

HOUSE BILL No. 6147

May 29, 2002, Introduced by Reps. Hansen, Kolb, Plakas, Bovin, Basham and Zelenko and referred to the Committee on Land Use and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 60904, 60905, 60906, 60908, and 60909 (MCL
324.60904, 324.60905, 324.60906, 324.60908, and 324.60909), as
added by 1995 PA 57.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 60904. (1) The land resource portion of the inventory
2 shall be completed in a format that may be readily integrated
3 into the data management system, and shall provide a base of
4 information to analyze the existing and future productivity of
5 the state's natural resources and provide information to assist
6 in the analysis of the timing, location, and intensity of future
7 development in the state. The format should also include
8 information that will be readily usable and available to assist

1 local governmental units in their land use planning. The
2 inventory ~~may~~ SHALL include ~~any~~ ALL of the following:

3 (a) Geological features, including groundwater features such
4 as depth to groundwater, groundwater recharge zones, and potable
5 aquifers.

6 (b) Land area with characteristics that pose problems to
7 development, such as an area subject to reasonably predictable
8 hazardous natural phenomenon, which may include flooding,
9 high-risk erosion, or subsidence.

10 (c) Land area with characteristics that make it suited for
11 agricultural use.

12 (d) Land area with characteristics that make it suited for
13 silvicultural use.

14 (e) Metallic and nonmetallic mineral deposits.

15 (f) Hydrological features, including lakes, rivers and
16 creeks, impoundments, drainage basins, and wetlands.

17 (g) Land area of wildlife habitat, including each signifi-
18 cant breeding area or area used by migratory wildlife.

19 (h) Topographic contours.

20 (I) OTHER RELEVANT NATURAL FEATURES OR LAND COVER TYPES AS
21 DETERMINED BY THE DEPARTMENT.

22 (2) If the department designates an area as wetland, the
23 state may negotiate and contract for an option to purchase or
24 exchange the wetland in order to protect the wetland. The option
25 to purchase or exchange the wetland shall be valid for 5 years.
26 After an option to purchase is negotiated, a person may apply for
27 and receive consideration for an exemption from property taxes

1 levied pursuant to the general property tax act, ~~Act No. 206 of~~
2 ~~the Public Acts of 1893, being sections 211.1 to 211.157 of the~~
3 ~~Michigan Compiled Laws~~ 1893 PA 206, MCL 211.1 TO 211.157, for
4 the duration of the option to purchase.

5 Sec. 60905. The current use portion of the inventory shall
6 be completed using a consistent classification system that can be
7 readily integrated into the data management system, and shall
8 provide the base to analyze the existing use and cover in the
9 state. The current use inventory ~~may~~ SHALL include ~~any~~ ALL
10 of the following:

11 (a) Substantially undeveloped land devoted to the production
12 of plants and animals useful to humanity, including forages and
13 sod crops; grain and feed crops; dairy ANIMALS and dairy pro-
14 ducts; livestock, including the breeding and grazing of those
15 animals; fruits of all kinds; vegetables; and other similar uses
16 and activities.

17 (b) Land used in the production of fiber and other woodland
18 products or that supports trees that are protective of water
19 resources, soils, recreation, or wildlife habitat.

20 (c) Land that is being mined, drilled, or excavated for
21 metallic and nonmetallic mineral, rock, stone, gravel, clay,
22 soil, or other earth, petroleum, or natural gas resources.

23 (d) A site, structure, district, or archaeological landmark
24 that is officially included in the national register of historic
25 places or designated as a historic site pursuant to state or fed-
26 eral law.

1 (e) Urban and developed land ~~, including residential,~~
2 ~~commercial, industrial, transportation, communication, utilities,~~
3 ~~and open space uses and~~ THAT SPECIFICALLY IDENTIFIES LAND USES
4 IN THE FOLLOWING CATEGORIES:

- 5 (i) RESIDENTIAL.
6 (ii) COMMERCIAL.
7 (iii) INDUSTRIAL.
8 (iv) TRANSPORTATION.
9 (v) COMMUNICATIONS.
10 (vi) UTILITIES.
11 (vii) OPEN SPACE, including recreational land.
12 (f) Land owned on behalf of the public, including land man-
13 aged by federal, state, or local government or school districts.
14 (g) Land enrolled in part 361.
15 (H) LAND SUBJECT TO AN AGRICULTURAL CONSERVATION EASEMENT AS
16 PROVIDED FOR IN PART 362.
17 (I) ~~(h)~~ Land enrolled in part 511.
18 (J) ~~(i)~~ Land designated for tax abatements, restricted
19 use, or specific use under a public act of this state.
20 (K) OTHER LAND USES AS DETERMINED BY THE DEPARTMENT.

21 Sec. 60906. (1) The current use portion of the inventory
22 may be conducted by municipalities, counties, or regional plan-
23 ning commissions as provided in subsection (4). A municipality,
24 county, or regional planning commission conducting a portion of
25 the current use inventory shall conduct that portion on a scale,
26 level of detail, format, and classification system prepared by
27 the department.

1 (2) ~~By December 27, 1980, the~~ THE department shall prepare
2 criteria for municipality, county, and regional planning commis-
3 sion participation in the current use inventory process. The
4 criteria shall specify the scale, level of detail, format, and
5 classification system to be used in the current use portion of
6 the inventory and shall contain forms and information on the
7 financial reimbursement provisions provided in section 60907.

8 (3) The criteria prepared under subsection (2) shall be cir-
9 culated by the department to local government associations and to
10 a municipality, county, or regional planning commission, upon
11 request. ~~By March 27, 1982, a~~ A municipality with an estab-
12 lished planning commission may submit to the department and to
13 the county board of commissioners of the county in which the
14 municipality is primarily located a notice of intent to perform
15 or cause to be performed the work necessary to complete the cur-
16 rent use portion of the inventory. ~~By June 27, 1982, a~~ A
17 county with an established planning commission may submit to the
18 department a notice of intent to perform or cause to be performed
19 the work necessary to complete the current use portion of the
20 inventory for each area for which a municipality is not perform-
21 ing the work necessary to complete the current use portion of the
22 inventory. ~~By September 27, 1982, a~~ A regional planning com-
23 mission may submit a notice of intent to the department to per-
24 form the work necessary to complete the current use inventory for
25 each area not covered by a municipality or county notice of
26 intent. For each area not covered by a notice of intent under

1 this subsection, the department shall make or cause to be made
2 the current use portion of the inventory.

3 (4) A municipality, county, or regional planning commission
4 engaged in the preparation of the current use portion of the
5 inventory may make use of assistance, data, and information made
6 available to it by public or private organizations.

7 Sec. 60908. (1) The land resource portion of the inventory
8 shall be reviewed and updated when necessary, but not less than
9 once every ~~10~~ 5 years.

10 (2) The current use portion of the inventory shall be
11 reviewed and updated when necessary, but not less than once each
12 5 years.

13 (3) THE DEPARTMENT SHALL ESTABLISH A PROGRAM DESIGNED TO
14 ASSESS LONG-TERM LAND USE TRENDS IN THE STATE USING DATA IN THE
15 INVENTORY. NOT LESS THAN EVERY 5 YEARS, THE DEPARTMENT SHALL
16 ASSESS LAND USE AND LAND COVER TRENDS IN THE STATE. THE DEPART-
17 MENT SHALL PREPARE A REPORT DESCRIBING THESE TRENDS AND SHALL
18 MAKE THIS REPORT AVAILABLE TO THE GENERAL PUBLIC.

19 Sec. 60909. ~~The~~ EXCEPT FOR THE REPORT PROVIDED FOR IN
20 SECTION 60908, THE department may charge fees for generating pro-
21 ducts or rendering services based on the information in the
22 inventory. The fees shall not exceed the costs to the department
23 of generating the products or rendering the services. The amount
24 of money expended by the department for generating products or
25 rendering services in a fiscal year shall not exceed the amount
26 appropriated for that fiscal year or the amount of the fees
27 actually received during that fiscal year, whichever is less.