

# HOUSE BILL No. 4203

February 5, 2009, Introduced by Reps. McDowell, Lahti, Sheltroun, Spade, Gonzales, Nerat, Lindberg and Miller and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 43537, 74117, and 83106 (MCL 324.43537,  
324.74117, and 324.83106), section 43537 as amended by 2007 PA 60,  
section 74117 as amended by 2006 PA 477, and section 83106 as  
amended by 2004 PA 587.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 43537. (1) A resident who is declared legally blind is  
2 eligible to purchase a senior restricted or senior all-species  
3 fishing license. ~~The department may demand proof of blindness. The~~  
4 ~~licensee, when fishing, shall possess proof of blindness and shall~~  
5 ~~furnish the proof upon the request of a peace officer.~~

6       (2) A disabled veteran **OR A RESIDENT WHO HAS BEEN A PRISONER**  
7 **OF WAR** is eligible to ~~purchase any senior hunting license described~~  
8 ~~in section 43535 or any senior fishing license described in section~~

1 ~~43536, or both~~ **PURCHASE ANY RESIDENT LICENSE UNDER THIS PART FOR**  
 2 **\$1.00.**

3 ~~—— (3) As a pilot project for 2007, there shall be a disabled~~  
 4 ~~veterans firearm deer season in at least 3 areas of this state,~~  
 5 ~~including Marquette county and deer management units 053 and 064.~~  
 6 ~~The disabled veterans firearm deer season shall correspond with the~~  
 7 ~~youth firearm deer hunting days, if any, established by order of~~  
 8 ~~the commission. A disabled veteran may take 1 deer during the~~  
 9 ~~disabled veterans firearm deer season. A disabled veteran taking~~  
 10 ~~deer during this season shall possess a current firearm deer~~  
 11 ~~license, combination deer license, or antlerless deer license or a~~  
 12 ~~deer management assistance permit authorizing the disabled veteran~~  
 13 ~~to take a deer with a firearm and issued for the area or land upon~~  
 14 ~~which the veteran is hunting. The same kind of deer may be taken~~  
 15 ~~during the disabled veterans firearm deer season as during the~~  
 16 ~~regular November firearm deer season. This subsection does not~~  
 17 ~~limit the authority of the commission under section 40113a to~~  
 18 ~~establish a special hunting season in any area of this state for~~  
 19 ~~veterans with disabilities or other classes of individuals.~~

20 (3) ~~(4)~~ The department may demand proof of eligibility under  
 21 subsection ~~(2)~~ **(1)** or ~~(3)~~ **(2)**. The licensee, when ~~hunting or taking~~  
 22 aquatic species ~~, as applicable,~~ **OR HUNTING** shall possess proof of  
 23 his or her eligibility under subsection ~~(2)~~ **(1)** or ~~(3)~~ **(2)**, **AS**  
 24 **APPLICABLE**, and shall furnish the proof upon the request of a peace  
 25 officer.

26 (4) ~~(5)~~ The department shall process licenses issued under  
 27 subsection ~~(2)~~ **THIS SECTION** in the same manner as licenses issued

1 to senior citizens for purposes of receiving appropriations from  
2 the legislature under section 43546.

3 (5) ~~(6)~~As used in this section, "disabled veteran" means  
4 either of the following:

5 (a) A resident who has been determined by the United States  
6 department of veterans affairs to be permanently and totally  
7 disabled as a result of military service and entitled to veterans'  
8 benefits at the 100% rate. ~~, for a disability other than blindness.~~

9 (b) A resident rated by the United States department of  
10 veterans affairs as individually unemployable.

11 Sec. 74117. (1) The department may require park permits and  
12 collect park permit fees for entry into a state park or portion of  
13 a state park posted in the manner prescribed by this part. The  
14 department may waive the permit requirement for department-  
15 sponsored events or other circumstances as determined by the  
16 director or the director's designee. The department shall prepare  
17 and distribute park permits to implement this part.

18 (2) Except as otherwise provided in this section, an annual  
19 park permit shall be issued and shall authorize the entry of the  
20 motor vehicle to which it is originally attached within the  
21 confines of any state park or recreation area during the calendar  
22 year for which it is issued. The fee for the annual park permit is  
23 as follows:

24 (a) Until January 1, 2010, for the owner of a resident motor  
25 vehicle, \$24.00, except as follows:

26 (i) The fee for the owner of a resident motor vehicle who is 65  
27 years of age or older is \$6.00.

1           (ii) The fee for the owner of a resident motor vehicle who, at  
2 the time of purchase, is in possession of a food stamp card and  
3 personal identification is \$18.00.

4           (b) Until January 1, 2010, for the owner of a nonresident  
5 motor vehicle, \$29.00.

6           (3) A daily permit, valid for 1 day only, shall authorize the  
7 entry of the motor vehicle to which it is originally attached  
8 within the confines of a state park during the day for which it is  
9 issued. The fee for a daily permit is as follows:

10          (a) Until January 1, 2010, for the owner of a resident motor  
11 vehicle, \$6.00.

12          (b) Until January 1, 2010, for the owner of a nonresident  
13 motor vehicle, \$8.00.

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

21          (5) The department shall provide to the standing committees in  
22 the senate and house of representatives along with the appropriate  
23 budget subcommittees that primarily consider issues pertaining to  
24 natural resources an annual report that details the revenue stream  
25 generated by the fee structure under this section. This report  
26 shall be presented not later than December 31 each year and shall  
27 include information on the impact of the revenue stream on the

1 Michigan state parks endowment fund created in section 35a of  
2 article IX of the state constitution of 1963 and provided for in  
3 section 74119, the use of the general fund for funding the state  
4 park system, and other relevant issues that impact funding needs  
5 for the state park system.

6 (6) This part applies only to the entry of motor vehicles into  
7 the state parks and to the park permits authorized in this part and  
8 does not obviate the necessity of obtaining additional permits for  
9 special services or park privileges as previously or subsequently  
10 may be required by law or by rules promulgated by the department.  
11 The department shall designate each person in the state authorized  
12 to sell park permits and shall require as a condition of the  
13 designation that a surety bond be furnished in an amount, ~~and~~ in a  
14 form, and with ~~the~~ ~~A~~ surety as ~~THAT~~ is acceptable to the  
15 department. After being designated by the department, a person may  
16 issue park permits ~~in accordance with~~ **UNDER** this part.

17 (7) Commercial motor coaches or vans with a capacity of more  
18 than 12 passengers are not eligible to enter a state park with an  
19 annual park permit. Until January 1, 2010, the daily fee to allow  
20 commercial motor coaches or vans with a capacity of over 12  
21 passengers daily entry into a state park is \$15.00.

22 **(8) THE DEPARTMENT SHALL WAIVE STATE PARK ENTRY AND CAMPING**  
23 **FEES FOR A DISABLED VETERAN, AS DEFINED IN SECTION 43537, OR A**  
24 **RESIDENT WHO HAS BEEN A PRISONER OF WAR. THE DEPARTMENT MAY DEMAND**  
25 **PROOF OF ELIGIBILITY UNDER THIS SUBSECTION.**

26 (9) ~~(8)~~ The department may add to the cost of a reservation or  
27 a motor vehicle entrance or camping fee the charges that the state

1 incurs because of the use of a credit card.

2       (10) ~~(9)~~—If a person's annual park permit is lost or  
3 destroyed, the department shall provide that person with a  
4 replacement park permit free of charge. The department may require  
5 a person requesting a replacement park permit to supply sufficient  
6 evidence of the loss or destruction of the original park permit.

7       (11) ~~(10)~~—It is the intent of the legislature that if, on  
8 September 30 of any state fiscal year, the amount of money in the  
9 countercyclical budget and economic stabilization fund created in  
10 section 351 of the management and budget act, 1984 PA 431, MCL  
11 18.1351, exceeds \$250,000,000.00, then general fund/general purpose  
12 support for state parks operations for the following state fiscal  
13 year shall be equal to or exceed 50% of the revenues generated by  
14 motor vehicle entrance fees under this section during the previous  
15 state fiscal year.

16       (12) ~~(11)~~—As used in this section, "resident motor vehicle"  
17 means a vehicle that is registered as a motor vehicle in this  
18 state.

19       Sec. 83106. (1) The department may require a person to obtain  
20 a permit for camping in designated state forest campgrounds and may  
21 establish and collect a fee for the camping permit. However, at  
22 least 6 months before increasing a camping permit fee, the  
23 department shall provide written notice of its intent to do so to  
24 the standing committees of the senate and the house of  
25 representatives that have primary jurisdiction over legislation  
26 pertaining to natural resources and the environment. **THE DEPARTMENT**  
27 **SHALL WAIVE CAMPING PERMIT FEES FOR A DISABLED VETERAN, AS DEFINED**

1 IN SECTION 43537, OR A RESIDENT WHO HAS BEEN A PRISONER OF WAR. THE  
2 DEPARTMENT MAY DEMAND PROOF OF ELIGIBILITY UNDER THIS SUBSECTION.

3 (2) The department may require a person to obtain a permit,  
4 except as otherwise provided by law, for the use of lands and  
5 facilities within the state forest as designated by the department  
6 for recreation use.

7 (3) Money collected under this section shall be deposited into  
8 the forest recreation account.