



SENATE BILL No. 687

June 8, 1993, Introduced by Senators PRIDNIA, DI NELLO, HART, O'PRIEN and DUNASKISS and referred to the Committee on State Affairs and Military/Veteran Affairs.

A bill to amend Act No. 303 of the Public Acts of 1967, entitled as amended
"Marine safety act,"
as amended, being sections 281.1001 to 281.1199 of the Michigan Compiled Laws, by adding section 11b; and to repeal certain parts of the act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 303 of the Public Acts of 1967, as
2 amended, being sections 281.1001 to 281.1199 of the Michigan
3 Compiled Laws, is amended by adding section 11b to read as
4 follows:

5 SEC. 11B. (1) THE MARINE SAFETY EDUCATION ADVISORY COUNCIL
6 IS CREATED WITHIN THE DEPARTMENT. THE COUNCIL IS AN AUTONOMOUS
7 ENTITY AND SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES

1 INDEPENDENTLY OF THE DEPARTMENT, EXCEPT FOR BUDGETING,
2 PROCUREMENT, AND RELATED MANAGEMENT FUNCTIONS.

3 (2) THE GOVERNOR SHALL APPOINT TO THE COUNCIL A REPRESENTA-
4 TIVE OF EACH OF THE FOLLOWING ORGANIZATIONS OR SUCCESSOR TO ANY
5 OF THE FOLLOWING ORGANIZATIONS:

6 (A) ONE MEMBER REPRESENTATIVE OF THE MICHIGAN SHERIFFS
7 ASSOCIATION.

8 (B) ONE MEMBER REPRESENTATIVE OF THE MICHIGAN DEPUTY SHERIFF
9 ASSOCIATION.

10 (C) ONE MEMBER REPRESENTATIVE OF THE DEPARTMENT.

11 (D) ONE MEMBER REPRESENTATIVE OF THE MICHIGAN BOATING INDUS-
12 TRIES ASSOCIATION.

13 (E) ONE MEMBER REPRESENTATIVE OF THE NATIONAL MARINE MANU-
14 FACTURERS ASSOCIATION.

15 (3) A MAJORITY OF COUNCIL MEMBERS APPOINTED CONSTITUTE A
16 QUORUM.

17 (4) THE COUNCIL SHALL CONVENE ITS FIRST MEETING WITHIN
18 90 DAYS AFTER THE EFFECTIVE DATE OF THIS ACT, AT WHICH THE MEM-
19 BERS SHALL ELECT FROM MEMBERS OF THE COUNCIL A CHAIRPERSON,
20 VICE-CHAIRPERSON, AND SECRETARY. THE COUNCIL SHALL ESTABLISH
21 RULES GOVERNING COUNCIL PROCEEDINGS. THESE RULES SHALL PROVIDE
22 ALTERNATE MEMBERS WITH FULL RIGHTS OF PARTICIPATION, OTHER THAN
23 VOTING, IN ALL COUNCIL PROCEEDINGS.

24 (5) FOLLOWING ITS FIRST MEETING, THE COUNCIL SHALL MEET AS
25 OFTEN AS NECESSARY TO FULFILL ITS DUTIES UNDER THIS ACT. EITHER
26 THE CHAIRPERSON OR A MAJORITY OF THE APPOINTED MEMBERS MAY CALL A
27 MEETING UPON 7 DAYS' WRITTEN NOTICE TO THE COUNCIL MEMBERS.

1 (6) A VACANCY ON THE MARINE SAFETY EDUCATION ADVISORY
2 COUNCIL SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL
3 APPOINTMENT. THE GOVERNOR MAY REMOVE A MEMBER OF THE COUNCIL
4 FROM OFFICE IN ACCORDANCE WITH SECTION 10 OF ARTICLE V OF THE
5 STATE CONSTITUTION OF 1963. EACH APPOINTED MEMBER OF THE COUNCIL
6 SHALL SERVE WITHOUT COMPENSATION, BUT SHALL BE REIMBURSED FOR
7 NECESSARY TRAVEL AND OTHER EXPENSES INCURRED IN PERFORMING COUN-
8 CIL DUTIES.

9 (7) THE MARINE SAFETY EDUCATION ADVISORY COUNCIL SHALL DO
10 EACH OF THE FOLLOWING:

11 (A) HOLD ITS MEETINGS PURSUANT TO THE OPEN MEETINGS ACT, ACT
12 NO. 267 OF THE PUBLIC ACTS OF 1976, BEING SECTIONS 15.261 TO
13 15.275 OF THE MICHIGAN COMPILED LAWS.

14 (B) UPON REQUEST, DISCLOSE TO THE PUBLIC INFORMATION
15 OBTAINED BY THE COUNCIL PURSUANT TO THIS ACT THAT IS NOT EXEMPT
16 FROM PUBLIC DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, ACT
17 NO. 442 OF THE PUBLIC ACTS OF 1976, BEING SECTIONS 15.231 TO
18 15.246 OF THE MICHIGAN COMPILED LAWS.

19 (C) REVIEW THE FEASIBILITY OF AND DEVELOP RECOMMENDATIONS
20 FOR MARINE SAFETY GUIDELINES, INCLUDING, BUT NOT LIMITED TO, ALL
21 OF THE FOLLOWING:

22 (i) ESTABLISHING A WRITTEN TEST FOR VESSEL OWNERS.

23 (ii) REQUIRING THE SECRETARY OF STATE TO ADMINISTER THE
24 WRITTEN TEST DESCRIBED IN SUBPARAGRAPH (i) AT THE TIME AN INDI-
25 VIDUAL APPLIES FOR A DECAL UNDER THIS ACT.

1 (iii) PROHIBITING THE SECRETARY OF STATE FROM ISSUING A
2 DECAL UNDER THIS ACT TO AN INDIVIDUAL WHO FAILS TO PASS A WRITTEN
3 TEST DESCRIBED IN SUBPARAGRAPH (i).

4 (D) COORDINATE THE PATROL OF THOSE WATERS OF THIS STATE THAT
5 ARE CAPABLE OF BEING PATROLLED BY MORE THAN 1 LOCAL UNIT OF
6 GOVERNMENT.

7 (E) DEVELOP RECOMMENDATIONS FOR ABANDONED VESSEL
8 PROCEDURES.

9 (F) DEVELOP RECOMMENDATIONS FOR STANDARDIZED AND MANDATORY
10 MARINE SAFETY OFFICER TRAINING, INCLUDING THE DURATION OF TRAIN-
11 ING AND LENGTH OF TIME FOR WHICH THE TRAINING WILL BE VALID.

12 (G) DEVELOP RECOMMENDATIONS FOR A PRE-SEASON INSPECTION PRO-
13 GRAM THAT WOULD PERMIT VESSEL OWNERS TO OBTAIN AN INSPECTION
14 DECAL DESCRIBED IN SECTION 161.

15 (H) REVIEW BOATING ACCIDENTS ON MICHIGAN WATERS AND STUDY
16 THE DEVELOPMENT OF MARINE SAFETY EDUCATION PROGRAMS AND OTHER
17 POLICIES OF STATE GOVERNMENT RELATING TO MARINE SAFETY.

18 (I) AT LEAST ANNUALLY SUBMIT A REPORT ON COUNCIL FINDINGS
19 AND RECOMMENDATIONS TO THE STANDING COMMITTEE OF EACH HOUSE OF
20 THE LEGISLATURE THAT HAS RESPONSIBILITY FOR MARINE SAFETY
21 MATTERS.

22 Section 2. Section 11a of Act No. 303 of the Public Acts of
23 1967, being section 281.1011a of the Michigan Compiled Laws, is
24 repealed.

25 Section 3. This amendatory act shall take effect April 1,
26 1994.

1 Section 4. This amendatory act shall not take effect unless
2 all of the following bills of the 87th Legislature are enacted
3 into law:

4 (a) Senate Bill No. 683.

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6 (b) Senate Bill No. 684.

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8 (c) Senate Bill No. 685.

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10 (d) Senate Bill No. 686.

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