

HOUSE BILL No. 5623

February 1, 2006, Introduced by Rep. Hune and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 30708 (MCL 324.30708), as added by 1995 PA 59,
and by adding section 30708a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30708. (1) ~~After~~ **EXCEPT AS PROVIDED IN SECTION 30708A,**
2 **AFTER** the court determines the normal level of an inland lake in a
3 proceeding initiated by the county, the delegated authority of any
4 county or counties in which the inland lake is located shall
5 provide for and maintain that normal level.

6 (2) A county may acquire, in the name of the county, by gift,
7 grant, purchase, or condemnation proceedings, an existing dam that
8 may affect the normal level of the inland lake, sites for dams, or

1 rights in land needed or convenient in order to implement this
2 part. A county may enter into a contract for operation and
3 maintenance of an existing dam. The county may construct and
4 maintain a dam that is determined by the delegated authority to be
5 necessary for the purpose of maintaining the normal level. A dam
6 may be acquired, constructed, or maintained in a county adjoining
7 the county in which the lake is located.

8 (3) For the purpose of maintaining the normal level, a
9 delegated authority may drill wells or pump water from another
10 source to supply an inland lake with additional water, may lower
11 the level of the lake by pumping water from the lake, and may
12 purchase power to operate pumps, wells, or other devices installed
13 as part of a normal level project.

14 **SEC. 30708A. NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART,**
15 **THE DEPARTMENT OR THE DELEGATED AUTHORITY OF ANY COUNTY THAT IS**
16 **CHARGED WITH MAINTAINING THE NORMAL LEVEL OF AN INLAND LAKE MAY**
17 **DEVIATE FROM THAT NORMAL LEVEL DURING A FLOODING EMERGENCY IF**
18 **NECESSARY TO PROTECT PROPERTY OR PUBLIC SAFETY. IN IMPLEMENTING**
19 **THIS SECTION, THE DEPARTMENT OR THE DELEGATED AUTHORITY MAY**
20 **AUTHORIZE A DAM OPERATOR TO MODIFY THE DAM'S OPERATIONS TO**
21 **ACCOMPLISH THIS OBJECTIVE.**