

# SENATE BILL No. 1066

January 19, 2010, Introduced by Senator BIRKHOLZ and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32503 (MCL 324.32503), as amended by 2004 PA 325.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 32503. (1) Except as otherwise provided in this section,  
2 the department, after finding that the public trust in the waters  
3 will not be impaired or substantially affected, may enter into  
4 agreements pertaining to waters over and the filling in of  
5 submerged patented lands, or to lease or deed unpatented lands,  
6 after approval of the state administrative board. Quitclaim deeds,  
7 leases, or agreements covering unpatented lands may be issued or  
8 entered into by the department with any person, and shall contain

1 such terms, conditions, and requirements as the department  
2 determines to be just and equitable and in conformance with the  
3 public trust. The department shall reserve to the state all mineral  
4 rights, including, but not limited to, coal, oil, gas, sand,  
5 gravel, stone, and other materials or products located or found in  
6 those lands, except where lands are occupied or to be occupied for  
7 residential purposes at the time of conveyance.

8 (2) A riparian owner shall not dredge or place spoil or other  
9 materials on bottomland except as authorized by a permit issued by  
10 the department pursuant to part 13.

11 (3) The department shall not enter into a lease or deed that  
12 allows drilling operations beneath unpatented lands for the  
13 exploration or production of oil or gas.

14 (4) An agreement, lease, or deed entered into under this part  
15 by the department with the United States shall be entered into and  
16 executed pursuant to the property rights acquisition act, 1986 PA  
17 201, MCL 3.251 to 3.262.

18 **(5) THIS PART DOES NOT APPLY TO LEASES, AGREEMENTS, DEEDS, OR**  
19 **ACTIVITIES REGULATED BY THE GREAT LAKES WIND DEVELOPMENT ACT.**

20 Enacting section 1. This amendatory act does not take effect  
21 unless Senate Bill No. 1067.

22 of the 95th Legislature is enacted into law.