

HOUSE BILL No. 4471

March 20, 1989, Introduced by Rep. Jaye and referred to the Committee on Transportation.

A bill to amend section 1 of Act No. 90 of the Public Acts of 1913, entitled as amended

"An act authorizing and empowering the boards of supervisors of counties to purchase, acquire by condemnation, accept gifts and devises of real estate for, and to improve and maintain public parks and zoological gardens, airports and landing fields, and to contribute to the improvement and maintenance of public parks and public zoological gardens, airports and landing fields, owned or held in trust by cities, villages or townships or used for the benefit of the public; to authorize the making of reasonable rules and regulations relative to the public use of park property; and to provide penalties for violations of such rules and regulations,"

being section 123.61 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1 of Act No. 90 of the Public Acts of
2 1913, being section 123.61 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 1. (1) ~~It shall be lawful for and the several boards~~
5 ~~of supervisors are hereby authorized and empowered to~~ EXCEPT AS

1 OTHERWISE PROVIDED IN THIS SECTION, A COUNTY BOARD OF
2 COMMISSIONERS MAY purchase, acquire by condemnation, and ~~to~~
3 accept gifts and devises of real estate for purposes of public
4 parks, public zoological gardens, airports, and landing fields
5 either or both, when such lands lie within the boundaries of
6 their respective counties or within the boundaries of any adjoin-
7 ing county, and ~~to~~ MAY make appropriations covering the costs
8 of such purchases or acquisitions by condemnation and incidental
9 to the acceptance of such gift or devise. ~~:- Provided, When~~ IF
10 such lands are purchased, acquired by condemnation, given, or
11 devised to any county adjoining a county ~~wherein such~~ WHERE
12 THESE lands are ~~situate~~ LOCATED, they shall be conveyed or
13 devised to ~~such~~ THE counties jointly. ~~:- Provided further,~~
14 ~~however, That~~ HOWEVER, a 2/3 vote of the members-elect of a
15 COUNTY board of ~~supervisors~~ COMMISSIONERS shall be necessary to
16 authorize the purchase or condemnation of real estate designed
17 for ~~such~~ public park, public zoological garden, airport, and
18 landing field purposes.

19 (2) A COUNTY BOARD OF COMMISSIONERS SHALL NOT APPROVE THE
20 USE OF COUNTY FUNDS OR SEEK FUNDS FROM ANY OTHER SOURCE FOR THE
21 PURCHASE OF AN EXISTING PRIVATELY OWNED AIRPORT OR THE EXPANSION
22 OF AN EXISTING PUBLICLY OWNED AIRPORT EITHER OF WHICH IS LOCATED
23 WITHIN 1/2 MILE OF A SUBDIVIDED PARCEL OF REAL PROPERTY THAT IS
24 ZONED RESIDENTIAL.