



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 5681 (as passed by the House)  
Sponsor: Representative Scott Shackleton  
House Committee: Conservation and Outdoor Recreation  
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 6-1-04

### **CONTENT**

The bill would amend Part 765 (Mackinac Island State Park) of the Natural Resources and Environmental Protection Act to provide that a person who operated a motor vehicle on land within the Mackinac Island State Park would be guilty of a misdemeanor punishable by imprisonment for up to 93 days and/or a maximum fine of \$500, plus the costs of prosecution.

Also, Part 765 provides that a person who willfully cuts, peels, or otherwise injures or destroys any tree standing in the park, or who carries, draws, leaves, or deposits any filth, rubbish, or garbage in the park is guilty of a misdemeanor punishable by imprisonment for between 10 and 60 days or a fine between \$10 and \$50, or both. The bill would delete this language. A person instead would be prohibited from cutting, peeling, damaging, destroying, or removing any tree or other vegetation or State property located in any park or other property under the control of the Mackinac Island State Park Commission without written permission from the Director of the Commission. A person who violated this provision would be civilly liable to the Commission for a sum three times the amount of damage, destruction, or value of the property.

MCL 324.76505 et al.

Legislative Analyst: Claire Layman

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State government. For violations of this section, higher fines could be levied, resulting in greater revenue, but additional days of imprisonment also would be possible, increasing incarceration costs. The impact would depend on the sentence imposed by the court. The bill also would establish civil liability for unauthorized damage to vegetation in the State park. The revenue would depend on the repair costs.

Fiscal Analyst: Jessica Runnels

S0304\5681sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.