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LIGHTHOUSE RESTORATIONS: EXEMPTION FROM FEES

House Bill 5138

Sponsor: Rep. Scott Shackleton

**Committee: Conservation and
Outdoor Recreation**

Complete to 9-8-00

A SUMMARY OF HOUSE BILL 5138 AS INTRODUCED 11-30-99

Under Part 325 of the Natural Resources and Environmental Protection Act (NREPA), which regulates Great Lakes' submerged lands, those who apply for a deed or lease to unpatented lands, for an agreement to use water areas over patented lands, or for various types of construction on the Great Lakes or Lake St. Clair, must deposit a fee with the Department of Environmental Quality (DEQ) for each application. In addition, if the DEQ grants an applicant a deed or lease, the applicant is charged an amount equal to the fair cash market value of lands approved for sale, as consideration for use of public lands. House Bill 5138 would amend Part 325 (MCL 324.32504 et al.) to exempt nonprofit entities that work to preserve and restore lighthouses from these permit fees and other monetary consideration. The bill would specify that, if the applicant is a nonprofit entity that seeks the deed, lease, or agreement to preserve or restore a lighthouse, the DEQ could not charge a fee, and could not require consideration to be paid. However, if the department ascertained that an applicant had willfully and knowingly filled in or changed the lands applied for with an intent to defraud, the charge for consideration would not be waived and the fair, cash market value of the lands would have to be paid.

House Bill 5138 would also replace the term "registered land surveyor" with "professional surveyor," to conform to changes in the Occupational Code made under the provisions of Public Act 103 of 1992 (MCL 339.2002).

House Bill 5138 (9-8-00)

Analyst: R. Young

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