

# HOUSE BILL No. 4333

February 13, 1997, Introduced by Reps. Bodem, Bobier, Lowe, Crissman, Goschka, Gernaat and Prusi and referred to the Committee on Conservation, Environment and Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 2132 (MCL 324.2132), as amended by 1995 PA 60  
and adding section 2132a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2132. (1) The department may sell surplus land at a  
2 price of not less than its fair market value as determined by an  
3 appraisal.

4       (2) The sale of surplus land shall be conducted by the  
5 department through 1 of the following methods:

6       (a) A sealed or oral bid public auction sale.

7       (b) A negotiated sale.

8       (3) The sale of surplus land through a sealed or oral bid  
9 public auction sale shall be to the highest bidder. A bid shall

1 not be accepted for less than the fair market value of the  
2 surplus land as determined by an appraisal.

3 (4) A notice of the sale of surplus land shall be given as  
4 provided in section 2133.

5 (5) The proceeds from the sale of surplus land shall be  
6 deposited into the fund.

7 (6) Surplus land that is sold under this subpart shall be  
8 conveyed by quitclaim deed approved by the attorney general. ~~and~~  
9 ~~shall reserve to the state all rights to coal, oil, gas, and~~  
10 ~~other minerals, excluding sand and gravel, found on, within, and~~  
11 ~~under the land.~~

12 SEC. 2132A. IF THE STATE OBTAINS PROPERTY BY OPERATION OF  
13 SEIZURE, RECEIVERSHIP, OR FORFEITURE OR OTHERWISE INVOLUNTARILY  
14 ACQUIRES TITLE OR CONTROL OF PROPERTY BY VIRTUE OF ITS GOVERNMEN-  
15 TAL FUNCTION, THE STATE SHALL RETAIN SUBSURFACE MINERAL OR OIL  
16 AND GAS RIGHTS IN THAT PROPERTY UPON SUBSEQUENT SALE OR TRANSFER  
17 OF THE PROPERTY ONLY IF THE DEPARTMENT DETERMINES THAT RETAINING  
18 THE SUBSURFACE RIGHTS IS NECESSARY FOR THE PROTECTION OF THE AIR,  
19 WATER, AND OTHER NATURAL RESOURCES AND THE PUBLIC TRUST IN THESE  
20 RESOURCES FROM POLLUTION, IMPAIRMENT, OR DESTRUCTION.