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## OFFSHORE LIGHTHOUSE LEASES

Senate Bill 795 as passed by the Senate  
First Analysis (12-10-02)

**Sponsor: Sen. John J. H. Schwarz, M.D.**  
**House Committee: Commerce**  
**Senate Committee: Natural Resources  
and Environmental Affairs**

### ***THE APPARENT PROBLEM:***

Reportedly, there are some 77 Michigan lighthouses listed as excess by the federal government. A number of these are away from the shore. While these lighthouses are technologically outmoded, they are of architectural, historical, and scenic interest. There are groups who desire or are willing to take on the task of repairing and maintaining these artifacts of Michigan's nautical heritage. The House Fiscal Agency reports that 19 of 38 offshore lighthouses are ready to be transferred to the state. Current law does not allow the state's Department of Environmental Quality to accept applications for the use of submerged lands (or "bottomlands") from parties other than riparian landowners (i.e., the owners of land immediately adjacent to state waters). Legislation is needed for the state to be able to lease or issue use permits for these lighthouses to groups other than riparian landowners.

### ***THE CONTENT OF THE BILL:***

The bill would amend the Natural Resources and Environmental Protection Act (NREPA) to allow the Department of Environmental Quality to enter into agreements with certain approved organizations that were seeking to restore or maintain a lighthouse for the use of Great Lakes submerged lands on which a lighthouse is located, including the use of water over those lands immediately adjacent to the lighthouse. This would apply whether or not the organization was a "riparian landowner". The bill would specifically allow the DEQ to accept applications from such organizations.

An approved organization would be a lawful nonprofit entity as approved by the department, a local unit of government, a federal or state agency or department, an educational agency, or a community development organization seeking to secure a lease or agreement for the purpose of restoring or maintaining a lighthouse.

MCL 324.32504a

### ***FISCAL IMPLICATIONS:***

The House Fiscal Agency reports that the bill would have no fiscal impact on the state government or on local governmental units. (HFA analysis dated 12-5-02)

### ***ARGUMENTS:***

#### ***For:***

The bill would allow the state to accept applications from and enter into agreements with various groups to allow them to be stewards of offshore lighthouses that are no longer needed for their original use.

### ***POSITIONS:***

The Department of Environmental Quality supports the bill. (12-6-02)

Analyst: C. Couch

■ 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.

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