

HOUSE BILL No. 4198

February 7, 1991, Introduced by Rep. Alley and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend section 2 of Act No. 222 of the Public Acts of 1976, entitled as amended
"Sand dune protection and management act,"
as amended by Act No. 146 of the Public Acts of 1989, being section 281.652 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 222 of the Public Acts of
2 1976, as amended by Act No. 146 of the Public Acts of 1989, being
3 section 281.652 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 2. As used in this act:

6 (a) "Barrier dune" means the first landward sand dune forma-
7 tion along the shoreline of a Great Lake or a sand dune formation
8 designated by the department.

1 (b) "Cell-unit" means a subunit of the total sand dune
2 mining project as determined in size and location by the
3 operator, but which shall not exceed 10 acres in size for new
4 operations or the expansion of existing operations, and which
5 shall not exceed 30 acres in size for existing operations.

6 (c) "Commission" means the commission of ~~natural resources~~
7 CONSERVATION AND RECREATION.

8 (d) "Department" means the department of natural resources.

9 (e) "Director" means the director of the department or his
10 or her authorized representative.

11 (f) "Great Lakes" means any of the Great Lakes which has a
12 shoreline within the state.

13 (g) "Operator" means an owner or lessee of mineral rights or
14 any other person engaged in or preparing to engage in mining
15 operations with respect to mineral rights within a sand dune
16 area.

17 (h) "Person" means an individual, partnership, firm, corpo-
18 ration, association, local unit of government, or other political
19 subdivision of the state, or a state or state agency.

20 (i) "Sand dune area" means that area designated by the
21 department which includes those geomorphic features composed pri-
22 marily of sand, whether windblown or of other origin and which
23 lies within 2 miles of the ordinary high-water mark on a Great
24 Lake as defined in section 2 of the Great Lakes submerged lands
25 act, Act No. 247 of the Public Acts of 1955, as amended, being
26 section 322.702 of the Michigan Compiled Laws, and includes
27 critical dune areas.

1 (j) "Sand dune mining" means the removal of sand from sand
2 dune areas for commercial, or industrial purposes, or both.

3 Section 2. This amendatory act shall not take effect unless
4 all of the following bills of the 86th Legislature are enacted
5 into law:

6 (a) Senate Bill No. ____ or House Bill No. 4177 (request
7 no. 00827'91).

8 (b) Senate Bill No. ____ or House Bill No. 4173 (request
9 no. 00827'91 a).