

# Legislative Analysis

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## LAKE LEVEL SPECIAL ASSESSMENTS

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**House Bill 5733**

**Sponsor: Rep. William J. O'Neil**

**Committee: Conservation and Outdoor Recreation**

**Complete to 5-4-04**

## A SUMMARY OF HOUSE BILL 5733 AS INTRODUCED 3-31-04

Part 307 (Inland Lake Levels) of the Natural Resources and Environmental Protection Act (formerly the Inland Lake Level Act of 1961, Public Act 146 of 1961) provides the process by which the normal height and level of inland lakes in the state are determined and maintained. The act provides that the board of commissioners of a county make take action to determine the normal level of an inland lake located in the county, and that, if necessary, the county board shall direct the prosecuting attorney or other legal counsel of the county to initiate a proceeding in court to determine the normal level of an inland lake. The activities under Part 307 are administered Geological and Land Management Division of the Department of Environmental Quality.

The act permits a county board of commissioners to establish a special assessment district to defray all or a portion of the costs of a project to establish and maintain a normal level for an inland lake. The special assessment can be charged to property benefiting from the project, including privately owned parcels of land, political subdivisions of the state, and state owned lands under the jurisdiction and control of the Department of Natural Resources. House Bill 5733 would delete the reference to state owned land under the jurisdiction and control of the DNR.

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