

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.78110 Waterways account; use.

Sec. 78110. Money in the waterways account shall be used only for the following:

(a) The construction, operation, and maintenance of the following that are associated with recreational boating facilities:

- (i) Ramps and related support infrastructure for launching watercraft.
- (ii) Piers, jetties, breakwaters, or other similar structures connected to existing or proposed recreational boating facilities or harbors of refuge.
- (iii) Moorage facilities and related support infrastructure at marinas to provide dockage for transient and seasonal users.
- (iv) Studies and surveys necessary for the development of recreational boating facilities or the operation of recreational boating facilities, and the implementation of recommendations from these studies and surveys.
- (v) Restrooms, sewage treatment facilities, showers, potable water supplies, security lights, and parking areas.
- (vi) Pump outs.
- (vii) Access roads, bridges, signals, and other infrastructure to provide the public access to recreational boating facilities.
- (viii) Engineering costs, including planning and construction costs and costs of environmental assessments and permit applications.
- (ix) Dredging, stump removal, and aquatic weed control when the activities can be shown to clear lanes to make a water body more accessible primarily for recreational boats as opposed to general navigation.
- (x) Navigational aids in the immediate area of recreational boating facilities.
- (xi) Signage for the effective use of recreational boating facilities.
- (xii) Publication of guides, brochures, maps, road signs, internet sites, and other aids to inform boaters of recreational boating facilities.
- (xiii) Projects that compensate or mitigate for natural resource losses caused by activities described in this subdivision.
- (xiv) Locks used exclusively by recreational boaters.
- (xv) Leases of property for recreational boating facilities or parking areas for the exclusive use of recreational boating facilities.
- (xvi) Boat storage facilities, boat lift facilities, and boat servicing facilities within recreational boating facilities when constructed so as to be leased to a private marina operator under the guidelines of part 791.
- (xvii) Equipment used exclusively for the development, maintenance, or operation of recreational boating facilities.

(b) The acquisition of property or rights in property for the purposes of this part, including both of the following:

- (i) Land acquisition for the development of recreational boating facilities or parking areas exclusively for the servicing of recreational boating facilities.
 - (ii) Water rights for the securing of recreational boating access facilities.
- (c) For grants to local units of government and state colleges or universities to acquire and develop harbors of refuge and public boating access sites under section 78115.
- (d) For the purposes provided in part 791.
- (e) For the administration of this part and part 791, including the following:
- (i) Administrative and overhead cost directly related to recreational boating facilities.
 - (ii) Employee wages and benefits incurred for the administration of this part.
 - (iii) Conferences, meetings, and training for employees working at or on recreational boating facilities.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 1998, Act 210, Imd. Eff. July 1, 1998;—Am. 2003, Act 19, Imd. Eff. June 18, 2003;—Am. 2004, Act 587, Eff. Dec. 23, 2006;—Am. 2010, Act 302, Imd. Eff. Dec. 16, 2010.

Compiler's note: Enacting section 2 of Act 587 of 2004 provides:

"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

Popular name: Act 451

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