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House Bill 5222 (as passed by the House)
Sponsor: Representative Lynne Martinez
House Committee: Conservation and Outdoor Recreation
Senate Committee: Local, Urban and State Affairs

Date Completed: 5-24-00

CONTENT

The bill would amend Public Act 363 of 1998 (which authorized the conveyance of property under the jurisdiction of the Department of Management and Budget and located in Lansing, Ingham County, to the City of Lansing) to specify that the city would have an exclusive right to purchase the property until March 31, 2001, or until 12 months after the bill's effective date, whichever was sooner. Under Public Act 363, the city had an exclusive right to purchase the property for 12 months after the Act's effective date. (Public Act 363 took effect on October 20, 1998.)

The bill also would allow the Department of Natural Resources (DNR) to convey certain parcels of real property now under the jurisdiction of the DNR and located in Ingham County, to the Ingham Conservation District for consideration of \$1. The conveyance would have to provide that property would have to be used exclusively for the development of a nature area with the purpose of educating both students and adults about natural resources; and that, along with outdoor classroom activities, the grantee would develop nature trails, habitat demonstration sites, and possibly incorporate the property into the natural areas program.

The conveyance also would have to provide that, upon termination of that use or use for any other purpose, the State could reenter and repossess the property, terminating the grantee's estate in it, and the grantee would be responsible for any necessary environmental cleanup before the State's reentry and repossession of the property. In addition, the conveyance would have to provide that if the grantee disputed the State's exercise of its right of reentry and failed to deliver possession of the property promptly to the State, the Attorney General could bring an action to quiet title to, and regain possession of, the property.

The bill specifies that the conveyance would reserve to the State all aboriginal antiquities including mounds, earthworks, forts, burial and village sites, mines or other relics, and also would reserve the right to explore and excavate for them, under Part 761 (Aboriginal Records and Antiquities) of the Natural Resources and Environmental Protection Act.

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have no fiscal impact on the State.

The DNR property described in the bill, reportedly was originally purchased over 80 years ago with Game and Fish Fund revenue to be used for a public purpose, as required by the provisions of the Fund. (It was used to raise pheasants for hunting.) It has now been declared surplus. Conveying the property for public purpose would be consistent with the provisions of the Fund. If the property were to be sold, the revenue from the sale would be deposited into the Fund, to be used for purchase of other property for public purpose. (A current appraisal of the property does not exist.)

Fiscal Analyst: M. Hansen

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.