



SENATE BILL No. 246

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

A bill to amend the title and section 11 of Act No. 245 of the Public Acts of 1970, entitled "Shorelands protection and management act of 1970," being section 281.641 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 11 of Act No. 245 of the
2 Public Acts of 1970, being section 281.641 of the Michigan
3 Compiled Laws, are amended to read as follows:

TITLE

5 An act to provide for the protection and management of
6 shorelands; to provide for zoning and zoning ordinances; to pro-
7 vide certain powers and duties; to authorize certain studies; to
8 provide for development of certain plans; to promulgate rules; TO

1 PROVIDE FOR CERTAIN FEES; and to provide for certain remedies for
2 violations of rules.

3 Sec. 11. (1) The commission, in order to regulate the uses
4 and development of high risk areas, flood risk areas, and envi-
5 ronmental areas and to implement the purposes of this act, shall
6 promulgate rules pursuant to THE ADMINISTRATIVE PROCEDURES ACT OF
7 1969, Act No. 306 of the Public Acts of 1969, as amended, being
8 sections 24.201 to ~~24.315~~ 24.328 of the Michigan Compiled
9 Laws. IF PERMITS ARE REQUIRED PURSUANT TO RULES PROMULGATED
10 UNDER THIS ACT, A FEE OF \$500.00 SHALL BE SUBMITTED TO THE
11 DEPARTMENT WITH EACH APPLICATION FOR A COMMERCIAL OR MULTI-FAMILY
12 RESIDENTIAL PROJECT, A FEE OF \$100.00 SHALL BE SUBMITTED WITH
13 EACH APPLICATION FOR A SINGLE FAMILY HOME CONSTRUCTION, AND A FEE
14 OF \$50.00 SHALL BE SUBMITTED WITH EACH APPLICATION FOR AN ADDI-
15 TION TO AN EXISTING SINGLE FAMILY HOME OR FOR A PROJECT THAT HAS
16 A MINOR IMPACT ON FISH AND WILDLIFE RESOURCES IN ENVIRONMENTAL
17 AREAS AS DETERMINED BY THE DEPARTMENT.

18 (2) A PROJECT THAT REQUIRES REVIEW AND APPROVAL UNDER THIS
19 ACT AND 1 OR MORE OF THE FOLLOWING ACTS IS SUBJECT TO ONLY THE
20 SINGLE HIGHEST PERMIT FEE REQUIRED UNDER THIS ACT OR THE FOLLOW-
21 ING ACTS:

22 (A) THE GOEMAERE-ANDERSON WETLAND PROTECTION ACT, ACT
23 NO. 203 OF THE PUBLIC ACTS OF 1979, BEING SECTIONS 281.701 TO
24 281.722 OF THE MICHIGAN COMPILED LAWS.

25 (B) THE GREAT LAKES SUBMERGED LANDS ACT, ACT NO. 247 OF THE
26 PUBLIC ACTS OF 1955, BEING SECTIONS 322.701 TO 322.715 OF THE
27 MICHIGAN COMPILED LAWS.

1 (C) THE INLAND LAKES AND STREAMS ACT OF 1972, ACT NO. 346 OF
2 THE PUBLIC ACTS OF 1972, BEING SECTIONS 281.951 TO 281.965 OF THE
3 MICHIGAN COMPILED LAWS.

4 (D) ACT NO. 245 OF THE PUBLIC ACTS OF 1929, BEING
5 SECTIONS 323.1 TO 323.12A OF THE MICHIGAN COMPILED LAWS.

6 (3) THE DEPARTMENT SHALL FORWARD FEES COLLECTED UNDER THIS
7 SECTION TO THE STATE TREASURER FOR DEPOSIT IN THE LAND AND WATER
8 MANAGEMENT PERMIT FEE FUND CREATED IN SECTION 16 OF ACT NO. 346
9 OF THE PUBLIC ACTS OF 1972, BEING SECTION 281.966 OF THE MICHIGAN
10 COMPILED LAWS.

11 (4) ~~-(2)-~~ A circuit court upon petition and a showing by the
12 commission that a violation of a rule promulgated under subsec-
13 tion (1) exists, shall issue any necessary order to the defendant
14 to correct the violation or to restrain the defendant from fur-
15 ther violation of the rule.

16 Section 2. This amendatory act shall not take effect unless
17 Senate Bill No. 238

18 of the 87th Legislature is enacted into law.