



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 712 (as passed by the Senate)
Sponsor: Senator Howard C. Walker
Committee: Local Government and Elections

(enacted version)

Date Completed: 8-28-14

RATIONALE

In 1827, a government survey of the border between Michigan and Indiana was completed and the border was marked officially with wood posts. Over the years, those markers have deteriorated or been lost and the exact location of the boundary has become uncertain. Public Act 259 of 2010 created the Michigan and Indiana State Line Monumentation Act to provide for a commission consisting of representatives from Michigan and Indiana to establish and administer a survey remonumentation of the border between the two states, and set a January 1, 2015, expiration date on the Act. (In 2009, Indiana enacted similar legislation with a sunset date of July 1, 2015.) In addition, Public Act 260 of 2010 amended the State Survey and Remonumentation Act to require that up to \$500,000, appropriated by the Legislature, be used to pay the costs of monumentation of the Michigan-Indiana state boundary line. Funds have not yet been appropriated, however, although a legislative transfer in 2014 provided \$200,000 for remonumentation. Therefore, it has been suggested that the sunset date of the Michigan and Indiana State Line Monumentation Act be delayed.

CONTENT

The bill would amend the Michigan and Indiana State Line Monumentation Act to delay its sunset by three years, from January 1, 2015, to January 1, 2018.

The Act established the Indiana-Michigan Boundary Line Commission and requires the Commission to do the following:

- Administer a survey and remonumentation of the Indiana-Michigan border.
- Recover or re-establish relatively permanent monuments at the mileposts of the Indiana-Michigan state line.
- Resolve any controversies regarding the location of mileposts defining the Michigan-Indiana border.

The Commission consists of 10 members, five from Indiana and five from Michigan. The Michigan members are appointed by the Governor and must be licensed professional surveyors. The Governor must appoint one resident from each of the following counties (all of which border Indiana): Berrien, Branch, Cass, Hillsdale, and St. Joseph.

MCL 54.305

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Because the jurisdiction of a state extends up to, but not across, its boundaries with other states, it is important to know the position of such boundaries. The Michigan and Indiana State Line Monumentation Act, together with similar legislation enacted in Indiana, created a commission to authorize surveyors to conduct a retracement survey to recover or re-establish the location of the original border markers. Michigan's borders with Ohio and Wisconsin were remonumented in the past with more permanent granite and concrete markers through a similar mechanism. The Michigan and Indiana statutes provide for a permanent visible monument for each recovered or re-established mile post along the border, pinpointing a recoverable geodetic position for each mile post, and provide for accessible public records of all markers defining the boundary between the two states. Due to delays in funding the project, however, the Commission did not begin its work until recently. Indiana already extended the sunset on its statute to July 1, 2018. Michigan also should delay the date on which its authorizing legislation will be repealed, so the Commission can have sufficient time to complete its work.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on the operations of the Department of Licensing and Regulatory Affairs (LARA), and no fiscal impact on local units of government. Statute currently allows for up to \$500,000 to be spent on the monumentation of the Michigan-Indiana border, although no funds have yet been appropriated for this purpose. On May 1, 2014, however, a legislative transfer that allocated \$200,000 toward the implementation of this program during fiscal year 2013-14 was approved by both the House and Senate Appropriations Committees. By delaying the sunset of the Michigan and Indiana State Line Monumentation Act, the bill would allow the current or a future Legislature to appropriate funds for this purpose.

Fiscal Analyst: Josh Sefton

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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.