



HOUSE BILL No. 5849

May 2, 1996, Introduced by Rep. Gagliardi and referred to the Committee on Tourism and Recreation.

A bill to amend section 76107 of Act No. 451 of the Public Acts of 1994, entitled "Natural resources and environmental protection act," as added by Act No. 58 of the Public Acts of 1995, being section 324.76107 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 76107 of Act No. 451 of the Public Acts
2 of 1994, as added by Act No. 58 of the Public Acts of 1995, being
3 section 324.76107 of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 76107. (1) Except as provided in section 76108, a
6 person shall not recover, alter, or destroy abandoned property
7 which is in, on, under, or over the bottomlands of the Great
8 Lakes, including those within a Great Lakes bottomlands preserve,

1 unless the person has a permit issued jointly by the secretary of
2 state and the department pursuant to section 76109.

3 (2) A person who recovers abandoned property without a
4 permit when a permit is required by this part shall transmit the
5 property to the secretary of state and the recovered property
6 shall be the property of the secretary of state.

7 (3) THE LEGISLATURE FINDS THAT THE BOTTOMLANDS OF THE GREAT
8 LAKES WHERE A HUMAN BODY OR THE REMAINS OF A HUMAN BODY ARE
9 LOCATED IS A HUMAN GRAVE. A PERSON SHALL NOT PHOTOGRAPH A HUMAN
10 BODY OR THE REMAINS OF A HUMAN BODY IN A HUMAN GRAVE EXCEPT FOR
11 SCIENTIFIC, MEDICAL, OR LAW ENFORCEMENT PURPOSES. A person shall
12 not remove, convey, mutilate, or deface a human body or the
13 remains of a human body located on the bottomlands of the Great
14 Lakes. A PERSON SHALL NOT PUBLICLY DISPLAY A MOTION PICTURE,
15 PHOTOGRAPH, OR DIGITAL IMAGE OF A HUMAN BODY OR THE REMAINS OF A
16 HUMAN BODY LOCATED ON THE BOTTOMLANDS OF THE GREAT LAKES.

17 (4) A person who ~~violates~~ DOES EITHER OF THE FOLLOWING IS
18 GUILTY OF A FELONY, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN
19 2 YEARS, OR BY A FINE OF NOT MORE THAN \$5,000.00, OR BOTH:

20 (A) VIOLATES subsection (1) by recovering or destroying
21 abandoned property with a fair market value of \$100.00 or more.
22 ~~is guilty of a felony, punishable by imprisonment for not more~~
23 ~~than 2 years, or by a fine of not more than \$5,000.00, or both.~~

24 (B) VIOLATES SUBSECTION (3).