



HOUSE BILL No. 5620

June 7 1994 Introduced by Reps Hammerstrom, Bodem and Galloway and referred to the Committee on Conservation, Environment and Great Lakes

A bill to amend Act No 17 of the Public Acts of 1921, entitled as amended

'An act to provide for the protection and conservation of the natural resources of the state to provide and develop facilities for outdoor recreation to create a conservation department to define the powers and duties thereof to provide rules and regulations concerning the use and occupancy of lands and property under its control and penalties for the violation thereof to provide for the transfer to said department of the powers and duties now vested by law in certain boards, commissions and officers of the state and for the abolishing of the boards, commissions and offices the powers and duties of which are hereby transferred "

as amended, being sections 299 1 to 299 10 of the Michigan Compiled Laws, by adding section 3c

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Act No 17 of the Public Acts of 1921, as
2 amended, being sections 299 1 to 299 10 of the Michigan Compiled
3 Laws, is amended by adding section 3c to read as follows

1 SEC 3C (1) THE DEPARTMENT OF NATURAL RESOURCES SHALL
2 PROMULGATE RULES THAT DEFINE NAVIGABLE WATERS THE RULES SHALL
3 ESTABLISH AND DEFINE IN A UNIFORM MANNER THE RIGHTS OF CITIZENS
4 TO UTILIZE THE INLAND WATERS OF THIS STATE FOR COMMERCIAL AND
5 RECREATIONAL PURPOSES

6 (2) THE RULES REQUIRED UNDER SUBSECTION (1) SHALL AUTHORIZE
7 THE PORTAGE OF BOATS AND THE PASSAGE OF INDIVIDUALS UPON THE LAND
8 BESIDE THE NAVIGABLE WATERS IF A DAM OR OTHER OBSTRUCTION PRE-
9 VENTS PASSAGE ON THE NAVIGABLE WATER

10 (3) UNTIL THE RULES REQUIRED UNDER SUBSECTION (2) ARE
11 PROMULGATED, A PERSON MAY PORTAGE A BOAT AND PASS AROUND DAMS OR
12 OTHER OBSTRUCTION ON NAVIGABLE WATERS AS IS NECESSARY TO DIRECTLY
13 RETURN TO THE NAVIGABLE WATERWAY

14 (4) A PERSON WHO VIOLATES A RULE PROMULGATED UNDER THIS SEC-
15 TION OR WHO VIOLATES SUBSECTION (3) IS RESPONSIBLE FOR A CIVIL
16 FINE OF NOT MORE THAN \$500 00

17 (5) A DEFAULT IN THE PAYMENT OF A CIVIL FINE ORDERED UNDER
18 THIS SECTION MAY BE REMEDIED BY ANY MEANS AUTHORIZED UNDER THE
19 REVISED JUDICATURE ACT OF 1961, ACT NO 236 OF THE PUBLIC ACTS OF
20 1961, BEING SECTIONS 600 101 TO 600 9947 OF THE MICHIGAN COMPILED
21 LAWS