

# HOUSE BILL No. 4224

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

A bill to amend the title and section 1 of Act No. 123 of the Public Acts of 1929, entitled

"An act to confer power and authority upon the conservation commission to provide for the erection and maintenance of proper means for the free passage of fish through and over dams now in existence or which shall hereafter be erected across rivers, streams or creeks, and to prohibit the obstruction of rivers, streams and creeks in such manner as to prevent the free passage of fish up and down; and to repeal Act No. 295 of the Public Acts of 1909, as amended by Act No. 26 of the Public Acts of 1921,"

being section 307.1 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 1 of Act No. 123 of the  
2 Public Acts of 1929, being section 307.1 of the Michigan Compiled  
3 Laws, are amended to read as follows:

## TITLE

1  
2 An act to confer power and authority upon the ~~conservation~~  
3 commission OF CONSERVATION AND RECREATION to provide for the  
4 erection and maintenance of proper means for the free passage of  
5 fish through and over dams now in existence or which shall here-  
6 after be erected across rivers, streams, or creeks, and to pro-  
7 hibit the obstruction of rivers, streams, and creeks in such  
8 manner as to prevent the free passage of fish up and down; and to  
9 repeal Act No. 295 of the Public Acts of 1909, as amended by Act  
10 No. 26 of the Public Acts of 1921.

11 Sec. 1. ~~It is hereby made the duty of the conservation~~  
12 THE commission ~~to prescribe means and to lay down~~ OF CONSERVA-  
13 TION AND RECREATION SHALL PROMULGATE rules ~~and regulations~~ to  
14 ~~admit of~~ PROVIDE FOR the free passage and uninterrupted passage  
15 of fish over or through dams ~~now in existence or which shall~~  
16 ~~hereafter be erected~~ over rivers, streams, or creeks. ~~→~~  
17 ~~Provided, That~~ HOWEVER, the director of ~~conservation is autho-~~  
18 ~~rized to~~ THE DEPARTMENT OF NATURAL RESOURCES MAY abrogate the  
19 provisions of this act requiring the erection of fish ladders  
20 whenever, in the opinion of the ~~commissioner~~ DIRECTOR, the  
21 height of the dam or the condition of the river or stream makes  
22 the installation of such ladders impracticable or unnecessary.

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

26 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 4177 (request  
27 no. 00827'91).

1 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 4173 (request  
2 no. 00827'91 a).