

HOUSE BILL No. 5125

September 6, 2005, Introduced by Reps. Hansen, Stakoe, Garfield, Green, Vander Veen, Casperson, Stahl, Hildenbrand, Taub and Marleau and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 80110, 80111, and 80112 (MCL 324.80110,
324.80111, and 324.80112), as added by 1995 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 80110. The ~~department~~ **COMMISSION** may initiate
2 investigations and inquiries into the need for special rules for
3 the use of vessels, water skis, water sleds, aquaplanes,
4 surfboards, or other similar contrivances on any of the waters of
5 this state. If controls for ~~such~~ **THESE** activities are considered
6 necessary, or changes or amendments to or repeal of an existing
7 local ordinance is required, a local ordinance shall be prepared.
8 Notice of a public hearing shall be made in a newspaper of general

1 circulation in the area in which the local ordinance is to be
2 imposed, amended, or repealed, not less than 10 calendar days
3 before the hearing. Interested persons shall be afforded an
4 opportunity to present their views on the proposed local ordinance
5 either orally or in writing.

6 Sec. 80111. A local ordinance proposed pursuant to section
7 80110 shall be submitted to the governing body of the political
8 subdivision in which the controlled waters lie. Within 60 calendar
9 days, the governing body shall inform the ~~department~~ **COMMISSION**
10 that it approves or disapproves of the proposed local ordinance. If
11 the required information is not received within the time specified,
12 the ~~department~~ **COMMISSION** shall consider the proposed local
13 ordinance disapproved by the governing body. If the governing body
14 disapproves the proposed local ordinance, or if the 60-day period
15 has elapsed without a reply having been received from the governing
16 body, no further action shall be taken. If the governing body
17 approves the proposed local ordinance, the local ordinance shall be
18 enacted identical in all respects to the local ordinance proposed
19 by the department.

20 Sec. 80112. Local political subdivisions that believe that
21 special local ordinances of the type authorized by this part are
22 needed on waters subject to their jurisdiction shall inform the
23 ~~department~~ **COMMISSION** and request assistance. All such requests
24 shall be in the form of an official resolution approved by a
25 majority of the governing body of the concerned political
26 subdivision. Upon receipt of ~~such resolutions~~ **A RESOLUTION UNDER**
27 **THIS SECTION**, the ~~department~~ **COMMISSION** shall proceed as required

1 by sections 80110 and 80111.