SLEEPING BEAR DUNES NATIONAL LAKESHORE
Act 359 of 1974

AN ACT to authorize the department of natural resources to convey certain lands lying within the boundaries of the lakeshore zone and parkway location of the Sleeping Bear dunes national lakeshore park to the United States; to provide for cession of certain jurisdiction of this state and to determine the measure thereof over such lands; to authorize acceptance of relinquished jurisdiction over such lands or portions thereof; and to repeal certain acts and parts of acts.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974.

The People of the State of Michigan enact:

3.901 Sleeping Bear dunes national lakeshore; conveyance to United States; approval.

Sec. 1. The department of natural resources is authorized to convey by quitclaim deed or deeds the title to lands as is vested in the state and under the jurisdiction of the department of natural resources and to cede the offshore water area, without any monetary consideration, for and in behalf of the state, to the United States, which lie within the boundaries of the lakeshore zone and the parkway locations of the Sleeping Bear dunes national lakeshore as depicted on the map identified as "proposed Sleeping Bear dunes national lakeshore, United States department of the interior, national park service, boundary map NL-SBD-91,000, May, 1969", to be used by the United States department of the interior. The commission of natural resources shall approve the descriptions and total acreage of land to be conveyed and water area to be ceded, as well as the area to be excepted as provided in subdivision (b) of section 2 of the Public Laws 91-479.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974.

Compiler's note: For transfer of powers and duties of department of natural resources to department of natural resources and environment, and abolishment of department of natural resources, see E.R.O. No. 2009-31, compiled at MCL 324.99919.

For transfer of powers and duties of department of natural resources and environment to department of natural resources, see E.R.O. No. 2011-1, compiled at MCL 324.99921.

3.902 Reversion.

Sec. 2. The deed and cession shall contain a provision that if the United States ceases to use the lands and water area for national lakeshore or similar public recreational purposes, all right, title, and interest of the United States in and to these lands and water area described in section 1 shall revert to the state.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974.

3.903 Reservation of mineral, coal, oil, and gas rights.

Sec. 3. The deed and cession shall reserve all mineral, coal, oil, and gas rights but not sand, gravel, clay, or other nonmetallic minerals, to the state, together with the right to explore for, mine, and remove the minerals from these lands.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974.

3.904 Approval of deeds and instruments.

Sec. 4. The deeds and instruments provided by this act shall be approved by the attorney general.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974.

3.905 Cession of legislative jurisdiction.

Sec. 5. (1) When the United States desires to acquire legislative jurisdiction over these lands described in section 1 within this state and makes application for that purpose, the governor may cede to the United States such measure of jurisdiction, not exceeding that requested by the United States, as he deems proper over all or any part of these lands described in section 1 as to which a cession of legislative jurisdiction is requested, reserving to the state such concurrent or partial jurisdiction as he deems proper.

(2) The application shall state the measure of jurisdiction desired and shall be accompanied by an accurate description of the lands over which jurisdiction is desired and information as to which of the lands are then owned by the United States.

(3) The cession of jurisdiction shall become effective when it is accepted on behalf of the United States. Acceptance shall be indicated in writing upon the instrument of cession by an authorized official of the United States, and filed with the secretary of state of this state.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974.

3.906 Reservation of legislative jurisdiction.

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Sec. 6. There are reserved over these lands, described in section 1, to which legislative jurisdiction may be ceded to the United States pursuant to this act, the state's entire legislative jurisdiction with respect to taxation and that of each state agency, political subdivision and district of the state; the state's entire legislative jurisdiction with respect to marriage, divorce, annulment, adoption, commitment of the mentally incompetent, and descent and distribution of property; concurrent or separate power to enforce the criminal law; and the power to execute any process, civil or criminal, issued under authority of the state. A person residing on these lands described in section 1 shall not be deprived of any civil or political rights, including the right of suffrage, by reason of the cession of jurisdiction to the United States.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974.

3.907 Acceptance of relinquished legislative jurisdiction.

Sec. 7. When the United States tenders to the state a relinquishment of legislative jurisdiction theretofore acquired by it over these lands, or any part thereof, described in section 1, the governor may accept on behalf of the state the legislative jurisdiction so relinquished. The governor shall indicate his acceptance of relinquished legislative jurisdiction by a writing addressed to the head of the appropriate department or agency of the United States and it shall be effective when deposited in the United States mails.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974.

3.908 Reimbursement to local units of government for lost taxes; distribution; formula for payments in lieu of taxes; annual payment; statement of payments due.

Sec. 8. (1) To provide for reimbursement to local units of government for taxes lost due to establishment of Sleeping Bear dunes national lakeshore, the department of treasury shall make payments in lieu of taxes for a period not to exceed 10 years from the date of purchase by the federal government, in accordance with the formula in this subsection. On the tax day first following transfer, the state treasurer shall determine the equalized valuation that existed prior to January 1, 1974 for each taxing jurisdiction from which the property was transferred and the rate of ad valorem taxation existing at the time of transfer. Subject to subsection (2), the state treasurer shall thereupon make payments to each taxing unit in an amount such that revenues received by the taxing unit from local taxes are equal to the amounts that would have been received had the existing tax rate been still in effect and had the equalized valuation been the same prior to transfer. On each succeeding tax day for 10 years thereafter the treasurer shall make further payments to each taxing unit but reduced by 1/10 per year from the amount originally paid.

(2) If the amount appropriated for payment to all local units of government is less than the amount required for payment to all local units of government under subsection (1), the amount appropriated for payment to each local unit of government shall be distributed in the same proportion that the required payment to that local unit of government is to the total of all required payments.

(3) The formula under subsection (1) shall apply to state-owned lands transferred under this act for which payments in lieu of taxes were previously made under former 1925 PA 91, or subpart 14 of part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2152 to 324.2154.

(4) On state-owned lands transferred under this act for which payments were previously made pursuant to former 1917 PA 116, or subpart 13 of part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2150 to 324.2151, the annual payment shall continue for a period of 10 years at the rate existing at the time of transfer.

(5) The treasurer or other officer charged with the collection of taxes for the assessing district shall forward a statement of payments due to the Lansing office of the state treasurer, which shall review the statement, and if the amount is determined pursuant to this act, pay the same from the state general fund.

History: 1974, Act 359, Imd. Eff. Dec. 23, 1974;—Am. 1996, Act 30, Imd. Eff. Feb. 26, 1996;—Am. 2010, Act 84, Imd. Eff. May 24, 2010.

3.909, 3.910 Repealed. 2010, Act 84, Imd. Eff. May 24, 2010.

Compiler's note: The repealed sections pertained to reimbursement for land, and repeal of MCL 211.751 to 211.754.

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