

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4953 (Substitute H-1 as reported with amendment)
Sponsor: Representative Judson Gilbert III
House Committee: Commerce
Senate Committee: Government Operations

CONTENT

The bill would amend Part 761 (Aboriginal Records and Antiquities and Abandoned Property) of the Natural Resources and Environmental Protection Act, to refer to the Department of History, Arts, and Libraries (DHAL), instead of the Secretary of State or the Department of State, in provisions that do the following:

- Specify that abandoned property of historical or recreational value found on the State-owned bottomlands of the Great Lakes, belongs to the State with administration and protection jointly vested in the Department of Natural Resources (DNR) and the Secretary of State.
- Create the underwater salvage and preserve committee in the DNR to provide advice to the DNR and the Secretary of State under Part 761.
- Provide that a deed given by the State for tax-reverted land must reserve to the State a property right in aboriginal antiquities, and the DNR with the approval of the Secretary of State may waive that reservation.
- Prohibit a person from exploring or excavating an aboriginal remain covered by Part 761, except under a permit issued by the DNR with the approval of the Secretary of State.
- Prohibit a person from recovering, altering, or destroying abandoned property that is on, under, or over Great Lakes bottomlands, unless the person has a permit issued jointly by the DNR and the Secretary of State.
- Require a person who recovers abandoned property without a necessary permit to transmit the property to the Secretary of State.
- Require a person who recovers abandoned property to file a report with the Secretary of State or the DNR and make the property available for inspection; and require the Secretary of State to release the property to the person upon determining that it does not have historical value.
- Provide that money in the Underwater Preserve Fund may be appropriated to the Secretary of State for the development of maritime archaeology.

The bill would take effect August 6, 2001, and is tie-barred to House Bill 4941, which would create the DHAL.

MCL 324.76102 et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

Please see **FISCAL IMPACT** on House Bill 4941 (S-1).

Date Completed: 7-11-01

Fiscal Analyst: M. Tyszkiewicz
J. Runnels