



Senate Fiscal Agency
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BILL ANALYSIS

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

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 without a permit 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.

Date Completed: 6-8-04

Fiscal Analyst: Jessica Runnels