

109TH CONGRESS  
1ST SESSION

# S. 1212

To require the Commandant of the Coast Guard to convey the Coast Guard Cutter MACKINAW, upon its scheduled decommissioning, to the City and County of Cheboygan, Michigan, to use for purposes of a museum.

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## IN THE SENATE OF THE UNITED STATES

JUNE 9, 2005

Ms. STABENOW (for herself and Mr. LEVIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To require the Commandant of the Coast Guard to convey the Coast Guard Cutter MACKINAW, upon its scheduled decommissioning, to the City and County of Cheboygan, Michigan, to use for purposes of a museum.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CONVEYANCE OF DECOMMISSIONED COAST**  
4       **GUARD CUTTER MACKINAW.**

5       (a) IN GENERAL.—Upon the scheduled decommis-  
6       sioning of the Coast Guard Cutter MACKINAW, the Com-  
7       mandant of the Coast Guard shall convey all right, title,  
8       and interest of the United States in and to that vessel

1 to the City and County of Cheboygan, Michigan, without  
2 consideration, if—

3 (1) the recipient agrees—

4 (A) to use the vessel for purposes of a mu-  
5 seum;

6 (B) not to use the vessel for commercial  
7 transportation purposes;

8 (C) to make the vessel available to the  
9 United States Government if needed for use by  
10 the Commandant in time of war or a national  
11 emergency; and

12 (D) to hold the Government harmless for  
13 any claims arising from exposure to hazardous  
14 materials, including asbestos and poly-  
15 chlorinated biphenyls (PCBs), after conveyance  
16 of the vessel, except for claims arising from the  
17 use by the Government under subparagraph  
18 (C);

19 (2) the recipient has funds available that will be  
20 committed to operate and maintain the vessel con-  
21 veyed in good working condition, in the form of  
22 cash, liquid assets, or a written loan commitment,  
23 and in an amount of at least \$700,000; and

24 (3) the recipient agrees to any other conditions  
25 the Commandant considers appropriate.

1       (b) MAINTENANCE AND DELIVERY OF VESSEL.—  
2 Prior to conveyance of the vessel under this section, the  
3 Commandant shall, to the extent practical, and subject to  
4 other Coast Guard mission requirements, make every ef-  
5 fort to maintain the integrity of the vessel and its equip-  
6 ment until the time of delivery. If a conveyance is made  
7 under this section, the Commandant shall deliver the ves-  
8 sel at the place where the vessel is located, in its present  
9 condition, and without cost to the Government. The con-  
10 veyance of the vessel under this section shall not be consid-  
11 ered a distribution in commerce for purposes of section  
12 6(e) of Public Law 94–469 (15 U.S.C. 2605(e)).

13       (c) OTHER EXCESS EQUIPMENT.—The Commandant  
14 may convey to the recipient any excess equipment or parts  
15 from other decommissioned Coast Guard vessels for use  
16 to enhance the vessel’s operability and function for pur-  
17 poses of a museum.

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