

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.83103 Implementation of MCL 324.83102; powers of department; disposition of money collected; grant and award of concessions; notice to legislature; report.

Sec. 83103.

(1) In implementing section 83102, the department may do any of the following:

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

(b) Grant concessions within the boundaries of a state forest to a person. In granting a concession, the department shall provide for all of the following:

(i) That the concession or any related structure, facility, equipment, or service is compatible with the natural resource values of the surrounding forest area and is appropriate for the forest recreation system.

(ii) That each concession is awarded at least every 7 years based on extension, renegotiation, or competitive bidding. However, if the department determines that a concession requires a capital investment in which a reasonable financing or amortization necessitates a longer term, the department may grant a concession for up to a 15-year term.

(iii) That a concession requiring a capital expenditure of more than \$100,000.00 for a building or structure be provided for in the state forest management plan for the state forest in which the concession is proposed to be located.

(iv) That all buildings and equipment shall be removed from the state forest property at the end of the concession term, unless the department authorizes otherwise.

(v) That no concession or concession operator is granted the authority to charge a fee for access to public land or a public recreation resource.

(vi) That all prices, rates, and charges and all services or items offered in the operation of the concession shall be approved by the department.

(c) Lease property to a person.

(d) Accept gifts, grants, or bequests from any public or private source or from the federal government or a local unit of government for furthering the purposes of this part.

(2) Unless otherwise provided by state or federal law, all money collected under this section shall be deposited into the forest recreation account.

(3) Not less than 3 months before granting a concession for more than \$500,000.00 or that will require a capital expenditure of more than \$500,000.00, the department shall notify each member of the house of representatives and senate with primary responsibility for natural resources issues of its intention to grant the concession and of specific details on the nature of the concession.

(4) By December 31 of each year, the department shall submit to the legislature a report that provides details on all concessions awarded during the previous year under subsection (1).

History: Add. 1998, Act 418, Imd. Eff. Dec. 29, 1998 ;-- 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

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