

Act No. 93  
Public Act of 1987  
Approved by the Governor  
June 30, 1987  
Filed by the Secretary of State  
July 1, 1987

**STATE OF MICHIGAN  
84TH LEGISLATURE  
REGULAR SESSION OF 1987**

Introduced by Senator Arthurs

## **ENROLLED SENATE BILL No. 215**

AN ACT to amend section 4 of Act No. 320 of the Public Acts of 1947, entitled "An act to create the Michigan state waterways commission, and to prescribe its powers and duties; to provide for the acquisition, construction and maintenance of harbors and channels, and to provide for the granting of concessions; to prescribe the powers and duties of the state and the several political subdivisions thereof; to impose a specific tax on fuel sold or used in producing or generating power for propelling vessels on the navigable waters lying within the boundaries of this state, and to provide for the disposition thereof; to provide for the regulation and control of boating within the boundaries of this state; to provide for state participation in certain federal programs; and to make an appropriation to carry out the provisions of this act," being section 281.504 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 4 of Act No. 320 of the Public Acts of 1947, being section 281.504 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 4. The commission shall have the following powers and duties:

(a) To acquire, construct, and maintain harbors, channels, and facilities for vessels in the navigable waters lying within the boundaries of the state of Michigan.

(b) To acquire, by purchase, lease, gift, or condemnation the lands, rights of way, and easements necessary for harbors and channels; and the commission shall be considered a state agency under the provisions of Act No. 149 of the Public Acts of 1911, being sections 213.21 to 213.25 of the Michigan Compiled Laws, relative to condemnation by state agencies.

(c) To acquire, by purchase, lease, gift, or condemnation suitable areas on shore for disposal of the material from dredging.

(d) To enter into any contracts or agreements that may be necessary in carrying out this act, including agreements to hold and save the United States free from damages due to the construction and maintenance by the United States of those works that the United States undertakes.

(e) To provide for the granting of concessions within the boundaries of harbors, so as to furnish the public gas, oil, food, and other facilities.

(f) To represent the state of Michigan and the governor of Michigan in dealings with the chief of engineers of the United States army and his or her authorized agents for the purposes set forth in this act.

(g) To charge fees for both seasonal and daily moorage at state-operated small craft mooring facilities. All revenues derived from this source shall be deposited in the Michigan state waterways fund.

(h) To charge fees for both daily and seasonal use of state-operated public access sites, if the cost of collecting the fees will not exceed the revenue derived from the fees for daily and seasonal passes. All revenues derived from this source shall be deposited in the Michigan state waterways fund. A seasonal pass shall grant the permittee the right to enter any state-operated public access site without payment of an additional fee.

(i) To collect the proceeds from the sale of marine fuel at harbors operated by the commission. The proceeds from the sales shall be credited to the Michigan state waterways fund and used for the purchase of marine fuel supplies as may be needed. Any remaining revenue from this source not needed for the purchase of marine fuel supplies may be expended in the same manner as other funds within the Michigan state waterways fund.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved .....

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Governor.