



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 744 (Substitute S-1 as reported)

Sponsor: Senator Loren Bennett

Committee: Human Resources, Labor and Veterans Affairs

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act to allow the construction of a building that included a basement in a floodplain that had been properly filled, under permit, above the 100-year flood elevation if one or more of the following applied:

- The lowest floor, including the basement, would be constructed above the 100-year flood elevation.
- A licensed professional engineer, schooled in the science of soil mechanics, certified that the building site had been filled with soil of a type and in a manner that hydrostatic pressures were not exerted upon the walls or floor of the basement while the watercourse was at or below the 100-year flood elevation, that the placement of the fill would prevent settling of the building or buckling of floors or walls, and that the building was equipped with a positive means of preventing sewer backup from sewer lines and drains that served the building.
- A licensed professional engineer or architect certified that the basement walls and floors were designed to be watertight and to withstand hydrostatic pressure from a water level equal to the 100-year flood elevation and that the building was properly anchored or weighted to prevent flotation and was equipped with a positive means of preventing sewer backup from sewer lines and drains that served the building.

If the community within which a building was located were a participant in the national flood insurance program authorized under the National Flood Insurance Act (Title XIII of the Housing and Urban Development Act), the developer would have to apply for and obtain a letter of map revision, based on fill, from the Federal Emergency Management Agency before the issuance of a local building permit or the construction of the building, if one or both of the following applied:

- The floodplain would be altered through the placement of fill.
- The watercourse was relocated or enclosed.

MCL 324.3108

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 2-12-96

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.