

HOUSE BILL No. 5767

September 9, 2014, Introduced by Rep. Kosowski and referred to the Committee on Local Government.

A bill to amend 1965 PA 261, entitled

"An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions,"

by amending section 14 (MCL 46.364), as amended by 1994 PA 84.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 14. (1) A county or regional commission may adopt, amend,
2 or repeal rules for the protection, regulation, and control of its
3 facilities and areas with the approval of the county board or
4 boards of commissioners.

5 (2) Rules shall not be contrary to or inconsistent with the
6 laws of this state. Rules shall not take effect until all of the

1 following occur:

2 (a) The elapse of 9 days after the rules are adopted by the
3 county or regional commission.

4 (b) ~~The~~ **BEFORE JANUARY 1, 2015, THE** publication of the rules
5 once a week for 2 consecutive weeks in a newspaper of general
6 circulation in the county in which the area or facility to which
7 the rules apply is located, **AND, BEGINNING JANUARY 1, 2015,**
8 **PROVIDING TIER C PUBLIC NOTICE OF THE RULES AS SET FORTH IN THE**
9 **LOCAL GOVERNMENT PUBLIC NOTICE ACT.**

10 (c) The posting of a copy of the rules near each gate or
11 principal entrance to the area or facility.

12 (3) Except as provided in subsection (4), a person who
13 violates a rule adopted by a county or regional commission is
14 guilty of a misdemeanor punishable by a fine of not more than
15 \$100.00 and costs of prosecution or by imprisonment for not more
16 than 90 days, or both.

17 (4) The operation of a vehicle on a recreational trailway at a
18 time, in a place, or in a manner prohibited by a rule adopted by a
19 county or regional commission is a municipal civil infraction,
20 whether or not so designated by the rule. A civil fine ordered for
21 a municipal civil infraction described in this subsection shall not
22 exceed the maximum amount of a fine provided by the rule or
23 \$500.00, whichever is less. An act or omission described in this
24 subsection is not a municipal civil infraction if that act or
25 omission constitutes a violation or crime that is excluded from the
26 definition of municipal civil infraction in section 113 of the
27 revised judicature act of 1961, ~~Act No. 236 of the Public Acts of~~

1 ~~1961, being section 600.113 of the Michigan Compiled Laws. 1961 PA~~
2 ~~236, MCL 600.113.~~

3 (5) A county or regional commission may appoint park rangers
4 who may be deputized by a sheriff to enforce the laws of this
5 state. Whether deputized or not, park rangers may enforce the rules
6 adopted by a county or regional commission and have the powers,
7 privileges, and immunities conferred upon peace officers by the
8 laws of this state. A park ranger shall not be appointed unless he
9 or she meets the minimum standards established by the ~~law~~
10 ~~enforcement officers training council.~~ **COMMISSION ON LAW**
11 **ENFORCEMENT STANDARDS AS PROVIDED IN THE COMMISSION ON LAW**
12 **ENFORCEMENT STANDARDS ACT, 1965 PA 203, MCL 28.601 TO 28.616.** Park
13 rangers shall exercise their authority and powers only on lands,
14 waters, and property administered by or under the jurisdiction of a
15 county or regional commission.

16 (6) A county or regional commission may contract with
17 townships, cities, villages, or sheriffs for police services
18 required under this section and may appropriate and expend funds
19 for those services.

20 Enacting section 1. This amendatory act does not take effect
21 unless Senate Bill No. ____ or House Bill No. 5560 (request no.
22 03796'13) of the 97th Legislature is enacted into law.