

Mid-Year Report for Public Policy 2009 Submitted by Joan Lenhard

In the past year the committee has analyzed several bills of interest to MRPA's membership. The bills of interest and the recommendations of the Public Policy Committee are detailed below.

The Public Policy Committee also developed a detailed set of public policy principles and an associated platform that has been installed on the MRPA website and made available in brochure form. The platform is revised from time to time as new bills are analyzed and positions taken.

Gov. Granholm was elected to receive Statewide Elected Official of the Year Award at the annual conference. Chief of Staff, Mr. Rodney Stokes accepted the award on behalf of the Governor.

- ✦ **Senate Bill 1257 and Senate Joint Resolution M (2007-08)** would have amended the Natural Resources Trust Fund part of the Natural Resources and Environmental Protection Act and the Michigan Constitution respectively to allow the Michigan Natural Resources Trust Fund Board to authorize the issuance of bonds and notes, payable from the allowable expenditures of the Trust Fund; and allow two-thirds, rather than one-third, of the Trust Fund revenue collected during a fiscal year (excluding interest and earnings) to be spent in subsequent fiscal years. The Public Policy Committee recommended, and the MRPA board approved a position of **opposition** to this proposal which subsequently died at the end of the 2007-08 legislative session.
- ✦ **Senate Bill 921** provided for the licensing of Occupational Therapists. The bill was enacted with immediate effect, becoming PA 523 of 2008 after MRPA successfully had amendments added to the bill to protect Therapeutic Recreation Specialists from potentially being accused of practicing OT without a license due to the significant overlap in scopes of practice for the two professions. The ED also conducted an advocacy workshop for TR specialists at their regular meeting.
- ✦ **House Bill 4204 and HJR H** would amend the Natural Resources Trust Fund statute and the Michigan Constitution respectively to modify allowable expenditures and provide for use of funds to manage land and water resources for recreational uses including state fish hatcheries. The Public Policy Committee recommended, and the MRPA board approved a position of **opposition** to the legislation. The legislation has not moved since its introduction and continues to be monitored by the Committee.
- ✦ **Senate Bills 388-89 and House Bills 4677-78** are the so-called "State Park Passport" bills. Essentially, they would shift state park funding from user fees to vehicle registration fees and provide 10% of the net revenue for local park development through the MNRTF process. After extensive analysis, the Public Policy Committee recommended in April that the MRPA board **support** the legislation on the condition that it contains adequate enforcement to prevent a shift of day users from nearby local parks that charge vehicle entry fees to state parks which will not. The MRPA board tabled the recommendation in April, but the recommendation is again on the MRPA board agenda for its August 14, 2009 meeting after substitute legislation has been prepared to meet MRPA's enforcement requirements. The legislation continues to reside on "first house" floor calendars pending action this fall. The bills have generated considerable discussion among MRPA members who are differentially affected.
- ✦ **Senate Bill 222** would allow school district officials to set up recreational authorities, in cooperation with other local government officials. The bill has been passed by both chambers of the legislature, but it failed to receive immediate effect in the House of Representatives. If sent to the Governor without immediate effect, the bill will take effect 90 days after the sine die

adjournment of the legislature in late December. The effective date of the bill would thus be approximately the first week in April.

- ✦ **House Bill 4610** is the so-called “right to ride” bill that would allow equestrian use of trails on all state lands. While the Michigan Trails and Greenways Association **opposes** the bill, the Public Policy Committee has put the bill on its “watch list” because it does not affect local trails.
- ✦ **Senate Bill 576** would amend the Management and Budget Act to transfer control over MDNR lands away from MDNR and to MDMB. Since MNRTF revenues come from oil, gas, and mineral royalties from exploration on state lands, the Public Policy Committee has recommended that the MRPA board take a position of **opposition** to the legislation at its August 14, 2009 board meeting.
- ✦ **House Bill 4970** would provide for advanced waiver of claims of liability against a sponsor or organizer of children's athletic and recreational activities for economic and non-economic damages arising from an injury. Parents and guardians of minors would be allowed to sign a waiver in advance of the athletic event. The Public Policy Committee has recommended that the MRPA board **support** the bill at its August 14, 2009 meeting. The bill presently resides in the House Judiciary Committee.
- ✦ **HBs 4183 and 4476** would amend the Insurance Code and Blue Cross and Blue Shield acts to mandate insurance coverage of certain diagnostic and treatment procedures for Autism. Insurance Coverage the TR committee would like this monitored. The bill has passed the Michigan House of Representatives and is presently in Senate Committee. Concern has been raised over its impact on insurance premiums. The House Fiscal Agency estimates that premiums would rise 3% if the bill is enacted. The Public Policy Committee has put the legislation on its “watch list.”

Other actions by the Public Policy Committee include the following:

- ✦ **Legislative Day at the Capitol:** A reception/luncheon that was planned by MRPA, MACPRO, and the MTGA for the spring was canceled when it was learned that it conflicted with the large Spring Conference sponsored by the Detroit Chamber of Commerce and few legislators would be able to attend. The day is being rescheduled to occur some time in the fall.
- ✦ **NRPA “Day on the Hill”:** Mark B., Dennis S., Mike M., Joan L., were in Washington DC for mid-year NRPA lobbying effort. Bruce R., was on-site earlier in the week and met with members of congress while in DC. Pursuit of stimulus funding for parks and the Land and Water Conservation Fund were among the many items on the platform being advocated by NRPA.
- ✦ **“Pistol Free Parks”:** Michigan is an “open carry” state for registered handguns, that is, owners of registered handguns can carry their weapon anywhere except a small number of excepted areas so long as it is holstered in plain view. The excepted areas include schools, sports arenas, and courts among a few others. The Public Policy Committee has directed the ED to prepare a strategy for seeking legislation to add local parks to the list of exceptions. There is a group called “Michigan Open Carry” that is holding “pistol picnics” around the state in local parks where people are encouraged to “bring a dish to pass and a weapon to wear.” Since parks and schools often collaborate in the use of recreational facilities, adding parks to the list of places where handguns are prohibited would make state policy consistent. If MRPA proceeds to seek legislation to make this change, it will be taking on the powerful NRA interest. A strategy that includes strong coalition partners will be required to achieve enactment.

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✦ **Encroachments:** Rebecca and Mark brought up the large picture of encroachments on public park land. Jim B and Dan S both have had serious issues with encroachment. There is a major lawsuit pending that will affect encroachments and the Public Policy Committee has put the lawsuit on its "watch list."