



Senate Fiscal Agency
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BILL ANALYSIS



Telephone: (517) 373-5383
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House Bills 4861 (H-1), 4862 (H-1), 4863 (H-2), 4864 (H-2), 4865 (H-1), 4866 (H-2), 4893 (H-1)
Sponsor: Representative William Bobier (H.B. 4861-4866)
Representative James Middaugh (H.B. 4893)

House Committee: Appropriations

Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 9-11-95

SUMMARY OF HOUSE BILLS 4861 (Substitute H-1) through 4866 (Substitute H-2) and 4893 (Substitute H-1) as passed by the House:

House Bills 4861 (H-1) through 4864 (H-2) and House Bill 4866 (H-2) would amend sections of the Natural Resources and Environmental Protection Act (NREPA), House Bill 4865 (H-1) would amend the Subdivision Control Act, and House Bill 4893 (H-1) would amend the Public Health Code, to extend from October 1, 1995, to October 1, 1999, the sunset dates for various permit and review fees.

House Bill 4861 (H-1) would amend Section 32312, which regulates the use and development of high-risk, flood risk, and environmental areas, and provides for various fees for commercial or residential construction projects. (The fees originated in the Shorelands Protection and Management Act.)

House Bill 4862 (H-1) would amend Section 3104, which establishes fees for permits to alter floodplains. (The fees originated in Public Act 245 of 1929.)

House Bill 4863 (H-2) would amend Section 32513, which establishes fees for minor projects as described in the rules promulgated under the NREPA; construction or expansion of marinas; major projects such as new construction, dredging, or filling projects; and other types of projects on or near submerged lands. (The fees originated in the Great Lakes Submerged Lands Act.)

House Bill 4864 (H-2) would amend Sections 30104, 30105, 30109, and 30113, which:

- Specify fees for various permits involving minor projects as described in the rules; major projects such as dredging, draining, filling, and new construction; and marina projects on inland lakes and streams.
- Assess a service fee for establishing a high water mark on a person's property.

(The fees originated in the Inland Lakes and Streams Act.)

Currently, the Department of Natural Resources (DNR) must process completed permit applications required under the NREPA, the Public Health Code, or the Subdivision Control Act within 60 days.

The bill would require the 60-day deadline to be met unless the Act or part specifically provided for permit application processing time limits.

House Bill 4866 (H-2) would amend Section 36111, which provides for the use of proceeds from lien payments by landowners who withdraw from the Farmland and Open Space Protection Program. The NREPA allows the DNR to use the proceeds to purchase development rights on certain land areas, and to finance the administration of the program. (The provision originated in the Farmland and Open Space Preservation Act.)

House Bill 4865 (H-1) would amend the Subdivision Control Act to extend from October 1, 1995, to October 1, 1999, the sunset on fees to cover the administrative costs of reviewing preliminary plats of subdivisions lying wholly or partly within a floodplain of a river, stream, creek, or lake.

House Bill 4893 (H-1) would amend the Public Health Code to extend from October 1, 1995, to October 1, 1999, the permit fees for the application of chemicals to lakes and streams to control "aquatic nuisances" such as aquatic plants and swimmers' itch.

MCL 324.32312 (H.B. 4861)

324.3104 & 324.3118 (H.B. 4862)

324.32513 (H.B. 4863)

324.30104 et al. (H.B. 4864)

560.117 (H.B. 4865)

324.36111 (H.B. 4866)

333.12562 (H.B. 4893)

Legislative Analyst: L. Burghardt

FISCAL IMPACT

The bills would allow continued collection of between \$800,000 and \$1.3 million in fee revenue to the State.

According to the Department of Natural Resources, \$840,819 in Land & Water Permit Fee revenue was collected in FY 1993-94. For FY 1994-95, \$1,320,367 has been collected to date. Fiscal year 1995-96 appropriations total \$1,831,100 in estimated fee revenue.

These fees are used to operate the permitting programs in the Department, and their elimination would result in a reduction of approximately 25% in the "Land & Water Administration" line item in the Department budget.

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.