

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5691

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding part 326.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 326
GREAT LAKES SUBMERGED LOGS RECOVERY
SEC. 32601. AS USED IN THIS PART:
(A) "BOTTOMLANDS" MEANS LAND IN THE GREAT LAKES, AND BAYS
AND HARBORS OF THE GREAT LAKES, LYING BELOW AND LAKEWARD OF THE
ORDINARY HIGH-WATER MARK AS DESCRIBED IN SECTION 32502.
(B) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL
QUALITY.
(C) "FAIR MARKET VALUE" MEANS THE PRICE BASED UPON THE
UNIQUE HISTORICAL AND PHYSICAL PROPERTIES, INCLUDING, BUT NOT
LIMITED TO, SPECIES, GROWTH RATES, VOLUME, AND CONDITION OF THE

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1 SUBMERGED LOGS AS CALCULATED AT DOCKSIDE FOLLOWING DELIVERY TO
2 SHORE.

3 (D) "FUND" MEANS THE SUBMERGED LOG RECOVERY FUND CREATED IN
4 SECTION 32610.

5 (E) "GREAT LAKES" MEANS LAKE SUPERIOR, LAKE MICHIGAN, LAKE
6 HURON, AND LAKE ERIE, AND INCLUDES LAKE ST. CLAIR.

7 (F) "ORDINARY HIGH-WATER MARK" MEANS THE ELEVATIONS
8 DESCRIBED IN SECTION 32502. WHEN THE SOIL, CONFIGURATION OF THE
9 SURFACE, OR VEGETATION HAS BEEN ALTERED BY HUMAN ACTIVITY, THE
10 ORDINARY HIGH-WATER MARK IS LOCATED WHERE IT WOULD HAVE BEEN IF
11 THIS ALTERATION HAD NOT OCCURRED.

12 (G) "PATENTED LANDS" MEANS ANY BOTTOMLANDS LYING WITHIN A
13 SPECIFIC GOVERNMENT GRANT AREA, INCLUDING A PRIVATE CLAIM PATENT
14 OR FEDERAL PATENT.

15 (H) "RIPARIAN OWNER" MEANS A PERSON WHO OWNS FRONTAGE BOR-
16 DERING BOTTOMLANDS.

17 (I) "RIPARIAN RIGHTS" MEANS THOSE RIGHTS THAT ARE ASSOCIATED
18 WITH THE OWNERSHIP OF FRONTAGE BORDERING BOTTOMLANDS, SUBJECT TO
19 THE PUBLIC TRUST.

20 (J) "SUBMERGED LOG" MEANS A PORTION OF THE TRUNK OF A FELLED
21 TREE THAT HAS NOT BEEN FURTHER PROCESSED FOR ANY END USE AND IS
22 LOCATED ON, IN, OVER, OR UNDER BOTTOMLANDS. SUBMERGED LOG DOES
23 NOT INCLUDE A PORTION OF A TREE THAT IS LOCATED IN THE GREAT
24 LAKES OR ON, IN, OVER, OR UNDER BOTTOMLANDS THAT POSES A NAVIGA-
25 TIONAL OR SAFETY HAZARD OR IS OF NO OR LITTLE COMMERCIAL VALUE.

26 (K) "UNPATENTED LANDS" MEANS ALL BOTTOMLANDS EXCEPT PATENTED
27 LANDS.

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1 SEC. 32602. THIS STATE RESERVES TO ITSELF TITLE AND
2 OWNERSHIP OF ALL SUBMERGED LOGS LYING ON OR OVER, EMBEDDED IN, OR
3 BURIED UNDER UNPATENTED LANDS.

4 SEC. 32603. (1) A PERSON SHALL OBTAIN A PERMIT FROM THE
5 DEPARTMENT UNDER THIS PART PRIOR TO REMOVING SUBMERGED LOGS FROM
6 BOTTOMLANDS.

7 (2) THE DEPARTMENT MAY ISSUE A PERMIT UNDER THIS PART TO A
8 PERSON FOR THE REMOVAL OF SUBMERGED LOGS FROM PATENTED LANDS IF
9 PERMISSION IS RECEIVED FROM THE LAWFUL OWNER OF THE PATENTED
10 LANDS.

11 (3) A PERSON SHALL NOT RECOVER, ALTER, OR DESTROY ABANDONED
12 PROPERTY AS DEFINED IN PART 761 WHILE ENGAGING IN SUBMERGED LOG
13 REMOVAL OPERATIONS UNDER A SUBMERGED LOG REMOVAL PERMIT ISSUED
14 UNDER THIS PART.

15 (4) FOR SUBMERGED LOG RECOVERY IN UNDERWATER PRESERVES
16 ESTABLISHED UNDER PART 761, THE DEPARTMENT SHALL PLACE CONDITIONS
17 ON SUBMERGED LOG REMOVAL PERMITS TO PREVENT DAMAGE TO ABANDONED
18 WATERCRAFT OR OTHER FEATURES OF ARCHAEOLOGICAL, HISTORICAL, REC-
19 REATIONAL, OR ENVIRONMENTAL SIGNIFICANCE AND TO MINIMIZE CON-
20 FLICTS BETWEEN RECREATIONAL ACTIVITIES WITHIN THE PRESERVE AND
21 THE SUBMERGED LOG RECOVERY OPERATION.

22 SEC. 32604. (1) FOR CALENDAR YEAR 2000, THE DEPARTMENT
23 SHALL ESTABLISH A TIME PERIOD FOR THE SUBMISSION OF APPLICATIONS
24 FOR SUBMERGED LOG REMOVAL PERMITS UNDER THIS PART. BEGINNING IN
25 2001, AND EACH YEAR THEREAFTER, APPLICATIONS SHALL BE SUBMITTED
26 BEFORE FEBRUARY 1 OF EACH CALENDAR YEAR. HOWEVER, THE DEPARTMENT

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1 SHALL NOT ISSUE A SUBMERGED LOG REMOVAL PERMIT UNDER THIS PART
2 AFTER DECEMBER 31, 2003.

3 (2) AN APPLICATION FOR A SUBMERGED LOG REMOVAL PERMIT SHALL
4 BE SUBMITTED IN WRITING ON A FORM PROVIDED BY THE DEPARTMENT AND
5 SHALL INCLUDE ALL OF THE FOLLOWING:

6 (A) A DESCRIPTION OF THE PROPOSED BOTTOMLAND LOG REMOVAL
7 AREA WITH BOUNDARIES DELINEATED BY A DIGITAL GLOBAL POSITIONING
8 SYSTEM OR OTHER TECHNOLOGY APPROVED BY THE DEPARTMENT. THE PRO-
9 POSED BOTTOMLAND LOG REMOVAL AREA SHALL BE A CONTIGUOUS AREA OF
10 NOT MORE THAN 320 ACRES. THE AREA PROPOSED SHALL BE SQUARE OR
11 RECTANGULAR IN SHAPE, AND THE LENGTH SHALL NOT EXCEED THE WIDTH
12 BY MORE THAN A FACTOR OF 6.

13 (B) A DESCRIPTION OF THE METHODS TO BE USED TO RAISE THE
14 SUBMERGED LOGS, THE TIME OF YEAR DURING WHICH SUBMERGED LOGS WILL
15 BE RAISED, AND THE PROCEDURES TO BE USED FOR TRANSFERRING LOGS TO
16 THE SHORE.

17 (C) IDENTIFICATION OF ANY ADVERSE ENVIRONMENTAL IMPACTS
18 ASSOCIATED WITH THE PROPOSED SUBMERGED LOG REMOVAL METHOD.

19 (D) IDENTIFICATION OF THE STEPS PROPOSED TO MITIGATE ANY
20 ADVERSE ENVIRONMENTAL IMPACTS CAUSED BY THE PROPOSED SUBMERGED
21 LOG REMOVAL OPERATION.

22 (E) OTHER INFORMATION THAT THE DEPARTMENT CONSIDERS NECES-
23 SARY IN EVALUATING A SUBMERGED LOG REMOVAL PERMIT APPLICATION.

24 (F) A \$3,500.00 APPLICATION FEE.

25 (3) AN APPLICATION FOR A SUBMERGED LOG REMOVAL PERMIT IS NOT
26 COMPLETE UNTIL ALL INFORMATION REQUESTED ON THE APPLICATION FORM
27 AND ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT ARE

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1 RECEIVED. WITHIN 30 DAYS OF ITS RECEIPT OF AN APPLICATION, THE
2 DEPARTMENT SHALL NOTIFY THE APPLICANT IN WRITING IF THE APPLICA-
3 TION IS DEFICIENT. THE APPLICANT SHALL SUBMIT THE REQUESTED
4 INFORMATION TO THE DEPARTMENT WITHIN 30 DAYS AFTER THE DATE THE
5 NOTICE IS PROVIDED. IF THE APPLICANT FAILS TO RESPOND WITHIN THE
6 30-DAY PERIOD, THE DEPARTMENT SHALL DENY THE SUBMERGED LOG
7 REMOVAL PERMIT UNLESS THE APPLICANT REQUESTS AND THE DEPARTMENT
8 APPROVES AN EXTENSION OF TIME BASED UPON THE APPLICANT'S REASON-
9 ABLE JUSTIFICATION FOR THE EXTENSION.

10 (4) APPLICATION FEES RECEIVED UNDER THIS SECTION SHALL BE
11 FORWARDED TO THE STATE TREASURER FOR DEPOSIT INTO THE FUND.

12 SEC. 32605. UPON RECEIVING A COMPLETE APPLICATION FOR A
13 SUBMERGED LOG REMOVAL PERMIT, THE DEPARTMENT SHALL DO BOTH OF THE
14 FOLLOWING:

15 (A) PLACE THE APPLICATION ON PUBLIC NOTICE FOR A 20-DAY
16 PERIOD FOR REVIEW AND COMMENT.

17 (B) SUBMIT A COPY TO THE DEPARTMENT OF NATURAL RESOURCES AND
18 THE DEPARTMENT OF STATE FOR THEIR REVIEW AND COMMENT.

19 SEC. 32606. (1) THE DEPARTMENT SHALL REVIEW EACH COMPLETE
20 APPLICATION RECEIVED FOR A SUBMERGED LOG REMOVAL PERMIT AND SHALL
21 NOT ISSUE A PERMIT UNLESS THE DEPARTMENT DETERMINES BOTH OF THE
22 FOLLOWING:

23 (A) THAT ANY ADVERSE IMPACTS, INCLUDING, BUT NOT LIMITED TO,
24 IMPACTS TO THE ENVIRONMENT, NATURAL RESOURCES, RIPARIAN RIGHTS,
25 AND THE PUBLIC TRUST ARE MINIMAL AND WILL BE MITIGATED TO THE
26 EXTENT PRACTICABLE.

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1 (B) THAT THE PROPOSED ACTIVITY WILL NOT UNREASONABLY AFFECT
2 THE PUBLIC HEALTH, SAFETY, AND WELFARE.

3 (2) THE DEPARTMENT MAY DETERMINE THAT CERTAIN AREAS WITHIN A
4 PROPOSED BOTTOMLAND LOG REMOVAL AREA DESCRIBED IN AN APPLICATION
5 FOR A SUBMERGED LOG REMOVAL PERMIT SHALL NOT BE AUTHORIZED FOR
6 SUBMERGED LOG REMOVAL BASED UPON ADVERSE IMPACTS, INCLUDING, BUT
7 NOT LIMITED TO, ADVERSE IMPACTS TO THE ENVIRONMENT, NATURAL
8 RESOURCES, RIPARIAN RIGHTS, AND THE PUBLIC TRUST.

9 (3) THE DEPARTMENT SHALL MAKE A DECISION ON WHETHER OR NOT
10 TO ISSUE A SUBMERGED LOG REMOVAL PERMIT UNDER THIS PART WITHIN 90
11 DAYS AFTER THE CLOSE OF THE REVIEW AND COMMENT PERIOD UNDER SEC-
12 TION 32605 OR, IF A PUBLIC HEARING IS HELD UNDER SECTION 32608,
13 WITHIN 90 DAYS AFTER THE DATE OF THAT PUBLIC HEARING.

14 SEC. 32607. (1) THE DEPARTMENT SHALL NOT AUTHORIZE THE SAME
15 BOTTOMLAND LOG REMOVAL AREA IN MORE THAN 1 SUBMERGED LOG REMOVAL
16 PERMIT AT ANY 1 TIME.

17 (2) THE DEPARTMENT MAY MODIFY THE BOUNDARIES OF A PROPOSED
18 BOTTOMLAND LOG REMOVAL AREA IN A SUBMERGED LOG REMOVAL PERMIT TO
19 AVOID OVERLAPS WITH OTHER ACTIVE SUBMERGED LOG REMOVAL PERMITS OR
20 ADVERSE IMPACTS, INCLUDING, BUT NOT LIMITED TO, IMPACTS TO THE
21 ENVIRONMENT, NATURAL RESOURCES, RIPARIAN RIGHTS, AND THE PUBLIC
22 TRUST.

23 (3) A SUBMERGED LOG REMOVAL PLAN APPROVED BY THE DEPARTMENT
24 SHALL BE INCLUDED IN EACH SUBMERGED LOG REMOVAL PERMIT.

25 (4) A SUBMERGED LOG REMOVAL PERMIT SHALL CONTAIN TERMS AND
26 CONDITIONS THAT ARE DETERMINED BY THE DEPARTMENT TO PROTECT THE

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1 ENVIRONMENT, NATURAL RESOURCES, RIPARIAN RIGHTS, AND THE PUBLIC
2 TRUST.

3 (5) THE TERM OF EACH SUBMERGED LOG REMOVAL PERMIT SHALL NOT
4 BE MORE THAN 5 YEARS. THE DEPARTMENT SHALL NOT ISSUE ANY PERMIT
5 UNDER THIS PART THAT WILL BE EFFECTIVE BEYOND DECEMBER 31, 2006.

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 PROCESSING FEES RECEIVED UNDER THIS SUBSECTION SHALL BE FORWARDED
11 TO THE STATE TREASURER FOR DEPOSIT INTO THE FUND.

12 (6) A SUBMERGED LOG REMOVAL PERMIT ISSUED UNDER THIS SECTION
13 IS NOT TRANSFERRABLE UNLESS APPROVED IN WRITING BY THE
14 DEPARTMENT.

15 (7) AN APPLICANT FOR A SUBMERGED LOG REMOVAL PERMIT SHALL
16 PROVIDE A PERFORMANCE BOND ACCEPTABLE TO THE DEPARTMENT IN THE
17 AMOUNT OF \$100,000.00. THE PERFORMANCE BOND SHALL BE PROVIDED TO
18 THE DEPARTMENT AT LEAST 10 DAYS PRIOR TO BEGINNING SUBMERGED LOG
19 REMOVAL IN A BOTTOMLAND LOG REMOVAL AREA. THE PERFORMANCE BOND
20 SHALL ENSURE COMPLIANCE WITH THE SUBMERGED LOG REMOVAL PERMIT FOR
21 THE PERIOD OF THE PERMIT OR UNTIL THE AUTHORIZED SUBMERGED LOG
22 REMOVAL IS COMPLETED TO THE SATISFACTION OF THE DEPARTMENT AND
23 ALL PAYMENTS UNDER SECTION 32609 HAVE BEEN MADE. THE DEPARTMENT
24 SHALL ISSUE A WRITTEN STATEMENT RELEASING THE PERMITTEE AND BOND-
25 ING COMPANY UPON TERMINATION OF THE SUBMERGED LOG REMOVAL PERMIT
26 AND UPON SATISFACTION OF THE DEPARTMENT AS TO THE COMPLIANCE OF
27 THE PERMITTEE WITH THE TERMS AND CONDITIONS OF THE PERMIT. THE

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1 DEPARTMENT MAY DRAW UPON THE PERFORMANCE BOND FOR DELINQUENT
2 PAYMENTS AS REQUIRED IN SECTION 32609.

3 (8) A PERMITTEE MAY REQUEST, IN WRITING, AND THE DEPARTMENT
4 MAY GRANT, TERMINATION OF A SUBMERGED LOG REMOVAL PERMIT PRIOR TO
5 THE EXPIRATION DATE, INCLUDING RELEASE FROM QUARTERLY REPORTS AND
6 PERFORMANCE BOND REQUIREMENTS.

7 SEC. 32608. (1) THE DEPARTMENT MAY HOLD A PUBLIC HEARING ON
8 AN APPLICATION FOR A SUBMERGED LOG REMOVAL PERMIT IF THE DEPART-
9 MENT DESIRES ADDITIONAL INFORMATION BEFORE MAKING A DECISION ON
10 THE PERMIT APPLICATION, OR UPON REQUEST, IF SUCH REQUEST IS MADE
11 WITHIN THE PUBLIC NOTICE PERIOD.

12 (2) AN APPLICANT FOR A SUBMERGED LOG REMOVAL PERMIT OR A
13 RIPARIAN OWNER WHO IS AGGRIEVED BY AN ACTION OR INACTION OF THE
14 DEPARTMENT UNDER THIS PART MAY REQUEST A FORMAL HEARING ON THE
15 MATTER, PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969,
16 1969 PA 306, MCL 24.201 TO 24.328, WITHIN 60 DAYS OF THE NOTICE
17 OF THE DEPARTMENT'S DECISION.

18 SEC. 32609. (1) THE STATE RESERVES A PAYMENT OF 2.0 TIMES
19 SAWLOG STUMPAGE VALUE FOR EACH SUBMERGED LOG THAT IS REMOVED FROM
20 UNPATENTED LANDS. AS USED IN THIS SUBSECTION, "SAWLOG STUMPAGE
21 VALUE" MEANS THE MOST RECENT AVERAGE VALUE OF STANDING TIMBER ON
22 STATE FORESTLANDS FOR EACH SPECIES AS DETERMINED AND REPORTED BY
23 THE DEPARTMENT OF NATURAL RESOURCES. HOWEVER, IF A SPECIES IS NO
24 LONGER HARVESTED ON STATE FORESTLANDS, "SAWLOG STUMPAGE VALUE"
25 MEANS THE MOST RECENT HIGHEST VALUE OF ANY SPECIES CURRENTLY
26 BEING HARVESTED ON STATE FORESTLANDS AS DETERMINED AND REPORTED
27 BY THE DEPARTMENT OF NATURAL RESOURCES.

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1 (2) THE HOLDER OF A SUBMERGED LOG REMOVAL PERMIT UNDER THIS
2 PART SHALL PROVIDE THE DEPARTMENT WITH A DETAILED REPORT AND ALL
3 PAYMENTS DUE UNDER THIS SECTION WITHIN 30 DAYS AFTER THE CLOSE OF
4 EACH CALENDAR QUARTER. THE REPORT SHALL INCLUDE AN ACCURATE
5 SCALING AT DOCKSIDE OF ALL SUBMERGED LOGS REMOVED, BY SPECIES.
6 THE PERMITTEE SHALL PROVIDE FOR AN INDEPENDENT AGENT, APPROVED BY
7 THE DEPARTMENT IN WRITING, TO CONDUCT THE SCALING AND SPECIES
8 DETERMINATION.

9 (3) ALL PAYMENTS RECEIVED UNDER THIS SECTION SHALL BE FOR-
10 WARDED TO THE STATE TREASURER FOR DEPOSIT INTO THE FUND.

11 (4) AFTER A PERMITTEE IS NOTIFIED IN WRITING THAT A PAYMENT
12 UNDER THIS SECTION IS OVERDUE, THE DEPARTMENT MAY ORDER SUSPEN-
13 SION OF THE SUBMERGED LOG REMOVAL PERMIT UNTIL THE PAYMENT IS
14 SUBMITTED IN FULL. THE PERMITTEE SHALL NOT RESUME SUBMERGED LOG
15 REMOVAL OPERATIONS UNTIL THE DEPARTMENT PROVIDES WRITTEN AUTHORI-
16 ZATION FOR THE OPERATIONS TO RESUME.

17 (5) NOT LATER THAN DECEMBER 31, 2001, THE DEPARTMENT SHALL
18 CONDUCT A STUDY TO DETERMINE THE FAIR MARKET VALUE OF SUBMERGED
19 LOGS AS A POTENTIAL BASIS FOR DETERMINING THE PAYMENT TO THE
20 STATE UNDER SUBSECTION (1). THE DEPARTMENT MAY CONDUCT THE STUDY
21 OR MAY ENTER INTO A CONTRACT WITH A QUALIFIED PERSON TO CONDUCT
22 THE STUDY. UPON COMPLETION, THE DEPARTMENT SHALL SUBMIT A REPORT
23 OF THE RESULTS OF THE STUDY TO THE STANDING COMMITTEES OF THE
24 LEGISLATURE WITH JURISDICTION PRIMARILY RELATED TO NATURAL
25 RESOURCES AND THE ENVIRONMENT AND TO THE SENATE AND HOUSE APPRO-
26 PRIATIONS SUBCOMMITTEES ON ENVIRONMENTAL QUALITY AND NATURAL
27 RESOURCES.

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1 SEC. 32612. (1) THE DEPARTMENT MAY BRING A CIVIL ACTION
2 AGAINST A PERSON IN THE CIRCUIT COURT OF THE COUNTY IN WHICH A
3 VIOLATION OCCURS OR IN INGHAM COUNTY CIRCUIT COURT TO DO 1 OR
4 MORE OF THE FOLLOWING:

5 (A) ENFORCE COMPLIANCE WITH THIS PART AND THE RULES PROMUL-
6 GATED UNDER THIS PART.

7 (B) RESTRAIN A VIOLATION OF THIS PART OR THE RULES PROMUL-
8 GATED UNDER THIS PART.

9 (C) ENJOIN THE FURTHER PERFORMANCE OF, OR ORDER THE REMOVAL
10 OF, ANY PROJECT THAT IS UNDERTAKEN CONTRARY TO THIS PART OR THE
11 RULES PROMULGATED UNDER THIS PART.

12 (D) ENFORCE A PERMIT ISSUED UNDER THIS PART.

13 (E) ORDER THE RESTORATION OF AN AREA AFFECTED BY A VIOLATION
14 OF THIS PART OR THE RULES PROMULGATED UNDER THIS PART TO ITS
15 PRIOR CONDITION.

16 (2) IN AN ACTION BROUGHT UNDER THIS SECTION, THE CIRCUIT
17 COURT, IN ADDITION TO ANY OTHER RELIEF GRANTED, MAY ASSESS A
18 CIVIL FINE OF NOT MORE THAN \$5,000.00 PER DAY FOR EACH DAY OF
19 VIOLATION OF THIS PART OR THE RULES PROMULGATED UNDER THIS PART.

20 (3) ANY CIVIL FINE OR REMEDY ASSESSED, SOUGHT, OR AGREED TO
21 BY THE DEPARTMENT SHALL BE APPROPRIATE TO THE VIOLATION.

22 (4) CIVIL FINES RECOVERED UNDER THIS SECTION SHALL BE FOR-
23 WARDED TO THE STATE TREASURER FOR DEPOSIT INTO THE FUND.

24 SEC. 32613. (1) A PERSON WHO DOES ANY OF THE FOLLOWING IS
25 GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN
26 \$10,000.00 PER DAY FOR EACH DAY OF VIOLATION:

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1 (A) VIOLATES THIS PART OR A RULE PROMULGATED UNDER THIS
2 PART.

3 (B) VIOLATES A PERMIT ISSUED UNDER THIS PART.

4 (C) MAKES A FALSE STATEMENT, REPRESENTATION, OR CERTIFICA-
5 TION IN AN APPLICATION FOR OR WITH REGARD TO A PERMIT OR IN A
6 NOTICE OR REPORT REQUIRED BY A PERMIT.

7 (D) RENDERS INACCURATE ANY MONITORING DEVICE OR METHOD
8 REQUIRED TO BE MAINTAINED BY A PERMIT.

9 (2) IN ADDITION TO ANY OTHER PENALTY PROVIDED IN THIS SEC-
10 TION, A COURT SHALL ORDER A PERSON CONVICTED UNDER THIS SECTION
11 TO RETURN TO THE STATE ANY LOGS REMOVED FROM BOTTOMLANDS IN VIO-
12 LATION OF THIS PART OR THE RULES PROMULGATED UNDER THIS PART, OR
13 TO COMPENSATE THE STATE FOR THE FULL MARKET VALUE OF THE LOGS.
14 IF THE PERSON CONVICTED UNDER THIS SECTION HAD BEEN ISSUED A
15 PERMIT UNDER THIS PART, THE PERMIT IS VOID AS OF THE DATE OF
16 CONVICTION.

17 SEC. 32614. (1) THE DEPARTMENT SHALL ANNUALLY PREPARE A
18 REPORT THAT INCLUDES ALL OF THE FOLLOWING:

19 (A) THE NUMBER OF SUBMERGED LOG REMOVAL APPLICATIONS
20 RECEIVED UNDER THIS PART.

21 (B) THE NUMBER OF SUBMERGED LOG REMOVAL PERMITS ISSUED UNDER
22 THIS PART.

23 (C) THE NUMBER AND BOARD FEET OF SUBMERGED LOGS, BY SPECIES,
24 THAT WERE RECOVERED UNDER THIS PART.

25 (D) THE AMOUNT OF MONEY FROM THE FUND THAT WAS EXPENDED ON
26 ADMINISTRATIVE COSTS OF THE DEPARTMENT, THE DEPARTMENT OF NATURAL
27 RESOURCES, AND THE DEPARTMENT OF STATE UNDER THIS PART.

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1 (E) THE AMOUNT OF MONEY FROM THE FUND THAT WAS TRANSFERRED
2 TO THE GREAT LAKES FUND CREATED IN SECTION 32611 AND TO THE
3 FOREST DEVELOPMENT FUND ESTABLISHED UNDER SECTION 50507.

4 (F) AN EVALUATION OF THE FORMULA FOR CALCULATING THE STATE
5 PAYMENT UNDER SECTION 32609 AS TO WHETHER THE FORMULA ADEQUATELY
6 REFLECTS THE TRUE VALUE TO THE STATE OF THE SUBMERGED LOGS.

(G) THE NAMES AND ADDRESS OF PERSONS WHO SUBMITTED SUBMERGED
LOG REMOVAL PERMIT APPLICATIONS TO THE DEPARTMENT.

(H) THE NAMES AND ADDRESSES OF PERSONS WHO RECEIVED PERMITS
FROM THE DEPARTMENT AND THE NUMBER OF SUBMERGED LOGS RECOVERED BY
THAT PERMITTEE.

7 (2) THE REPORT PREPARED UNDER SUBSECTION (1) SHALL BE SUB-
8 MITTED TO THE STANDING COMMITTEES OF THE LEGISLATURE WITH JURIS-
9 DICTION OVER ISSUES PRIMARILY RELATED TO NATURAL RESOURCES AND
10 THE ENVIRONMENT AND TO THE SENATE AND HOUSE APPROPRIATIONS SUB-
11 COMMITTEES ON ENVIRONMENTAL QUALITY AND NATURAL RESOURCES.

12 SEC. 32615. THE DEPARTMENT MAY PROMULGATE RULES TO IMPLE-
13 MENT THIS PART.

14 Enacting section 1. This amendatory act does not take
15 effect unless House Bill No. 5690 of the 90th Legislature is
16 enacted into law.