

HOUSE BILL No. 5757

February 28, 2006, Introduced by Reps. McDowell, Espinoza, Gleason, Gillard, Nofs, Alma Smith, Spade, Miller, Leland, Wojno, Zelenko, Plakas and Polidori and referred to the Committee on Government Operations.

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 2003 PA 170, and section 83106 as added
by 1998 PA 418.

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

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

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

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

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

21 Sec. 74117. (1) The department may require park permits and
22 collect park permit fees for entry into a state park or portion of
23 a state park posted in the manner prescribed by this part. The
24 department shall prepare and distribute park permits to implement
25 this part.

26 **(2)** Except as otherwise provided in this section, an annual
27 park permit shall be issued and shall authorize the entry of the

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

5 (a) Until January 1, 2007, for the owner of a resident motor
6 vehicle, \$24.00, except as follows:

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

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

12 (b) Until January 1, 2007, for the owner of a nonresident
13 motor vehicle, \$29.00.

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

18 (a) Until January 1, 2007, for the owner of a resident motor
19 vehicle, \$6.00.

20 (b) Until January 1, 2007, for the owner of a nonresident
21 motor vehicle, \$8.00.

22 (4) A person who has obtained an annual motor vehicle permit
23 under this section for a recreational vehicle to be used as a
24 stationary primary camping shelter camped legally in and not moved
25 from a state park campground during the period of the camping stay
26 may obtain a duplicate motor vehicle permit for a towed second
27 motor vehicle present at the time of entry for a fee of \$6.00

1 effective for the duration of camping stay.

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

14 (6) ~~A resident motor vehicle is~~ **FOR THE PURPOSES OF THIS**
15 **SECTION, "RESIDENT MOTOR VEHICLE" MEANS** a vehicle that is
16 registered as a motor vehicle in this state.

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

1 part.

2 (8) Commercial motor coaches or vans with a capacity of more
3 than 12 passengers are not eligible to enter a state park with an
4 annual park permit. Until January 1, 2007, the daily fee to allow
5 commercial motor coaches or vans with a capacity of over 12
6 passengers daily entry into a state park is \$15.00.

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

14 (10) ~~-(9)-~~ The department may add to the cost of a reservation
15 or a motor vehicle entrance or camping fee the charges that the
16 state incurs because of the use of a credit card.

17 (11) ~~-(10)-~~ It is the intent of the legislature that if, on
18 September 30 of any state fiscal year, the amount of money in the
19 countercyclical budget and economic stabilization fund created in
20 section 351 of the management and budget act, 1984 PA 431, MCL
21 18.1351, exceeds \$250,000,000.00, then general fund/general purpose
22 support for state parks operations for the following state fiscal
23 year shall be equal to or exceed 50% of the revenues generated by
24 motor vehicle entrance fees under this section during the previous
25 state fiscal year.

26 Sec. 83106. (1) The department may require a person to obtain
27 a permit for camping in designated state forest campgrounds and may

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

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

18 (3) Money collected under this section shall be deposited into
19 the fund. **HOWEVER, MONEY COLLECTED UNDER THIS SECTION SHALL BE**
20 **DEPOSITED INTO THE FOREST RECREATION ACCOUNT IF HOUSE JOINT**
21 **RESOLUTION Z OF THE 92ND LEGISLATURE BECOMES A PART OF THE STATE**
22 **CONSTITUTION OF 1963 AS PROVIDED IN SECTION 1 OF ARTICLE XII OF THE**
23 **STATE CONSTITUTION OF 1963.**