

HOUSE BILL No. 5674

February 14, 2006, Introduced by Reps. Walker, Elsenheimer, Palsrok and Amos and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76702 (MCL 324.76702), as added by 1995 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 76702. The Mackinac Island state park commission ~~is~~
2 ~~authorized and empowered~~ **MAY**, in addition to the powers already
3 conferred on it by law, ~~to~~ exercise the following powers: ~~—~~
4 ~~rights, and privileges:~~

5 (a) To acquire, construct, ~~develop,~~ improve, ~~better,~~
6 ~~extend,~~ repair, maintain, **RESTORE, EQUIP, FURNISH**, use, and
7 operate all property, real or personal, necessary **OR CONVENIENT** to
8 the exercise of the powers ~~—, rights, privileges, and functions~~ **OR**

1 **THE PERFORMANCE OF THE DUTIES** conferred upon it by law, ~~and this~~
2 ~~part~~ including, but not limited to, ~~the power to acquire,~~
3 ~~construct, develop, improve, better, extend, restore, reconstruct,~~
4 ~~renovate, refurbish, repair, equip, furnish, maintain, use, and~~
5 ~~operate, and to provide landscaping, driveways, streets, and~~
6 ~~walkways for, buildings, structures, areas (any and all), and~~
7 ~~facilities of all kinds~~ **PROPERTY** that in the judgment of the
8 commission will increase the beauty and utility of the state park
9 facilities and provide recreational, historical, or other
10 facilities for the benefit and enjoyment of the public ~~, or that~~
11 ~~are necessary or convenient to the exercise of the powers of the~~
12 ~~commission~~ **AND LANDSCAPING, DRIVEWAYS, STREETS, OR WALKWAYS FOR**
13 **SUCH PROPERTY.**

14 (b) To employ consulting architects, engineers, museum
15 technicians, landscape architects, supervisors, managers, lawyers,
16 fiscal agents, and other agents and employees as it considers
17 necessary, and to establish their compensation.

18 (c) To enlist the guidance, assistance, and cooperation of the
19 Michigan historical commission.

20 (d) To establish charges for admission to the facilities under
21 its jurisdiction, to establish other charges for the use of any
22 facilities, including fees or charges to be imposed on
23 concessionaires, and to charge rentals for the lease or use of any
24 of its facilities as the commission determines proper and as will
25 assure the prompt and full carrying out of all covenants contained
26 in the proceedings authorizing any bonds pursuant to this part.

27 **(E) TO ACCEPT GIFTS, GRANTS, AND DONATIONS.**

1 **(F)** ~~—(e)—~~ To acquire, construct, develop, improve, repair,
2 maintain, and operate, but not to extend the runway beyond 3,600
3 feet, an airport or landing field on property under its
4 jurisdiction, and to lease to any governmental unit any real or
5 personal property under its jurisdiction for use as an airport or
6 landing field on the terms and conditions approved by the
7 commission and the department of management and budget. The
8 exercise of any power granted by this ~~subsection~~ **SUBDIVISION** is
9 subject to determination by the proper federal authority that such
10 exercise will not affect the title of the state to the land
11 involved. All rules and regulations established by any lessee shall
12 reflect written approval by the commission before the rules or
13 regulations are in effect.

14 **(G) TO SELL REAL OR PERSONAL PROPERTY THAT IS UNDER THE**
15 **CONTROL OF THE COMMISSION. THE PROPERTY SHALL BE SOLD FOR FAIR**
16 **MARKET VALUE. HOWEVER, THE DETERMINATION OF FAIR MARKET VALUE MAY**
17 **TAKE INTO ACCOUNT A COMMITMENT BY THE BUYER TO KEEP THE PROPERTY**
18 **OPEN OR ACCESSIBLE TO THE PUBLIC. FURTHERMORE, IF THE PROPERTY IS**
19 **BEING SOLD TO A PERSON WHO DONATED LABOR OR MATERIALS FOR THE**
20 **IMPROVEMENT, REPAIR, MAINTENANCE, OR RESTORATION OF THE PROPERTY,**
21 **THE PRICE MAY BE REDUCED BY AN AMOUNT NOT GREATER THAN THE PORTION**
22 **OF THE FAIR MARKET VALUE ATTRIBUTABLE TO THE DONATION OF LABOR OR**
23 **MATERIALS. THE COMMISSION SHALL NOT SELL PROPERTY UNDER THIS**
24 **SUBDIVISION UNLESS THE COMMISSION DETERMINES THAT ALL OF THE**
25 **FOLLOWING APPLY:**

26 **(i) THAT THE PROPERTY IS NOT OF CURRENT OR POTENTIAL VALUE TO**
27 **THE PURPOSES OF THE COMMISSION AS SET FORTH IN THIS SUBCHAPTER.**

1 (ii) THAT THE SALE OF THE PROPERTY IS IN THE BEST INTERESTS OF
2 THE STATE.

3 (iii) THAT THE SALE OF THE PROPERTY IS NOT OTHERWISE PROHIBITED.