



SENATE BILL No. 243

January 26, 1993, Introduced by Senator EHLERS and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend section 19 of Act No. 300 of the Public Acts of 1989, entitled
"Dam safety act,"
being section 281.1319 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 19 of Act No. 300 of the Public Acts of
2 1989, being section 281.1319 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 19. (1) Except as otherwise provided in this act, a
5 person shall not ~~commence~~ BEGIN any of the following activities
6 unless that person has a valid permit issued by the department
7 under this act:

8 (a) Construction of a new dam.

9 (b) Enlargement of a dam or an impoundment.

1 (c) Repair of a dam.

2 (d) Alteration of a dam.

3 (e) Removal of a dam.

4 (f) Abandonment of a dam.

5 (g) Reconstruction of a failed dam.

6 (2) A person desiring to perform any of the activities
7 listed in subsection (1) shall apply to the department on a form
8 prescribed by the department and shall provide information that
9 the department determines is necessary for the administration of
10 this act. If a project includes activities at multiple loca-
11 tions, 1 application may be filed for the combined activities.

12 (3) An application for a permit for construction of a new
13 dam, reconstruction of a failed dam, or enlargement of a dam
14 shall be accompanied by the following fees:

15 (a) For a dam with a height of 6 feet or more but less than
16 10 feet, \$500.00.

17 (b) For a dam with a height of 10 feet or more but less than
18 20 feet, \$1,000.00.

19 (c) For a dam with a height of 20 feet or more, \$3,000.00.

20 ~~(4) A fee for a permit shall be deposited in the state~~
21 ~~treasury to the credit of the general fund and shall be available~~
22 ~~for appropriation to the department to be used to defray the cost~~
23 ~~of reviewing plans and specifications and field inspections to~~
24 ~~determine compliance with permits issued under this act.~~

25 (4) ~~(5)~~ An application for a permit for the repair, alter-
26 ation, removal, or abandonment of a dam shall be accompanied by a
27 fee of \$200.00, ~~which shall be deposited in the state treasury~~

1 ~~and credited to the general fund,~~ and an application for a
2 permit for a minor project pursuant to section 27(1) shall be
3 accompanied by a fee of \$100.00. ~~which shall be deposited in~~
4 ~~the state treasury and credited to the general fund. Fees col-~~
5 ~~lected under this subsection shall be available for appropriation~~
6 ~~to the department to be used to defray the costs of reviewing~~
7 ~~plans and specifications and field inspections to determine com-~~
8 ~~pliance with permits issued under this act.~~

9 (5) ~~-(6)-~~ The department shall waive the fees under this
10 section for applications from state agencies, department spon-
11 sored projects located on public lands, and organizations of the
12 type described in section 17(2)(a) through (c).

13 (6) THE DEPARTMENT SHALL FORWARD FEES COLLECTED UNDER THIS
14 SECTION TO THE STATE TREASURER FOR DEPOSIT IN THE LAND AND WATER
15 MANAGEMENT PERMIT FEE FUND CREATED IN SECTION 16 OF THE INLAND
16 LAKES AND STREAMS ACT OF 1972, ACT NO. 346 OF THE PUBLIC ACTS OF
17 1972, BEING SECTION 281.966 OF THE MICHIGAN COMPILED LAWS.

18 Section 2. This amendatory act shall not take effect unless
19 Senate Bill No. 238 of
20 the 87th Legislature is enacted into law.