

Act No. 544  
Public Acts of 2014  
Approved by the Governor  
January 10, 2015  
Filed with the Secretary of State  
January 15, 2015  
EFFECTIVE DATE: January 15, 2015

**STATE OF MICHIGAN  
97TH LEGISLATURE  
REGULAR SESSION OF 2014**

Introduced by Senator Robertson

# **ENROLLED SENATE BILL No. 1082**

AN ACT to amend 1956 PA 40, entitled “An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties,” (MCL 280.1 to 280.630) by adding section 196a.

*The People of the State of Michigan enact:*

Sec. 196a. Notwithstanding other provisions of this act, a drain commissioner or drainage board may remove ice, fallen trees, logjams, or other debris on a watercourse that is not a drain established under this act if, upon inspection, a licensed professional engineer has determined that the ice, fallen trees, logjams, or other debris has caused or is causing flooding, an imminent risk of flooding, increased erosion, channel instability, reduction in capacity that may cause flooding, or other damage to 1 or more county or intercounty drains established under this act. The drain commissioner or drainage board may undertake the removal of any ice, fallen trees, logjams, or other debris authorized by this section after obtaining written permission from the owner or owners of property where the ice, fallen trees, logjams, or other debris is located and, if necessary, the owner or owners of property to which access is required to remove the ice, fallen trees, logjams, or other debris. The costs incurred by the drain commissioner or drainage board under this section shall be charged to the benefiting drainage districts consistent with this act, and are subject to the expenditure limit and conditions set forth in section 196 if the work is performed without petition.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved .....

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Governor