

# SENATE BILL No. 215

April 7, 1987, Introduced by Senator ARTHURHULTZ and referred to the Committee on Appropriations.

A bill 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:

1       Section 1. Section 4 of Act No. 320 of the Public Acts of  
2 1947, being section 281.504 of the Michigan Compiled Laws, is  
3 amended to read as follows:

1       Sec. 4. The commission shall have ~~and be vested with~~ the  
2 following powers and duties:

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

6       (b) To acquire, by purchase, lease, gift, or condemnation  
7 ~~such~~ THE lands, rights of way, and easements necessary for har-  
8 bors and channels; and the commission shall be considered a state  
9 agency under the provisions of Act No. 149 of the Public Acts of  
10 1911, BEING SECTIONS 213.21 TO 213.25 OF THE MICHIGAN COMPILED  
11 LAWS, relative to condemnation by state agencies.

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

15       (d) To enter into any contracts or agreements that may be  
16 necessary in carrying out ~~the provisions of~~ this act, including  
17 agreements to hold and save the United States free from damages  
18 due to the construction and maintenance by the United States of  
19 ~~such~~ THOSE works ~~as~~ THAT the United States ~~shall undertake~~  
20 UNDERTAKES.

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

24       (f) To represent the state of Michigan and the governor of  
25 Michigan in ~~it and his relationships~~ DEALINGS with the chief of  
26 engineers ~~—~~ OF THE United States army ~~—~~ and his OR HER

1 authorized agents for the purposes set forth ~~herein~~ IN THIS  
2 ACT.

3 (G) TO CHARGE FEES FOR BOTH SEASONAL AND DAILY MOORAGE AT  
4 STATE-OPERATED SMALL CRAFT MOORING FACILITIES. ALL REVENUES  
5 DERIVED FROM THIS SOURCE SHALL BE DEPOSITED IN THE MICHIGAN STATE  
6 WATERWAYS FUND.

7 (H) TO CHARGE FEES FOR BOTH DAILY AND SEASONAL USE OF  
8 STATE-OPERATED PUBLIC ACCESS SITES, IF THE COST OF COLLECTING THE  
9 FEES WILL NOT EXCEED THE REVENUE DERIVED FROM THE FEES FOR DAILY  
10 AND SEASONAL PASSES. ALL REVENUES DERIVED FROM THIS SOURCE SHALL  
11 BE DEPOSITED IN THE MICHIGAN STATE WATERWAYS FUND. A SEASONAL  
12 PASS SHALL GRANT THE PERMITTEE THE RIGHT TO ENTER ANY  
13 STATE-OPERATED PUBLIC ACCESS SITE WITHOUT PAYMENT OF AN ADDI-  
14 TIONAL FEE.

15 (I) TO COLLECT THE PROCEEDS FROM THE SALE OF MARINE FUEL AT  
16 HARBORS OPERATED BY THE COMMISSION. THE PROCEEDS FROM THE SALES  
17 SHALL BE CREDITED TO THE MICHIGAN STATE WATERWAYS FUND AND USED  
18 FOR THE PURCHASE OF MARINE FUEL SUPPLIES AS MAY BE NEEDED. ANY  
19 REMAINING REVENUE FROM THIS SOURCE NOT NEEDED FOR THE PURCHASE OF  
20 MARINE FUEL SUPPLIES MAY BE EXPENDED IN THE SAME MANNER AS OTHER  
21 FUNDS WITHIN THE MICHIGAN STATE WATERWAYS FUND.