

HOUSE BILL No. 5749

February 23, 2006, Introduced by Reps. Stakoe, Sheltroun, Hildenbrand, Gaffney, Stahl, Taub, Jones and Marleau and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80109, 80112, and 80113 (MCL 324.80109, 324.80112, and 324.80113), sections 80109 and 80112 as added by 1995 PA 58 and section 80113 as amended by 2000 PA 215; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 80109. ~~-(1) Except as provided in subsection (2), the~~
2 **THE** department shall promulgate rules authorized by this part. The
3 department shall publish the approved rules in a convenient form.
4 ~~—— (2) Subsection (1) shall not apply to special local rules~~
5 ~~adopted pursuant to sections 80110 and 80111.~~

6 Sec. 80112. ~~Local~~ **A** political ~~subdivisions~~ **SUBDIVISION**

1 that ~~believe~~ **BELIEVES** that ~~special~~ **A local ordinances of the**
2 ~~type authorized by this part are~~ **ORDINANCE REGULATING THE USE OF**
3 **VESSELS, WATER SKIS, AQUA PLANES, SURFBOARDS, OR OTHER SIMILAR**
4 **TYPES OF EQUIPMENT IS** needed on waters subject to ~~their~~ **ITS**
5 jurisdiction ~~shall inform the department and request assistance.~~
6 ~~All such requests shall be in the form of an official resolution~~
7 ~~approved by a majority of the governing body of the concerned~~
8 ~~political subdivision. Upon receipt of such resolutions, the~~
9 ~~department shall proceed as required by sections 80110 and 80111.~~
10 **MAY ADOPT A LOCAL ORDINANCE.**

11 Sec. 80113. (1) State, county, and local peace officers shall
12 enforce local ordinances enacted in accordance with this part.

13 (2) All rules establishing special local watercraft controls
14 promulgated under former 1967 PA 303 before March 17, 1986 shall
15 remain in effect unless rescinded ~~pursuant to sections 80108,~~
16 ~~80110, 80111, and 80112~~ **BY THE POLITICAL SUBDIVISION IN WHICH THE**
17 **WATERS ARE LOCATED.**

18 (3) ~~Local~~ **IN ADDITION TO ORDINANCES AUTHORIZED UNDER SECTION**
19 **80112,** political subdivisions may enact as an ordinance any or all
20 of sections 80101 to 80104, 80122 to 80124, 80126, 80140, 80141,
21 80144 to 80153, 80155, 80164, 80165, and 80166 to 80173.

22 Enacting section 1. Sections 80110 and 80111 of the natural
23 resources and environmental protection act, 1994 PA 451, MCL
24 324.80110 and 324.80111, are repealed.