

Legislative Analysis



FREE ENTRY INTO STATE PARKS FOR CERTAIN ARMED FORCES' MEMBERS

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House Bill 5023 as passed by the House
Sponsor: Rep. Matt Milosch
Committee: Conservation and Outdoor Recreation
Second Analysis (4-15-04)

BRIEF SUMMARY: The bill would provide free access into a state park to members of the armed forces with a global war on terrorism expeditionary or service medals, effective June 30, 2004.

FISCAL IMPACT: There would be an indeterminate impact on State Park revenues. The actual revenue loss would depend on the number of eligible servicemen and women seeking admission to a State Park during the 2004 and 2005 calendar years. There would be no fiscal impact on local governmental units.

THE APPARENT PROBLEM:

There are many Michigan soldiers taking part in the war on terrorism in Iraq and Afghanistan. In an effort to help those soldiers, the House Republican Caucus, in April, unveiled a "Yellow Ribbon" package of legislation that is designed to assist soldiers and their families during these trying times. The package includes legislation that ensures that state employees don't receive a pay cut when they serve, provides employers with certain incentives to provide "gap pay", and allows soldiers' families with extra time to file their state taxes, among others. In an extension of that package, legislation has been introduced that would provide soldiers who served in Iraq to obtain, free of charge, a daily park permit for entry into a state park.

THE CONTENT OF THE BILL:

Under Part 741 (State Park System) of the Natural Resources and Environmental Protection Act, daily state park motor vehicle permit fees are \$6 for residents and \$8 for nonresidents. The bill would amend the act to permit members of the armed services who possess a global war on terrorism expeditionary medal or service medal to obtain a daily park permit free of charge, until December 31, 2005. The bill would take effect June 30, 2004.

MCL 324.74117

BACKGROUND INFORMATION:

Permit Fees. Public Act 170 of 2003 increased permit fees for entry into the state's numerous parks. Prior to the enactment of Public Act 170, which was necessary to implement the governor's proposed budget for the 2003-2004 fiscal year, state park daily

permit fees were \$4 for a resident daily permit and \$6 for a nonresident daily permit. Public Act 170 increased the each daily permit fee by \$2. The act also increased the annual motor vehicle permit (and established different prices for residents and nonresidents), increased the senior annual permit, and established a discounted annual permit for recipients of food stamps. The governor's proposed executive budget relied on these fee increases, and \$6 million from the recently created State Park Endowment Fund, to offset the elimination of general fund support (\$8.5 million) for the state park system.

Medals. On March 12, 2003 (one week prior to U.S. military action in Iraq) President Bush issued Executive Order 13289 establishing the global war on terrorism expeditionary and services medals. The Global War on Terrorism Expedition Medal is awarded to members of the U.S. Armed Services serving in military expeditions to combat terrorism on or after September 11, 2001. Military personnel serving in Operation Enduring Freedom (which includes persons serving in Afghanistan and the Philippines) and Operation Iraqi Freedom are the primary recipients of the award. The Global War on Terrorism Service Medal is also awarded to members of the U.S. Armed Services serving in military operations to combat terrorism on or after September 11, 2001. The primary recipients of this service medal would be those who served in Operation Noble Eagle (generally, reservists called into duty for homeland defense and civil support service in the aftermath of the September 11th attacks).

ARGUMENTS:

For:

The bill serves as a small token of gratitude for the men and women - residents and nonresidents, alike - who have served in the U.S. Armed Services in our nation's effort to combat terrorism.

Against:

The bill is administratively problematic for the Department of Natural Resources. Recent legislation discounted the annual state park permit for food stamp recipients, resulting in increased verification requirements. The same would occur here, as the soldier would have to provide some sort of documentation that he or she was awarded the medal. This documentation would be in addition to documentation related to residency, as it is likely that the DNR would track the number and type (resident or nonresident) of free permits. When combined with recent changes, this bill would result in delays for entry into the state parks.

In addition, the bill has the potential to create a serious problem related to the funding of the state park system. There is some concern that the bill would be the beginning of a slippery slope that excludes an ever-increasing number of groups from paying for entry into a state park. While the revenue foregone from this bill might not be significant, the aggregate of similar exclusions could be. This is particularly troubling given that general fund support of the state parks was eliminated with the enactment of the 2003-2004 fiscal year budget bill for the DNR.

Finally, the bill does not place any limits on the number of permits an individual may receive. Often, when people visit a state park, they stay for a period of several days. This bill, then, would allow the veteran to receive free entry into the park for each of those days. This may lead the veteran to forego purchasing an annual permit, perhaps resulting in a greater revenue loss.

POSITIONS:

The Department of Natural Resources testified in opposition to the bill. (12-10-03)

The Michigan United Conservation Clubs indicated that it opposes the bill. (12-10-03)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.