

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bills 5520 and 5521 (as passed by the House)  
Sponsor: Representative Michael Kowall  
House Committee: Conservation and Outdoor Recreation  
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 5-23-00

### **CONTENT**

House Bill 5520 would amend Part 801 (Marine Safety) of the Natural Resources and Environmental Protection Act (NREPA) to provide that rules establishing special local watercraft controls promulgated under the former Marine Safety Act before March 17, 1986, would remain in effect unless rescinded under Sections 80108, 80110, 80111, and 80112 of the NREPA, which govern local watercraft control regulations and ordinances.

Part 801 requires State, county, and local peace officers to enforce local ordinances enacted in accordance with this part. Currently, rules promulgated under this provision and Sections 80108, 80110, 80111, and 80112 under the Marine Safety Act before March 17, 1986, remain in effect unless rescinded pursuant to the Administrative Procedures Act.

House Bill 5521 would amend the Administrative Procedures Act to provide that the term "rule" would not include a rule establishing local watercraft controls promulgated under the Marine Safety Act. The bill specifies that a rule establishing local watercraft controls could be rescinded as provided in Section 80113(2) of the NREPA (the section that House Bill 5520 would amend).

Under the Act, the term "rule" means an agency regulation, statement, standard, policy ruling, or instruction of general applicability that implements or applies law enforced or administered by the agency, or that prescribes the organization, procedure, or practice of the agency, including the amendment, suspension, or rescission of the law enforced or administered by the agency.

The bills are tie-barred to each other.

MCL 324.80113 (H.B. 5520)  
24.207 (H.B. 5521)

Legislative Analyst: N. Nagata

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: P. Graham

S9900\5520sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.