



SENATE BILL No. 744

November 1, 1995, Introduced by Senators BENNETT, STALLINGS and STILLE and referred to the Committee on Human Resources, Labor and Veterans Affairs.

A bill to amend section 3108 of Act No. 451 of the Public Acts of 1994, entitled
"Natural resources and environmental protection act,"
being section 324.3108 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3108 of Act No. 451 of the Public Acts
2 of 1994, being section 324.3108 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 3108. (1) A person shall not occupy or permit the
5 occupation of land for residential, commercial, or industrial
6 purposes or fill or grade or permit the filling or grading for
7 ~~any purposes~~ A PURPOSE other than agricultural of land in ~~the~~
8 ~~floodplains~~ A FLOODPLAIN, stream bed, or channel of ~~any~~ A
9 stream, as ascertained and determined for THE record by the
10 department, or undertake or engage in ~~any~~ AN activity on or

1 with respect to land that is determined by the department to
2 interfere harmfully with the discharge or stage characteristics
3 of a stream, unless the occupation, filling, grading, or other
4 activity is permitted under this part.

5 (2) A PERSON MAY CONSTRUCT OR CAUSE THE CONSTRUCTION OF A
6 BUILDING THAT INCLUDES A BASEMENT IN A FLOODPLAIN THAT HAS BEEN
7 PROPERLY FILLED UNDER PERMIT IF THE FOOTINGS FOR THE BASEMENT ARE
8 SET ENTIRELY IN VIRGIN SOIL. FOR THE PURPOSES OF THIS SUBSEC-
9 TION, "VIRGIN SOIL" MEANS SOIL OTHER THAN SOIL USED TO FILL A
10 FLOODPLAIN.