



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 821 (Substitute S-3 as reported by the Committee of the Whole)
Sponsor: Senator John Moolenaar
Committee: Outdoor Recreation and Tourism

CONTENT

The bill would amend Parts 13 (Permits) and 445 (Charter and Boat Livery Safety) of the Natural Resources and Environmental Protection Act to do the following:

- Revise livery boat inspection and permit requirements, and apply the inspection requirements only to *motorized* livery boats.
- Reduce the processing time for a boat livery permit from 150 days to 30 days.
- Prohibit issuance of a permit if all of a livery's boats failed inspection, or the livery were otherwise in violation of Part 445 or rules promulgated under it.
- Revise the definition of "boat livery" to exclude all rental units where vessels are furnished only for the use of the people occupying the units.
- Require the Department of Natural Resources (DNR) and a conservation officer to exercise the powers and perform the duties of the county sheriff's department and a sheriff regarding permit applications and inspections, if a county did not receive State aid to conduct a marine safety program.
- Specify that inspection fees credited to the Waterways Account would have to be deposited in the Marine Safety Subaccount of that Account.
- Authorize a peace officer to conduct additional livery boat inspections after giving at least 72 hours' advance notice.
- Provide that an individual renting a livery boat would not be responsible for a Part 445 rule violation if the boat or equipment were in violation when the owner relinquished possession of the boat.

The bill would take effect on January 1, 2013.

MCL 324.1301 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate fiscal impact. Owners of nonmotorized livery boats currently pay a \$2 annual fee to have their boats inspected. Under the bill, this revenue would be lost by the inspecting agency, which is typically a county sheriff's department or the DNR. To the extent that the costs to conduct these inspections are higher than the revenue generated from the associated fees, the DNR and county sheriff departments could save some money. The opposite is also true. If the fees generated from the inspections are higher than the actual costs to conduct the inspections, the inspecting agencies could lose money under the bill.

Date Completed: 3-21-12

Fiscal Analyst: Josh Sefton