

Legislative Analysis



PENALTIES FOR DESTROYING VEGETATION AND PROPERTY IN MACKINAC ISLAND STATE PARK

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House Bill 5681

Sponsor: Rep. Scott Shackleton

Committee: Conservation and Outdoor Recreation

Complete to 4-20-04

A SUMMARY OF HOUSE BILL 5681 AS INTRODUCED 3-23-04

Part 765 (Mackinac Island State Park) of the Natural Resources and Environmental Protection Act provides that any person who willfully cuts, peels, or otherwise injures or destroys any tree in the park or carries, draws, leaves, or deposits garbage anywhere within the park is guilty of a misdemeanor punishable by imprisonment between 10 and 60 days and/or a fine between \$10 and \$50. The bill would state, instead, that a person who cuts, peels, damages, destroys, or removes a tree or other vegetation, or state property located in any park or other property controlled by the Mackinac Island State Park Commission, without written permission from the director of the commission, would be civilly liable to the commission for a sum three times the amount of damage, destruction, or the value of the property.

In addition, the bill would add that a person who operates a motor vehicle on land within the Mackinac Island State Park, with certain exceptions, would be guilty of a misdemeanor punishable by imprisonment not exceeding 93 days and/or a fine not exceeding \$500, plus any prosecution costs.

MCL 324.76505 and 324.76507

FISCAL IMPACT:

There would be an indeterminate fiscal impact on local governmental units. Fine revenue would be provided to public libraries, pursuant to the State Constitution (Section 9 of Article VIII) and the Revised Judicature Act of 1961. Actual revenue collected by local governments would depend on the number of violations and the severity of each infraction.

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