

HOUSE BILL No. 5768

September 9, 2014, Introduced by Rep. Hovey-Wright and referred to the Committee on Local Government.

A bill to amend 1913 PA 90, entitled

"An act authorizing and empowering the boards of supervisors of counties to purchase, acquire by condemnation, accept gifts and devises of real estate for, and to improve and maintain public parks and zoological gardens, airports and landing fields, and to contribute to the improvement and maintenance of public parks and public zoological gardens, airports and landing fields, owned or held in trust by cities, villages or townships or used for the benefit of the public; to authorize the making of reasonable rules and regulations relative to the public use of park property; and to provide penalties for violations of such rules and regulations,"

by amending section 6 (MCL 123.66).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) ~~Whenever~~ **IF** the **COUNTY** board of supervisors
2 **COMMISSIONERS** of any county ~~shall have adopted~~ **ADOPTS** a resolution
3 to purchase, condemn, or ~~to~~ accept certain lands for park purposes,
4 and make an appropriation therefor under ~~the provisions of~~ sections

1 1 and 2, ~~of this act,~~ there shall be created a board of 3 members
 2 to be known and designated as ~~"county park trustees."~~ **THE COUNTY**
 3 **PARK TRUSTEES.** In counties operating under the county road system,
 4 the board of county road commissioners is ~~hereby~~ designated and
 5 shall ~~then~~ act as the county park trustees. In all other counties,
 6 the **COUNTY** board of ~~supervisors,~~ **COMMISSIONERS,** at the time of
 7 making the appropriation ~~above~~ provided for, shall name and appoint
 8 from their number 3 members to be known and designated as **THE**
 9 county park trustees.

10 (2) ~~Said~~ **THE** board of **COUNTY PARK** trustees shall have the
 11 management, control, and expenditure of ~~such~~ **THE** funds when
 12 collected and shall hold in trust for the county the title to any
 13 real estate ~~so~~ purchased, acquired by condemnation, or accepted by
 14 way of gift or devise for park purposes, and shall supervise the
 15 improvement of any ~~such~~ property ~~so~~ purchased, acquired, or
 16 accepted as authorized by the **COUNTY** board of ~~supervisors.~~ ~~Said~~
 17 **COMMISSIONERS.** **THE** board of **COUNTY** park trustees shall have the
 18 power to impound water on any property ~~so~~ purchased, acquired by
 19 condemnation, or accepted for park purposes and to form a lake
 20 ~~thereon whenever~~ **ON THAT PROPERTY IF** they deem ~~CONSIDER~~ it
 21 necessary in the course of improving ~~such~~ **THE** property for park
 22 purposes.

23 (3) ~~Such~~ **THE COUNTY PARK** trustees shall also have the care and
 24 control of ~~such~~ **THE** park property and may make reasonable rules and
 25 regulations and enforce the same when made respecting the use by
 26 the public of ~~such~~ **THE** park property. ~~÷ Provided, That no such~~
 27 **BEFORE JANUARY 1, 2015, A** rule or regulation shall **NOT** become

1 effective until ~~(1) it~~ **THE RULE OR REGULATION** has been approved by
 2 resolution of the **COUNTY** board of ~~supervisors,~~ ~~(2) such~~
 3 **COMMISSIONERS, THE** resolution containing ~~such~~ **THE** rule or
 4 regulation has been published at least once in a newspaper of
 5 general circulation within the county, and ~~(3) such~~ **THE** rule or
 6 regulation has been posted in at least 3 conspicuous places in ~~such~~
 7 **THE** park property, the posters to be not less than 10 inches by 12
 8 inches in size and printed in legible type. ~~Such~~ **BEGINNING JANUARY**
 9 **1, 2015, A RULE OR REGULATION SHALL NOT BECOME EFFECTIVE UNTIL THE**
 10 **RULE OR REGULATION HAS BEEN APPROVED BY RESOLUTION OF THE COUNTY**
 11 **BOARD OF COMMISSIONERS, TIER C PUBLIC NOTICE OF THE RULE OR**
 12 **REGULATION HAS BEEN PROVIDED AS SET FORTH IN THE LOCAL GOVERNMENT**
 13 **PUBLIC NOTICE ACT, AND THE RULE OR REGULATION HAS BEEN POSTED IN AT**
 14 **LEAST 3 CONSPICUOUS PLACES IN THE PARK PROPERTY, THE POSTERS TO BE**
 15 **NOT LESS THAN 10 INCHES BY 12 INCHES IN SIZE AND PRINTED IN LEGIBLE**
 16 **TYPE. THE** posting OF A RULE OR REGULATION AS REQUIRED IN THIS
 17 SUBSECTION shall be continuously maintained. IN ADDITION, BEGINNING
 18 JANUARY 1, 2015, IF THE COUNTY HAS A WEBSITE, THE RULE OR
 19 REGULATION SHALL REMAIN POSTED ON THAT WEBSITE INDEFINITELY AFTER
 20 TIER C PUBLIC NOTICE HAS BEEN PROVIDED AS SET FORTH IN THE LOCAL
 21 GOVERNMENT PUBLIC NOTICE ACT.

22 (4) ~~They~~ **THE COUNTY PARK TRUSTEES** shall elect a ~~chairman~~
 23 **CHAIRPERSON** and secretary from among their number. All expenditures
 24 of funds ~~so~~ appropriated shall be paid only by the county treasurer
 25 on the warrant or voucher of the ~~chairman~~ **CHAIRPERSON** and 1 other
 26 member of ~~such~~ **THE** board OF **COUNTY PARK TRUSTEES**. The ~~trustee~~ ~~so~~
 27 **TRUSTEES** appointed shall make a full report to the **COUNTY** board of

1 ~~supervisors~~**COMMISSIONERS** at each October session as to the
2 condition of the property and the expenditure of funds. The members
3 of ~~such~~**THE** board of county park trustees shall continue to act
4 until their successors have been duly elected or appointed. In all
5 counties of this state operating under the county road system when
6 this act takes effect, the board of "~~county park trustees~~"
7 ~~heretofore~~**COUNTY PARK TRUSTEES** appointed **BEFORE THE EFFECTIVE DATE**
8 **OF THIS ACT** shall be immediately dissolved and cease to exist, and
9 the board of county road commissioners shall take the place thereof
10 and thereafter exercise the powers and perform the duties of the
11 board of county park trustees, taking possession of all books,
12 records, and office equipment of ~~such~~**THE** former board.

13 Enacting section 1. This amendatory act does not take effect
14 unless House Bill No. 5560 of the 97th Legislature is enacted into
15 law.