

HOUSE BILL NO. 4788

June 26, 2019, Introduced by Reps. Alexander, Sabo, Miller, Manoogian, Kuppa, Lasinski, Witwer, Shannon, Ellison, Elder, Pagan, Clemente, Hertel, Bellino, Kennedy, Hope, Haadsma, VanSingel, Yaroch, Hood, Tyrone Carter, Yancey, O'Malley, Whitsett, Neeley, Jones and Cherry and referred to the Committee on Transportation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 74103 and 78105 (MCL 324.74103 and 324.78105), section 74103 as added by 1995 PA 58 and section 78105 as amended by 2013 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 74103. **(1)** In implementing ~~the~~**its** responsibilities under
- 2 this part, the department may do 1 or more of the following:
- 3 (a) Enter into contracts or agreements that may be necessary



1 to implement this part.

2 (b) Lease state park property to a person.

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

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

6 (e) ~~Provide the granting of concessions~~ **Grant** to a person a
7 **concession** within the boundaries of a state park. In granting a
8 concession, the department shall provide that ~~each~~ **the** concession
9 is awarded ~~at least~~ **not less frequently than** every 7 years, based
10 on extension, renegotiation, or competitive bidding.

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

17 (3) **The department may install or allow the installation of**
18 **charging stations for electric vehicles at state parks and state-**
19 **operated harbors. The department may enter into a lease for the**
20 **installation or operation of the charging station infrastructure.**
21 **Revenue from such a lease shall be deposited, respectively, into**
22 **the state park improvement account, established under section 2030,**
23 **or the waterways account, established under section 2035, of the**
24 **conservation and recreation legacy fund.**

25 (4) The department shall cooperate with the office of climate
26 and energy in the department of licensing and regulatory affairs,
27 electric utilities, and other interested parties to identify those
28 state parks and state-operated harbors best suited for electric
29 vehicle charging stations. In determining suitability, the



1 department shall consider both of the following:

2 (a) Where grid infrastructure exists sufficient to support
3 electric vehicle charging stations.

4 (b) Where seasonal traffic patterns and seasonal park and
5 harbor visitation volumes necessitate access to electric vehicle
6 charging stations to accommodate long-distance or local travel and
7 use of state parks and harbors.

8 (5) Within 1 year after the enactment date of the amendatory
9 act that added this subsection, the department shall do both of the
10 following:

11 (a) Submit a report of its findings under subsection (4) to
12 the legislative committees of the senate and house of
13 representatives with responsibility for issues involving electric
14 vehicles and state parks.

15 (b) Post the report on its website. The department shall
16 maintain the website posting for at least 1 year.

17 Sec. 78105. (1) The department has the following powers and
18 duties:

19 (a) To acquire, construct, and maintain harbors, channels, and
20 facilities for vessels in the navigable waters lying within the
21 boundaries of this state.

22 (b) To acquire, by purchase, lease, gift, or condemnation the
23 lands, rights of way, and easements necessary for harbors and
24 channels. For the purposes of this subdivision, the department
25 shall be considered a state agency under 1911 PA 149, MCL 213.21 to
26 213.25.

27 (c) To acquire, by purchase, lease, gift, or condemnation
28 suitable areas on shore for disposal of the material from dredging.

29 (d) To enter into ~~any~~ contracts or agreements that may be



1 necessary in carrying out this part, including agreements to hold
 2 ~~and save~~ the United States free from damages ~~due to that may result~~
 3 **from** the construction and maintenance by the United States of ~~these~~
 4 works that the United States undertakes.

5 (e) To provide for the granting of concessions within the
 6 boundaries of harbors, so as to furnish the public gas, oil, food,
 7 and other facilities.

8 **(f) To provide for charging facilities for electric vehicles**
 9 **at harbors, subject to section 74103.**

10 **(g)** ~~(f)~~ To represent this state and the governor in dealings
 11 with the chief of engineers of the United States ~~army~~ **Army** and his
 12 or her authorized agents for the purposes set forth in this part.

13 **(h)** ~~(g)~~ To charge fees for ~~both~~ seasonal and daily moorage at
 14 state-operated small craft mooring facilities. All revenues derived
 15 from this source shall be deposited in the waterways account.

16 **(i)** ~~(h)~~ To collect the proceeds from the sale of marine fuel
 17 at harbors operated by the department. The proceeds from the sales
 18 shall be credited to the waterways account and used for the
 19 purchase of marine fuel supplies as may be needed. Any remaining
 20 revenue from this source not needed for the purchase of marine fuel
 21 supplies may be expended in the same manner as other funds within
 22 the waterways account.

23 (2) The director shall designate state-operated public boating
 24 access sites that, subject to section 78119(4), shall not be
 25 entered by a resident motor vehicle unless the recreation passport
 26 fee has been paid or by a nonresident or commercial motor vehicle
 27 unless a pass purchased under subsection (3) is affixed to the
 28 motor vehicle as described in section 78119.

29 (3) The department shall charge fees for passes authorizing



1 seasonal or daily entry by nonresident motor vehicles or commercial
2 motor vehicles at designated state-operated public boating access
3 sites. Fee revenue under this subsection shall be deposited in the
4 waterways account.

