

Legislative Analysis



EASEMENTS ACROSS STATE-OWNED LAND

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House Bill 4622

Sponsor: Rep. Stephen F. Adamini

Committee: Natural Resources, Great Lakes, Land Use, and Environment

Complete to 2-15-06

A SUMMARY OF HOUSE BILL 4622 AS INTRODUCED 4-14-05

Subpart 8 (Easements Across State Land) of Part 21 (General Real Estate Powers) of the Natural Resources and Environmental Protection Act permits the Department of Natural Resources to grant an easement for a roadway across state-owned land controlled by the department. House Bill 4622 would require, when an easement was denied, that the department notify, in writing, the individual who requested the easement of the denial and the reasons for that denial.

Additionally, the act currently provides that the department shall not grant an easement if, among other criteria, the construction or use of the roadway will result in "**unnecessary**" damage to or destruction of certain wildlife and property. House Bill 4622 specifies instead that the request would be denied if the construction or use of the roadway would result in "**unreasonable**" damage to or destruction of wildlife and property.

MCL 324.2123 and 324.2124

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local governmental units.

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