NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994
PARKS
Part 741
STATE PARKS SYSTEM

324.74101 Definitions.

Sec. 74101.

As used in this part:

(a) "Commercial motor vehicle" means a commercial vehicle as defined in section 7 of the Michigan vehicle code, 1949 PA 300, MCL 257.7.

(b) "Endowment fund" means the Michigan state parks endowment fund established in section 35a of article IX of the state constitution of 1963 and provided for in section 74119.

(c) "Improvement program" means the construction, reconstruction, development, improvement, bettering, operating, maintaining, and extending a facility at a state park, including a site improvement, impoundment, road and parking lot, toilet building, concession building, shelter building, bathhouse, utility, outdoor center, visitor service facility, ski area, ski tow, ski shelter, and administration unit.

(d) "Motor vehicle" means a vehicle that is self-propelled.

(e) "Nonresident motor vehicle" means a motor vehicle other than a commercial motor vehicle that is not registered as a motor vehicle in this state.

(f) "Recreation passport fee" means that term as defined in section 2001.

(g) "Resident motor vehicle" means a motor vehicle other than a commercial motor vehicle that is registered as a motor vehicle in this state.

(h) "State park" means a state park or state recreation area designated by the director.

(i) "State park improvement account" means the state park improvement account of the Michigan conservation and recreation legacy fund provided for in section 2030.

(j) "State park revenues" means all revenues collected for state parks, including but not limited to, revenue from recreation passport fees, motor vehicle permits, concession fees, nonmotorized trail permits, fees, leases, camping fees, sale of farm animals from Maybury state park, donations, and gifts.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2004, Act 392, Imd. Eff. Oct. 15, 2004 ;-- Am. 2004, Act 587, Eff. Dec. 23, 2006 ;-- Am. 2010, Act 33, Eff. Oct. 1, 2010 ;-- Am. 2018, Act 599, Eff. Dec. 19, 2020
Compiler's Notes: Enacting section 2 of Act 587 of 2004 provides:"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."Enacting section 2 of Act 599 of 2018 provides:"Enacting section 2. This amendatory act does not take effect unless Senate Joint Resolution O of the 99th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."Senate Joint Resolution O was agreed to by the House of Representatives and the Senate on December 21, 2018, and filed with the Secretary of State December 27, 2018. The proposed amendment to the constitution was submitted to, and approved, by the electors on November 3, 2020, and became effective December 19, 2020.
Popular Name: Act 451
Popular Name: NREPA

324.74102 Legislative findings; duties of department.

Sec. 74102.

(1) The legislature finds:

(a) Michigan state parks preserve and protect Michigan's significant natural and historic resources.

(b) Michigan state parks are appropriate and uniquely suited to provide opportunities to learn about protection and management of Michigan's natural resources.

(c) Michigan state parks are an important component of Michigan's tourism industry and vital to local economies.

(d) A holistic, integrated park system that reflects the unique value of both state and local parks is a goal of this state.

(e) State and local park planners should work in concert for a coordinated Michigan park and recreation plan.

(2) The department shall create, maintain, operate, promote, and make available for public use and enjoyment a

system of state parks to preserve and protect Michigan's significant natural resources and areas of natural beauty or historic significance, to provide open space for public recreation, and to provide an opportunity to understand Michigan's natural resources and the need to protect and manage those resources.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2010, Act 33, Eff. Oct. 1, 2010
Popular Name: Act 451
Popular Name: NREPA

324.74102a Duties of commission; report.

Sec. 74102a.

(1) The commission shall do all of the following:

(a) Advise and make recommendations to the governor and the legislature on state parks policy and provide guidance on state parks development, management, and planning issues.

(b) Seek the development of a broad variety of programs, facilities, and services for Michigan citizens utilizing the state parks.

(c) Inform and educate the public about the importance of and need for state parks.

(d) Strive to involve citizens in the planning and development of state parks and to ensure that the facilities, programs, and projects are barrier-free and accessible to all citizens.

(e) Establish and maintain effective public relations regarding state parks, utilizing all appropriate communications media.

(f) Advise on financial planning and pursue adequate budget support for state parks.

(g) Serve as a liaison and coordinate with other agencies to ensure a cooperative effort to provide the most effective and economical services possible at state parks.

(h) Periodically evaluate and submit a report to the standing committees of the legislature with jurisdiction over issues pertaining to natural resources and the environment on the state parks programs, facilities, services, and relationships to ensure that the goals and objectives of this section are being achieved.

(i) Advise and make recommendations to the department on the gem of the parks award, the state parks volunteer of the year award, and the state parks employee of the year award established under section 74124.

(j) Review and make recommendations to the department on whether land within a state park should be transferred as provided in section 74102b.

(2) Not later than 180 days after the effective date of the amendatory act that added this subsection, the commission shall submit a report to the standing committees and appropriations subcommittees of the legislature with jurisdiction over issues pertaining to natural resources and the environment. The report shall contain recommendations for savings in state park and forest recreation programs. Savings in state park programs equivalent to at least 10% of the cumulative expenditures for state park programs during the fiscal year ending September 30, 2009 shall be identified. In developing recommendations, the commission shall consult with the department and interested parties. The commission shall consider at least all of the following:

(a) Increased preventative maintenance.

(b) Energy conservation and efficiency.

(c) Contracting concessions, major maintenance or renovation work, and other park operations to private parties.

(d) Sharing resources and coordinating activities with parks or public recreation facilities owned by local units of government.

History: Add. 2004, Act 392, Imd. Eff. Oct. 15, 2004 ;-- Am. 2006, Act 307, Imd. Eff. July 20, 2006 ;-- Am. 2010, Act 33, Imd. Eff. Mar. 31, 2010
Compiler's Notes: For transfer of powers and duties of citizens committee for Michigan state parks from department of natural resources to natural resources commission, and abolishment of the committee, see E.R.O. No. 2009-31 compiled at MCL 324.99919.
Popular Name: Act 451
Popular Name: NREPA

324.74102b Transfer of 100 acres or more than 15% of total acreage of state park; proposal; public hearing;

recommendation; conditions; website; definitions.

Sec. 74102b.

(1) Prior to recommending that the state transfer more than 100 acres or more than 15% of the total acreage of a state park, whichever is less, by sale or otherwise, the department shall do both of the following:

(a) Submit a proposal with detailed information regarding the potential transfer to the committee for its review and recommendation.

(b) Submit a proposal with detailed information regarding the potential transfer to the commission for its review and approval.

(c) Hold a public hearing, following appropriate public notice, in the vicinity of the state park.

(2) Upon receipt of a proposal under subsection (1), the committee shall review the proposal and make a recommendation to the department. The committee's recommendation is not binding on the department.

(3) Following the public hearing under subsection (1) and receipt of the committee's recommendation under subsection (2), if the commission has approved the proposed transfer, the department may prepare a written recommendation for the transfer of land within a state park. The written recommendation shall include the committee's recommendation. The written recommendation shall be submitted to the standing committees of the senate and house of representatives with jurisdiction over issues primarily pertaining to natural resources and the environment and to the senate and house appropriations committees. If the recommendation is for the transfer of more than 100 acres or more than 15% of the total acreage of a state park, whichever is less, to another public entity without compensation, the recommendation shall include a proposed deed restriction on the land that provides for public access to the land for purposes of hunting and fishing and other similar recreational uses of the land.

(4) The transfer of more than 100 acres or more than 15% of the total acreage of a state park, whichever is less, is prohibited unless specifically authorized by law.

(5) State park land, other than state park land described in subsection (4), shall not be sold unless all of the following conditions are met:

(a) The department has posted on its website notice of the proposed sale.

(b) The department has provided written notice of the proposed sale to the standing committees of the legislature with jurisdiction over issues primarily dealing with natural resources and the environment.

(c) The commission has approved the sale.

(d) The sale is not completed for a period of at least 30 days after the notice has been provided to the standing committees under subdivision (b).

(6) The department shall publish on its website a list of the acreage of each state park on the effective date of the amendatory act that added this subsection.

(7) As used in this section:

(a) "State park" means land within the dedicated boundary of a state park or state recreation area that was designated as a state park or state recreation area on the effective date of the amendatory act that added this section and any land within the dedicated boundary of a state park or state recreation area that is designated as a state park or state recreation area by the director after the effective date of the amendatory act that added this section.

(b) "Total acreage of a state park" means the total acreage within the dedicated boundaries of a state park on the effective date of the amendatory act that added this section or the largest amount of acreage included within the dedicated boundaries of a state park after the effective date of the amendatory act that added this section, whichever is greater.

History: Add. 2006, Act 307, Imd. Eff. July 20, 2006
Popular Name: Act 451
Popular Name: NREPA

324.74103 Powers of department; land acquisition and improvement program.

Sec. 74103.

In implementing the responsibilities under this part, the department may do 1 or more of the following:

(a) Enter into contracts or agreements that may be necessary to implement this part.

(b) Lease state park property to a person.

(c) Accept gifts, grants, or bequests from any public or private source to be used for a purpose consistent with this part.

(d) Acquire property for designation as a state park.

(e) Provide the granting of concessions to a person within the boundaries of a state park. In granting a concession, the department shall provide that each concession is awarded at least every 7 years based on extension, renegotiation, or competitive bidding.

(2) The department may acquire land and undertake an improvement program for state parks, pursuant to the powers, rights, and privileges conferred by this part, but land acquisition or an improvement program shall not be undertaken until approved by the legislature in the annual capital outlay appropriation act.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Compiler's Notes: In the first paragraph, "(1)" evidently should appear between "Sec. 74103." and the beginning of the sentence.
Popular Name: Act 451
Popular Name: NREPA

324.74103a Shooting range; posting hours of operation.

Sec. 74103a.

At each state park that contains a designated shooting range that is open to visitors, the department shall post a notice at the entrance to the recreational areas of the state park that states the regular hours of operation of the shooting range. The notice shall be posted in a visible location, and the lettering on the notice shall be of a sufficient type size to be easily read by state park visitors. The department is not required to post the hours of operation in which the shooting range is open for special events. However, if the department does not post the hours of operation in which the shooting range is open for special events, the notice shall include a statement to that effect.

History: Add. 2006, Act 15, Imd. Eff. Feb. 9, 2006
Popular Name: Act 451
Popular Name: NREPA

324.74104 “Adopt-a-park” program.

Sec. 74104.

(1) The department shall establish an "adopt-a-park" program that will allow volunteer groups to assist state park staff in maintaining and enhancing state parks.

(2) Subject to subsection (3), volunteer groups in the adopt-a-park program may adopt any available state park and may choose any 1 or more of the following volunteer activities:

(a) Spring cleanups.

(b) Environmental activities.

(c) Accessibility projects.

(d) Special events.

(e) Park maintenance and development.

(f) Public information and assistance.

(g) Training.

(3) The department shall designate the activities to be performed by a volunteer group in the adopt-a-park program. The department may provide for more than 1 volunteer group to adopt a state park.

(4) A volunteer group that wishes to participate in the adopt-a-park program shall submit an application to the department on a form provided by the department. Additionally, volunteer groups shall agree to the following:

(a) Volunteer groups shall participate in the program for at least a 2-year period.

(b) Volunteer groups shall consist of at least 6 people who are 18 years of age or older, unless the volunteer group is a school or scout organization, in which case the volunteers may be under 18 years of age.

(c) Volunteer groups shall give a total of 400 hours over a 2-year period.

(d) Volunteer groups shall comply with other reasonable requirements of the department.

(5) A state park manager may issue to volunteers who are actively working on adopt-a-park projects that last more than 1 day free camping permits if campsites are available. A state park manager may waive state park entry

fees for volunteers entering state parks to work on adopt-a-park projects.

(6) The department shall design and erect near the state park headquarters of each state park in the adopt-a-park program an adopt-a-park program sign with the name of the volunteer group's sponsoring organization listed for each volunteer group that has contributed at least 100 service hours by volunteers.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74105 Volunteers; appointment; immunity from civil liability; carrying of firearm prohibited.

Sec. 74105.

The department may appoint persons to serve as volunteers for the purpose of facilitating the responsibilities of the department as provided in this part. While a volunteer is serving in such a capacity, the volunteer has the same immunity from civil liability as a department employee and shall be treated in the same manner as an employee under section 8 of Act No. 170 of the Public Acts of 1964, being section 691.1408 of the Michigan Compiled Laws. A volunteer shall not carry a firearm while functioning as a volunteer.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74106 Revenue bonds; issuance; amount; notice; includable costs; resolution.

Sec. 74106.

For the purpose of providing a park improvement program, the commission may issue revenue bonds as provided in this part. The commission may issue revenue bonds payable from state park revenues. The aggregate principal amount of the revenue bonds shall not exceed $100,000,000.00. The department shall provide notice to the appropriations committee of the senate and the house of representatives at least 30 days before bonds are offered for sale. There may be included in the cost for which bonds are to be issued a reasonable allowance for legal, engineering, architectural and consultant services, traffic studies, cost of printing and issuing of the bonds, interest on the bonds becoming due before collection of the first available state park revenues and for a period of 1 year thereafter, and other incidental expenses. The bonds shall be authorized by a resolution adopted by a majority vote of a quorum of the commission and may be issued in 1 or more series as shall be determined by the commission.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74107 Authority of department.

Sec. 74107.

The commission may authorize the department, but only within limitation which shall be contained in the commission's authorizing resolution, to do 1 or more of the following:

(a) Sell and deliver and receive payment for bonds.

(b) Approve interest rates, purchase prices, discounts, premiums, maturities, principal amounts, interest payment dates, redemption rights at the option of the commission or the holder, and the place and time of delivery and

payment for the bonds.

(c) Deliver bonds to refund prior bonds or partly to refund bonds and partly for other authorized purposes.

(d) Select which outstanding bonds will be refunded, if any, by the new issue of bonds.

(e) Any other matters and procedures necessary to complete the issuance and delivery of the bonds.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74108 Resolution authorizing issuance of bonds; contents.

Sec. 74108.

A resolution adopted by the commission authorizing the issuance of bonds shall contain all of the following:

(a) A description in reasonable detail of the improvement program as approved by the legislature, for which the bonds are to be issued.

(b) The form of the bonds and all of the following:

(i) The maturity date or dates for the bonds with no maturity later than 30 years after the issuance of the bonds.

(ii) The principal amount of and principal payment dates for the bonds.

(iii) The interest rate or rates for the bonds or that bonds shall not bear any interest.

(iv) The redemption provisions, with or without premium, for the bonds, if any.

(v) The authorized denominations for the bonds.

(vi) Whether the bonds may be sold at a discount or for a premium.

(vii) The manner in which the bonds will be executed.

(viii) Any other provision concerning the bonds or the security for the bonds the commission considers appropriate.

(c) A provision that the state park revenues shall be pledged for the payment of the bonds. However, the pledge of state park revenues shall be on a parity with pledges of the revenues previously or subsequently made by the commission pursuant to any other resolution authorizing the issuance of bonds under this part and the resolution shall state that the pledge complies with this subdivision.

(d) A covenant that the park permit fees and penalties provided in section 74117 shall be revised from time to time within the limits permitted by law when necessary to ensure that the revenues to be derived from the fees shall be sufficient to pay the principal of and interest on bonds issued pursuant to this part and other obligations of the commission in connection with the issuance of bonds.

(e) A provision requiring the fiscal agent to set aside money from the state park revenue bond receiving fund into a fund to be designated as the state park debt service fund in a sum proportionately sufficient to provide for the payment of the principal of and interest upon all bonds payable from the fund as and when the principal and interest becomes due and payable in the manner prescribed by the commission. In addition the resolution shall authorize the commission to provide that a reasonable excess amount may be set aside by the fiscal agent from time to time as directed by the commission in the state park debt service fund to produce and provide a reserve to meet a possible future deficiency in the fund. The resolution shall further provide that out of the revenues remaining each quarter, after having first met the requirements of the state park debt service fund, including the reserve for the fund, the commission may by direction to the fiscal agent next set aside additional money in the state park debt service fund for the purpose of calling bonds for redemption, subject to approval by the state administrative board. The resolution shall also contain a provision for the investment of funds held by the fiscal agent.

(f) A provision that money on deposit in the state park revenue bond receiving fund after setting aside the amounts in the state park debt service fund is surplus money, and shall be deposited quarterly by the fiscal agent upon the order of the commission in the state treasury in the state park improvement account. Money in the state park improvement account shall be used only for the improvement, operation, and maintenance of state parks and recreation areas and for the administration of the state park improvement account. Not less than $10.00 of each annual permit and not less than $2.00 of each daily permit projected to be sold in a fiscal year may be appropriated from the state park improvement account for the maintenance and operation of state parks and recreation areas in that fiscal year.

(g) The terms and conditions under which additional bonds payable from the state park revenues of equal standing with a prior issue of bonds may be issued.

(h) A provision for deposit and expenditure of the proceeds of sale of the bonds and for investment of the proceeds of sale of the bonds and of other funds of the commission relating to bonds authorized by this part.

(i) A provision that in the event of a default in the payment of principal of or interest on the bonds, or in the

performance of an agreement or covenant contained in the resolution, the holders of a specified percentage of the outstanding bonds may institute 1 or more of the following for the equal benefit of the holders of all of the bonds:

(i) An action of mandamus or any other suit, action, or proceeding to enforce the rights of the holders of the bonds.

(ii) An action upon the defaulted bonds or coupons.

(iii) Any other action as may be provided by law.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2004, Act 587, Eff. Dec. 23, 2006
Compiler's Notes: Enacting section 2 of Act 587 of 2004 provides:"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."
Popular Name: Act 451
Popular Name: NREPA

324.74109 Repealed. 2003, Act 170, Eff. Jan. 1, 2004.

Compiler's Notes: The repealed section pertained to prohibited use of increased fee revenue for state park operations and the conditional repeal of 177 PA 1989.
Popular Name: Act 451
Popular Name: NREPA

324.74110 Revenue bonds; state debt; extent of liability.

Sec. 74110.

Any bond issued under this part shall state that it is not a general obligation of the state of Michigan, but is a revenue bond payable only from state park revenues. Nothing in this part authorizes the state to incur debt contrary to the constitution or laws of the state. The holders of the bonds shall not have the right to compel a sale of any real estate or personal property of the state parks, nor shall the holders of the bonds have any lien, mortgage, or other encumbrances upon any property of the state of Michigan, real, personal, or mixed. Bonds shall be fully negotiable within the meaning of the negotiable instruments law of this state.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74111 Revenue bonds; refunding issue.

Sec. 74111.

The commission may issue bonds for the purpose of refunding any obligations issued under this part, or may authorize a single issue of bonds in part for the purpose of refunding such obligations and in part for the purpose of financing any additional cost of land or improvement program. Bonds issued under this section are payable only from state park revenues and may be sold in the manner provided for the sale of bonds in this part. If sold, that portion of the proceeds representing the refunding portion may be either applied to the payment of the obligations refunded or deposited in escrow for their retirement.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74112 Maximum rate of interest; sale and award of bonds; public or private sale; advertisement; notice of sale.

Sec. 74112.

(1) The maximum rate of interest on bonds issued under this part shall be that set forth for bonds in the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821. The sale and award of bonds shall be conducted and made by the commission at a public or private sale. If a public sale is held, the bonds shall be advertised for sale once not less than 7 days before sale in a publication with statewide circulation that carries as a part of its regular service notices of the sales of municipal bonds and that has been designated in the resolution as a publication complying with these qualifications. The notice of sale shall be in the form designated by the commission.

(2) Bonds issued under this part are not subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

(3) The issuance of bonds under this part is subject to the agency financing reporting act.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2002, Act 249, Imd. Eff. Apr. 30, 2002
Popular Name: Act 451
Popular Name: NREPA

324.74113 State park revenues; fiscal agent; receiving fund; expenses; designation of paying agents.

Sec. 74113.

All state park revenues shall be deposited with the state treasurer who shall act as the fiscal agent for the department. The state treasurer shall establish a special depositary account to be designated "state park revenue bond receiving fund". The necessary expenses of the fiscal agent incurred by reason of his or her duties under this part shall be paid from the state park revenue bond receiving fund. The commission may designate banks or trust companies to act as paying agents for bonds issued pursuant to this part. The paying agent shall be paid from the state park debt service fund.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74114 Fees; establishment; collection; deposit.

Sec. 74114.

The department may establish fees and collect fees for activities in state parks except those activities for which fees are established under this part. All fees collected under this section shall be deposited into the state park improvement account.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2004, Act 587, Eff. Dec. 23, 2006
Compiler's Notes: Enacting section 2 of Act 587 of 2004 provides:"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."
Popular Name: Act 451
Popular Name: NREPA

324.74115 Free entry of motor vehicles into posted park prohibited.

Sec. 74115.

Except as otherwise provided in this part, free entry of a motor vehicle shall not be permitted into any state park or portion of a state park posted in accordance with this part.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74116 Entry into state park by nonresident or resident motor vehicle; permit; payment of recreation passport fee; registration tab or sticker; exceptions.

Sec. 74116.

(1) Subject to subsection (4), the operator of a nonresident motor vehicle or commercial motor vehicle shall not enter any state park with that motor vehicle unless a valid motor vehicle park permit issued under section 74117 is affixed to the lower right-hand corner of the windshield. An annual motor vehicle park permit for a nonresident motor vehicle shall be affixed permanently for that year. The department shall post signs at parks that state that a motor vehicle park permit is required for entry by a nonresident motor vehicle or commercial motor vehicle.

(2) Subject to subsection (4), the operator of a resident motor vehicle shall not enter a state park with the resident motor vehicle unless the recreation passport fee has been paid for that motor vehicle. Payment of the recreation passport fee authorizes entry into all state parks and recreation areas and designated state-operated public boating access sites until expiration of the motor vehicle registration.

(3) Subject to subsection (4), if the secretary of state issues registration tabs or stickers as described in section 805 of the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator of a resident motor vehicle shall not enter a state park with the resident motor vehicle unless the resident motor vehicle has a registration tab or sticker marked as provided under that section to show that the recreation passport fee has been paid.

(4) Subsections (1) to (3) do not apply under any of the following circumstances:

(a) While the motor vehicle is being driven or parked within an established federal, state, or county highway within a state park.

(b) If the motor vehicle is used in the operation or maintenance of a state park, is an emergency motor vehicle, is a state owned or law enforcement motor vehicle, or is a private motor vehicle being operated on official state business.

(c) If the motor vehicle is registered under section 803e(1) of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is exempt under section 803e(6) of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, from the registration tax, or if the motor vehicle is registered under section 217d or 803f of the Michigan vehicle code, 1949 PA 300, MCL 257.217d and 257.803f.

(d) At a state-operated public boating access site or a state park where there is an opportunity to fish on a day that the department has designated as a free winter fishing day or a free fishing day under section 43534.

(e) If and to the extent that the department waives the requirements for department-sponsored events or other circumstances as determined by the director or the director's designee.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2010, Act 33, Eff. Oct. 1, 2010 ;-- Am. 2013, Act 81, Eff. May 1, 2014 ;-- Am. 2016, Act 1, Eff. Apr. 25, 2016
Popular Name: Act 451
Popular Name: NREPA

324.74117 Park permits beginning October 1, 2010; nonresident motor vehicle park permit; fees; sale; loss or destruction of permit; use of credit card; additional permits for special services or park privileges; adjustment of amounts.

Sec. 74117.

(1) This subsection and subsections (2) to (9) apply beginning October 1, 2010. The department shall prepare and distribute park permits as necessary to implement this part.

(2) Except as otherwise provided in this section, the department shall issue an annual nonresident motor vehicle park permit that authorizes the entry of a nonresident motor vehicle to which it is originally attached within any state park during the calendar year for which it is issued. The fee for the annual nonresident motor vehicle park permit for the owner of a nonresident motor vehicle is $29.00. An annual park permit shall not be used for a commercial motor vehicle.

(3) The department shall issue a daily motor vehicle park permit, valid for 1 day only, that authorizes the entry of a nonresident motor vehicle or commercial motor vehicle to which it is originally attached within any state park during the day for which it is issued. The fee for a daily nonresident motor vehicle park permit is $8.00. The fee for a daily commercial motor vehicle park permit is $15.00.

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

(5) The department may designate persons in this state authorized to sell park permits. The department shall require as a condition of the designation of a person other than a department employee that the person furnish a surety bond in an amount and form and with a surety acceptable to the department. After being designated by the department, a person may issue park permits in accordance with this part. This subsection does not apply to employees of the department of state acting under section 805 of the Michigan vehicle code, 1949 PA 300, MCL 257.805.

(6) If a person's annual nonresident motor vehicle park permit is lost or destroyed, the department shall provide that person with a replacement motor vehicle park permit free of charge. The department may require a person requesting a replacement motor vehicle park permit to supply sufficient evidence of the loss or destruction of the original motor vehicle park permit.

(7) The department may add to the cost of a reservation or a motor vehicle park permit or camping fee the charges that the state incurs because of the use of a credit card.

(8) This section and section 74116 apply only to the entry of motor vehicles into state parks and do not obviate the necessity of obtaining additional permits for special services or park privileges as may be required by law or by rules promulgated by the department.

(9) For each calendar year, the state treasurer shall adjust the amounts set forth in subsections (2) to (4) by an amount determined by the state treasurer to reflect the cumulative percentage change in the consumer price index from October 1, 2010 to the October 1 immediately preceding that calendar year, using the most recent data available and rounded to the nearest dollar.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2003, Act 170, Eff. Jan. 1, 2004 ;-- Am. 2006, Act 477, Imd. Eff. Dec. 21, 2006 ;-- Am. 2009, Act 197, Imd. Eff. Dec. 28, 2009 ;-- Am. 2010, Act 33, Imd. Eff. Mar. 31, 2010 ;-- Am. 2010, Act 33, Imd. Eff. Mar. 31, 2010 ;-- Am. 2013, Act 81, Eff. May 1, 2014
Popular Name: Act 451
Popular Name: NREPA

324.74118 Park permits; monthly accounting; compensation; report.

Sec. 74118.

On or before the tenth day of every month, all persons authorized to sell park permits shall pay to the department all money received from the sale of park permits for the preceding month. Any person who refuses or neglects to pay the money as provided in this section, in addition to other penalties provided by law, forfeits the right to sell park permits. All persons authorized to sell park permits, except employees of the department who receive a regular salary from the state, may charge the purchaser as compensation 15 cents additional for each annual park permit and 10 cents additional for each daily park permit issued. On or before February 15 of each year a complete report of all permits sold during the previous calendar year shall be filed with the department by each person authorized to sell park permits, and all unsold park permits for the previous year shall be returned to the department.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74119 Michigan state parks endowment fund.

Sec. 74119.

(1) In accordance with section 35a of article IX of the state constitution of 1963, the Michigan state parks endowment fund is created within the state treasury. The Michigan state parks endowment fund may be referred to as the Genevieve Gillette state parks endowment fund.

(2) The state treasurer may receive money or other assets from any source for deposit into the endowment fund. The state treasurer shall direct the investment of the endowment fund. The state treasurer shall have the same authority to invest the assets of the endowment fund as is granted to an investment fiduciary under the public employee retirement system investment act, 1965 PA 314, MCL 38.1132 to 38.1141. The state treasurer shall credit to the endowment fund interest and earnings from endowment fund investments.

(3) Money in the endowment fund at the close of the fiscal year shall remain in the endowment fund and shall not lapse to the general fund.

(4) The accumulated principal of the endowment fund shall not exceed $800,000,000.00, which amount shall be annually adjusted pursuant to the Detroit Consumer Price Index—all items beginning when the endowment fund reaches $800,000,000.00. This annually adjusted figure is the accumulated principal limit of the endowment fund.

(5) Money in the endowment fund shall be expended for all of the following:

(a) Capital improvements at Michigan state parks.

(b) Operations and maintenance at Michigan state parks.

(c) Acquisition of land or rights in land for Michigan state parks.

(d) Administration of the endowment fund.

(6) Not less than 20% of the money made available for expenditure from the endowment fund from any state fiscal year shall be expended under subsection (5)(a) for capital improvements at Michigan State Parks.

(7) Money in the endowment fund shall be expended as follows:

(a) Until the endowment fund reaches an accumulated principal of $800,000,000.00, each state fiscal year the legislature may appropriate not more than 50% of the money received under section 35 of article IX of the state constitution of 1963 plus interest and earnings and any private contributions or other revenue to the endowment fund.

(b) Once the accumulated principal in the endowment fund reaches $800,000,000.00, only the interest and earnings of the endowment fund in excess of the amount necessary to maintain the endowment fund's accumulated principal limit shall be expended.

(8) Unexpended appropriations of the endowment fund from any state fiscal year as authorized by this section may be carried forward or may be appropriated as determined by the legislature for purposes of this section.

(9) The department shall annually prepare a report containing an accounting of revenues and expenditures from the endowment fund. This report shall identify the interest and earnings of the endowment fund from the previous year, the investment performance of the endowment fund during the previous year, and the total amount of appropriations from the endowment fund during the previous year. This report shall be provided to the senate and house of representatives appropriations committees and the standing committees of the senate and house of representatives with jurisdiction over issues pertaining to natural resources and the environment.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2002, Act 54, Eff. Sept. 21, 2002 ;-- Am. 2018, Act 598, Eff. Dec. 19, 2020
Compiler's Notes: Enacting section 2 of Act 598 of 2018 provides:"Enacting section 2. This amendatory act does not take effect unless Senate Joint Resolution O of the 99th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."Senate Joint Resolution O was agreed to by the House of Representatives and the Senate on December 21, 2018, and filed with the Secretary of State December 27, 2018. The proposed amendment to the constitution was submitted to, and approved, by the electors on November 3, 2020, and became effective December 19, 2020.
Popular Name: Act 451
Popular Name: NREPA

324.74120 Rules.

Sec. 74120.

(1) The department may promulgate rules to implement this part.

(2) The department may promulgate rules providing a method for an individual whose motor vehicle registration expires annually to pay a state park and state-operated public boating access site recreation passport fee in addition to the method provided for in section 805 of the Michigan vehicle code, 1949 PA 300, MCL 257.805. The amount of the state park and state-operated public boating access site recreation passport fee required to be paid under a method provided for by rule under this subsection shall not exceed twice the amount of a state park and state-operated public boating access site recreation passport fee paid under the method provided for in section 805 of the Michigan vehicle code, 1949 PA 300, MCL 257.805.

(3) The department shall promulgate rules providing a method for an individual whose motor vehicle registration does not expire annually and who is exempt under sections 74116(4)(c) and 78119(4)(b) from the recreation passport fee to voluntarily pay the recreation passport fee as a donation. The amount of the state park and state-operated public boating access site recreation passport fee required to be paid under the method provided for by rule under this subsection shall equal the amount of a state park and state-operated public boating access site recreation passport fee paid under the method provided for in section 805 of the Michigan vehicle code, 1949 PA 300, MCL 257.805.

(4) A rule promulgated under this section shall provide for a method evidencing payment of the state park and state-operated public boating access site recreation passport fee, such as the issuance and display of a permit.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2010, Act 33, Imd. Eff. Mar. 31, 2010 ;-- Am. 2013, Act 81, Eff. May 1, 2014
Popular Name: Act 451
Popular Name: NREPA

324.74121 State parks; prohibited conduct.

Sec. 74121.

A person shall not do the following in a state park:

(a) Destroy, damage, or remove any tree, shrub, wildflower, or other vegetation or property without the permission of the department.

(b) Operate a motor vehicle except in a designated area.

(c) Violate this part or rules promulgated under this part.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74122 Violation; presumption; penalty.

Sec. 74122.

(1) A person who violates this part or a rule promulgated under this part is guilty of a misdemeanor. This subsection does not apply to violations described in subsection (2).

(2) A person who violates section 74116(1), (2), or (3) is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than $100.00. A person shall not be cited for a violation of both section 74116(2) and section 74116(3) for the same incident.

(3) In any proceeding for the violation of this part or a rule promulgated under this part, if a motor vehicle is found parked in a state park, the registration plate displayed on the motor vehicle constitutes prima facie evidence that the owner of the motor vehicle was the person who parked or placed it at the location where it was found.

(4) In addition to the penalties provided for in subsection (1), a person convicted of an act of vandalism to state park equipment, facilities, or resources shall reimburse the department up to 3 times the amount of the damage as determined by the court. All money collected pursuant to this subsection shall be credited to the state park improvement account.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2004, Act 587, Eff. Dec. 23, 2006 ;-- Am. 2010, Act 33, Eff. Oct. 1, 2010
Compiler's Notes: Enacting section 2 of Act 587 of 2004 provides:"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."
Popular Name: Act 451
Popular Name: NREPA

324.74123 Repealed. 2010, Act 32, Eff. Oct. 1, 2010.

Compiler's Notes: The repealed section pertained to establishment of fine for failure to purchase park permit.

324.74124 Create "gem of the parks", "volunteer of the year", and "employee of the year" award program.

Sec. 74124.

(1) The department shall create a "gem of the parks" award to recognize key state parks for their contribution to the state parks system, a "volunteer of the year" award to recognize outstanding individuals who donate time or monetary contributions to the state park system, and an "employee of the year" award to recognize individuals who are outstanding employees of the state park system. The department shall develop a program to facilitate the determination and presentation of these awards. The awards shall be made on a yearly basis.

(2) The department shall develop a set of standards to use in determining the recipients of the awards under subsection (1) with consideration given to the following:

(a) The contribution of the state park, the volunteer, or the employee to the preservation of the state's natural resources.

(b) The amount of any monetary donation.

(c) The length of time donated or the years of employment.

(d) The length of a long-term commitment to the preservation of the environment.

(3) The department annually shall submit the names of the award recipients under subsection (1) to the standing committees in the senate and house of representatives responsible for natural resources matters.

History: Add. 2004, Act 395, Imd. Eff. Oct. 15, 2004
Compiler's Notes: Former MCL 324.74124, which pertained to the powers of park and recreation enforcement officers, was repealed by Act 414 of 2000, Eff. Mar.`28, 2001.
Popular Name: Act 451
Popular Name: NREPA

324.74125 Bonds; exemption from taxation.

Sec. 74125.

All bonds issued pursuant to this part and the interest on those bonds is exempt from taxation by the state, or by any municipality, corporation, county, or other political subdivision or taxing district of the state.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74126 "Fred Meijer White Pine Trail State Park"; "Fred Meijer Berry Junction Trail"; criteria for naming state parks and state owned recreational facilities.

Sec. 74126.

(1) The state owned land containing the White Pine trail, which traverses an abandoned rail corridor between Comstock Park and Cadillac, shall be known as the "Fred Meijer White Pine Trail State Park".

(2) The department shall facilitate the establishment of a recreational trail that traverses, in part, the abandoned rail corridor that runs from White Lake drive, south of the city of Whitehall, to Lake avenue in the city of North Muskegon. This trail shall be known as the "Fred Meijer Berry Junction Trail".

(3) The department, in consultation with the committee, the commission, and the Michigan natural resources trust fund board established in section 1905, shall develop criteria for naming state parks and other state owned recreational facilities. Within 1 year after the effective date of the amendatory act that added this subsection, the department shall present to the standing committees of the senate and the house of representatives with jurisdiction primarily relating to natural resources and state parks the criteria it has developed under this section.

History: Add. 2006, Act 248, Imd. Eff. July 3, 2006
Popular Name: Act 451
Popular Name: NREPA

Part 742
CAMP REGISTRATION CARDS

324.74201 Camp registration card; posting; definition.

Sec. 74201.

(1) A person shall not camp on any state owned lands under the jurisdiction or control of the department without having first posted a camp registration card.

(2) As used in this part, "to camp" means the erection of a tent or tent-type camper or the parking and occupancy of a travel or house trailer or truck camper.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74202 Camp registration card; obtaining; contents; posting.

Sec. 74202.

A person may obtain without charge from a conservation officer or a person authorized to issue fishing or hunting licenses a camp registration card and shall enter on the camp registration card in the space provided, in plain and legible English, the name and address of every person occupying the camp. The card shall be prominently and conspicuously posted at the campsite before the camp is made and shall be left so posted upon the departure of the camping party.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74203 Disposal of rubbish.

Sec. 74203.

Upon breaking camp, every member of a camping party is responsible for the disposal, by burying or burning, of all rubbish, papers, cans, containers, or any other article or thing of any nature whatsoever brought into or built upon the premises by the camping party. A person camping upon the state owned lands shall not deposit and leave any tin cans, bottles, refuse, or other rubbish unburied or otherwise disposed of on the premises.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74204 Camp registration cards; printing and distribution.

Sec. 74204.

The department shall have printed and distributed a sufficient number of camp registration cards to implement this part.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74205 Enforcement of part; duty of peace officers.

Sec. 74205.

It is the duty of any peace officer, including conservation officers, to enforce this part.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74206 Violation of part; penalty.

Sec. 74206.

A person who violates this part is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than $500.00, and, in addition, is liable for any costs incurred by the department in cleaning up the campsite of the person, which liability shall be recoverable in any court of competent jurisdiction in this state.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2015, Act 215, Eff. Mar. 14, 2016
Popular Name: Act 451
Popular Name: NREPA

324.74207 Applicability of part.

Sec. 74207.

This part does not apply to any state park, campground, or recreation area administered by the department.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

Part 743
STATE PARKS FOUNDATION

324.74301 Definitions.

Sec. 74301.

As used in this part:
(a) "Foundation" means the Michigan state parks foundation created in section 74302.
(b) "State park" means a state park or state recreation area designated by the director.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74302 Michigan state parks foundation; appointment and terms of members; vacancy; removal; meetings; quorum; selection of chairperson, vice-chairperson, and other officials; compensation; staff assistance; conducting business at public meeting.

Sec. 74302.

(1) The department shall create a foundation to be known as the Michigan state parks foundation. The foundation shall exercise its powers, functions, and duties independently of the department of natural resources. The foundation shall be governed by an executive board consisting of the director who shall serve as a nonvoting ex officio member, and 13 voting members who shall be appointed by the governor.
(2) The members of the foundation who are appointed by the governor pursuant to subsection (1) shall serve for a term of 4 years or until a successor is appointed, whichever is later, except that of the members first appointed, 3 shall serve for 1 year, 3 shall serve for 2 years, and 3 shall serve for 3 years.
(3) If a vacancy occurs on the foundation from the members appointed by the governor, an appointment shall be made for the unexpired term in the same manner as the original appointment. The governor may remove appointed foundation members for neglect of duty or malfeasance in relation to the member's foundation duties.
(4) The foundation shall meet immediately upon complete formation and then shall meet at least quarterly.
(5) Seven members of the foundation shall constitute a quorum for the conducting of business. The foundation shall select a chairperson, vice-chairperson, and other officials from the membership as the members of the foundation consider necessary.
(6) A member of the foundation shall not receive compensation for his or her services but may be reimbursed for expenses incurred in the performance of his or her duties as a member of the foundation.
(7) The department shall provide staff assistance to the foundation as necessary for it to carry out its functions.
(8) The business the executive board of the foundation may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meetings shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74303 Michigan state parks foundation; purpose.

Sec. 74303.

The purpose of the foundation is to support the overall enhancement of the Michigan state parks system and to foster awareness, appreciation, understanding, and involvement in the system through focused assistance that is supplementary to appropriated parks funding.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74304 Michigan state parks foundation; duties.

Sec. 74304.

The foundation shall do the following:

(a) Determine those projects or undertakings for which the foundation will solicit funding. In determining projects to fund, the foundation shall select projects that enhance the use, preservation, enjoyment, or understanding of the natural and historic resources of the state parks through the following focus areas of need:

(i) Education and outreach.

(ii) Visitor information services and interpretive facilities.

(iii) Support for volunteer activities.

(iv) Employee support program.

(b) Maintain a current list and description of projects for which contributions are sought.

(c) Provide for methods by which persons who contribute to the foundation projects may be commemorated for their contributions.

(d) Advise potential contributors of all tax ramifications of contributions to the foundation.

(e) Invest assets of the foundation in any instrument, obligation, security, or property considered appropriate by the executive board of the foundation.

(f) Provide for receiving contributions in lump sums or periodic sums.

(g) Administer money collected by the foundation.

(h) Segregate contributions to the foundation into various accounts.

(i) Procure insurance against any loss in connection with the assets of the foundation or foundation activities.

(j) Enter into contracts on behalf of the foundation.

(k) Define the terms and conditions under which money may be disbursed by the foundation.

(l) Contract for goods and services and engage personnel as is necessary and engage the services of private consultants, actuaries, managers, legal counsel, and auditors for rendering professional, management, and technical assistance and advice, payable out of any money of the foundation. However, not more than 10% of the money of the foundation shall be used for the purpose of this subdivision or other administrative costs of the foundation.

(m) Exercise other powers necessary or convenient to carry out and effectuate the purposes, objectives, and provisions of this part, and the purposes of the foundation.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74305 Michigan state parks foundation; management; use of assets.

Sec. 74305.

The foundation shall be managed solely pursuant to and for the purpose set forth in this part and money or other assets of the foundation shall not be loaned or otherwise transferred or used by the state for any purpose other than the purposes of this part.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.74306 Accounting.

Sec. 74306.

The foundation shall annually prepare or cause to be prepared an accounting which shall be a public document and shall transmit a copy of the accounting to the governor, the senate majority and minority leaders, and the Republican and Democratic leaders of the house of representatives. The foundation may also make available the accounting of the foundation to a contributor to the foundation. The accounts of the foundation are subject to annual audits by the state auditor general or a certified public accountant appointed by the auditor general.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

Part 751
DARK SKY PRESERVE

324.75101 Definitions.

Sec. 75101.

As used in this part:

(a) "Dark sky preserve" means an area designated in section 75102.

(b) "Fully shielded" means outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above 15 degrees below the horizontal plane and also constructed so that the filament or light source is not visible to the naked eye when viewed from a point higher than 15 degrees below the horizontal plane.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2012, Act 251, Imd. Eff. July 2, 2012
Popular Name: Act 451
Popular Name: NREPA

324.75102 Designation as dark sky preserves; prohibition as to establishment in Upper Peninsula.

Sec. 75102.

(1) The following lands are designated as dark sky preserves:

(a) State-owned land at Lake Hudson, legally described as:

All state-owned land located in Sections 25, 26, 27, 34, 35, and 36, T7S, R1E, and Section 1, T8S, R1E - Lenawee County, Michigan.

(b) The state-owned land comprising Wilderness State Park and the state forestland within Bliss Township, Cross Village Township, and Wawatam in Emmet County.

(c) Those portions of Port Crescent State Park lying north and west of the Pinnebog River in section 9 of Hume Township, Huron County, T18N, R12E.

(d) The state-owned land comprising Rockport State Recreation Area, located in Presque Isle Township, Presque Isle County and Alpena Township, Alpena County.

(e) The state-owned land comprising Negwegon State Park, located in Sanborn Township, Alpena County and

Alcona Township, Alcona County.

(f) The state-owned land comprising Thompson's Harbor State Park, located in Krakow Township, Presque Isle County.

(g) The county-owned land comprising Dr. T. K. Lawless Park, located in Porter and Newberg Townships, Cass County.

(h) The county-owned land comprising Headlands International Dark Sky Park, located in Wawatam Township, Emmet County.

(2) Notwithstanding any other provision of this part, a dark sky preserve shall not be established in the Upper Peninsula.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2012, Act 251, Imd. Eff. July 2, 2012 ;-- Am. 2016, Act 11, Eff. May 16, 2016 ;-- Am. 2020, Act 74, Imd. Eff. Apr. 2, 2020
Popular Name: Act 451
Popular Name: NREPA

324.75103 Outdoor lighting; installation; limitation.

Sec. 75103.

(1) The commission shall ensure that outdoor lighting within a state-owned dark sky preserve is not installed unless necessary for safety, security, or the reasonable use and enjoyment of property within the preserve.

(2) The commission shall ensure that outdoor lighting within a state-owned dark sky preserve does not unreasonably interfere with nighttime activities that require darkness, including, but not limited to, the enjoyment of the night sky, nighttime photography, and wildlife photography.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2020, Act 74, Imd. Eff. Apr. 2, 2020
Popular Name: Act 451
Popular Name: NREPA

324.75104 Outdoor lighting; requirements.

Sec. 75104.

(1) The commission shall ensure that all outdoor lighting within a state-owned dark sky preserve conforms to the following:

(a) Lighting shall be directed downward.

(b) If possible, lighting shall be provided by fully shielded fixtures.

(c) If practical and appropriate, outdoor lighting fixtures shall be motion sensor fixtures, and not fixtures that remain lighted during all hours of darkness.

(2) Notwithstanding any other provision of this part, the use and development of land within a state-owned dark sky preserve, including the use of the land for motorized and nonmotorized recreation, shall not be restricted due to the designation as a dark sky preserve.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 2012, Act 251, Imd. Eff. July 2, 2012 ;-- Am. 2020, Act 74, Imd. Eff. Apr. 2, 2020
Popular Name: Act 451
Popular Name: NREPA

324.75105 Use and development not restricted; conditions.

Sec. 75105.

This part does not restrict the use and development of the state owned land at lake Hudson as prescribed by the master plan approved by the commission if the use and development are in compliance with this part.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.75106 Repealed. 2002, Act 3, Eff. Mar. 31, 2003.

Compiler's Notes: The repealed section pertained to repeal of part.
Popular Name: Act 451
Popular Name: NREPA