

HOUSE BILL No. 6548

December 3, 2002, Introduced by Reps. Kowall, Bishop, Gosselin, Koetje, Pappageorge and Cassis and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 30111a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 30111A. (1) A PERSON SHALL NOT USE A DEDICATED PUBLIC
2 ACCESS SITE EXCEPT AS PROVIDED IN THIS SECTION. UNLESS THE DEDI-
3 CATION RECORDED WITH THE REGISTER OF DEEDS SPECIFICALLY PROVIDES
4 FOR OTHER USES, A DEDICATION FOR PUBLIC ACCESS INCLUDES ONLY THE
5 RIGHT OF INGRESS AND EGRESS AND DOES NOT INCLUDE USE OF THE
6 PUBLIC ACCESS FOR ANY OF THE FOLLOWING:

7 (A) BOAT HOISTS.

8 (B) CONSTRUCTION OF DOCKS UNLESS THE PURPOSE OF THE DOCK IS
9 TO AID IN THE PUBLIC ACCESS AND THE CONSTRUCTION OF THE DOCK IS
10 AUTHORIZED BY THE OWNER OF THE RIPARIAN LAND ON WHICH THE PUBLIC
11 ACCESS SITE IS LOCATED.

1 (C) PICNICKING, SUNBATHING, OR LOUNGING.

2 (2) IF A DOCK IS LOCATED AT A DEDICATED PUBLIC ACCESS SITE,
3 THE OWNER OF THE RIPARIAN LAND ON WHICH THE PUBLIC ACCESS SITE IS
4 LOCATED SHALL PLACE A SIGN AT THE DEDICATED PUBLIC ACCESS SITE
5 THAT DESCRIBES THE ALLOWABLE USES OF THE PUBLIC ACCESS SITE AND
6 DESCRIBES THE ACTIVITIES THAT ARE PROHIBITED AT THE PUBLIC ACCESS
7 SITE.

8 (3) A PERSON SHALL NOT MOOR A VESSEL OVERNIGHT ON BOTTOMLAND
9 DIRECTLY OFFSHORE FROM A DEDICATED PUBLIC ACCESS SITE.

10 (4) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDE-
11 MEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 FOR EACH DAY
12 OF VIOLATION. A PEACE OFFICER MAY ISSUE AN APPEARANCE TICKET AS
13 DESCRIBED AND AUTHORIZED BY SECTIONS 9C TO 9G OF CHAPTER IV OF
14 THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 764.9C TO
15 764.9G, TO A PERSON WHO IS IN VIOLATION OF THIS SECTION.

16 (5) AS USED IN THIS SECTION, "DEDICATED PUBLIC ACCESS" MEANS
17 PUBLIC ACCESS TO AN INLAND LAKE OR STREAM DEDICATED FOR USE BY
18 THE PUBLIC BY A WRITTEN INSTRUMENT RECORDED WITH THE REGISTER OF
19 DEEDS.