

Legislative Analysis



PUBLIC ROAD LAKE & STREAM ACCESS

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 680 (Substitute S-1)

Sponsor: Sen. Mike Kowall

House Committee: Local Government

Senate Committee: Local Government and Elections

Complete to 5-7-14

A SUMMARY OF SENATE BILL 680 (S-1) AS PASSED BY THE SENATE 4-24-14

Senate Bill 680 (S-1) would amend provisions governing the use of a public road end at an inland lake or stream in Part 301 of the Natural Resources and Environmental Protection Act to:

- Remove a county from the definition of "local unit of government,"
- Revise the definition of "public road end," and
- Delete the definition of "public road."

A more detailed description of the bill follows.

Use of Public Road Ends

Now under Part 301 of the Natural Resources and Environmental Protection Act, unless a recorded deed, recorded easement, or other recorded dedication expressly provides otherwise, a public road end may not be used for any of the following purposes:

- Construction, installation, maintenance, or use of boat hoists or boat anchorage devices.
- Mooring or docking of a vessel between midnight and sunrise.
- Any activity that obstructs ingress to or egress from an inland lake or stream.

A public road end also may not be used for the construction, installation, maintenance, or use of a dock or wharf other than a single seasonal public dock or wharf that is authorized by the local unit of government, subject to any permit required under Part 301. A person who violates these provisions is guilty of a misdemeanor punishable by a \$500 maximum fine.

In addition, the local unit of government may prohibit a use of a public road end that violates the prohibitions described above.

Senate Bill 680 (S-1) would retain all of these provisions. However, as used in these provisions, Part 301 defines "local unit of government" as the county, township, city, or village with jurisdiction over a public road. Under the bill, "local unit of government" instead would mean a township, city, or village in which the public road end is located (removing "county" and "jurisdiction").

Definition of "Public Road End"

Further, now under the law, "public road end" means the terminus of a public road at an inland lake or stream, and "public road" means a county road or a township, city, or village street that is open for use by the public. In contrast, under the bill, "public road end" would mean the terminus at an inland lake or stream of a road that is lawfully open for use by the public." Finally, the bill would delete the definition of "public road."

MCL 324.30111b

FISCAL IMPACT:

The bill has no apparent fiscal impact.

Legislative Analyst: J. Hunault
Fiscal Analysts: William E. Hamilton

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.