**

14 (A) **THE MACKINAC RESIDENCE AS DEFINED IN SECTION 2 OF THE**  
15 **OFFICIAL RESIDENCES ACT.**

16 (B) **THE CAPTAIN'S AND MAJOR'S QUARTERS AS DEFINED IN SECTION 2**  
17 **OF THE OFFICIAL RESIDENCES ACT.**

18 (4) ~~(3)~~The commission may do 1 or more of the following:

19 (a) Enter into leases and establish prices for rentals or  
20 privileges upon property controlled by the commission.

21 (b) Sell or lease as personal property buildings or structures  
22 acquired by the commission in settlement of delinquent land  
23 rentals.

24 (c) Employ a director and other persons as may be needed.

25 (5) ~~(4)~~The rules of the commission shall apply to all roads  
26 situated on Mackinac Island state park lands. The commission shall  
27 not make a rule permitting the use of motor vehicles except motor

1 vehicles owned by the state, a political subdivision of the state,  
2 or by a public utility, and used in the exercise of its franchise.  
3 The commission may provide by rule for the issuance of temporary  
4 permits for the operation of motor vehicles over roads situated on  
5 state park lands. The commission may grant permits pursuant to part  
6 13 for the use of lands for the expansion of existing cemeteries,  
7 under terms and conditions as the commission prescribes. The  
8 commission may also grant privileges and franchises for waterworks,  
9 sewerage, transportation, and lighting, for a period of not more  
10 than 40 years. The commission shall prescribe by rule the maximum  
11 number of horse drawn vehicles for hire that may be licensed by the  
12 commission for operation within the park.

13 (6) ~~(5)~~—The sheriff of the county of Mackinac, upon the  
14 application of the commission, shall appoint 1 or more persons who  
15 shall be designated by the commission as deputy sheriffs in and for  
16 the county, and who shall be employees of the commission but who  
17 shall not receive fees or emoluments for services as deputy  
18 sheriffs. The commission may establish the compensation of the  
19 persons employed by the commission, but a debt or obligation shall  
20 not be created by the commission exceeding the amount of money at  
21 its disposal at the time.

22 (7) ~~(6)~~—All money received from rentals or privileges shall be  
23 paid promptly into the state treasury to be credited to the general  
24 fund and to be disbursed as appropriated by the legislature. The  
25 commission, in consideration of the furnishing of fire protection,  
26 street service, sewerage service, and other public service agreed  
27 upon, may remit reasonable rentals as the commission determines

1 from leases of property acquired by the state under the general  
2 property tax act, 1893 PA 206, MCL 211.1 to ~~211.157~~, **211.155**, and  
3 deeded to the commission, to the several tax assessing units in  
4 which the property is situated as provided in that act, in  
5 proportion to the delinquent taxes and special assessments of the  
6 units canceled against the description of land.

7 (8) ~~(7)~~—A writing prepared, owned, used, in the possession of,  
8 or retained by the commission in the performance of an official  
9 function shall be made available to the public in compliance with  
10 the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.  
11 The commission shall provide to the governor an annual report and  
12 statement of receipts and expenditures, and recommendations and  
13 suggestions as the commission considers proper.

14 Enacting section 1. This amendatory act does not take effect  
15 unless Senate Bill No. 803

16 of the 97th Legislature is enacted into law.