



**House
Legislative
Analysis
Section**

Manufacturer's Bank Building, 12th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

CONVEY DOC PROPERTY TO BLACKMAN TWP.

House Bill 5057 as introduced
First Analysis (11-9-89)

Sponsor: Rep. Philip E. Hoffman
Committee: State Affairs

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H.B. 5057 (11-9-89)

THE APPARENT PROBLEM:

State land in Jackson County that is under the jurisdiction of the Department of Corrections (DOC) could be used by Blackman Township to build a fire station. The facility would serve the nearby Jackson prison complex. Legislation is needed to transfer the land from the jurisdiction of the DOC to Blackman Township.

THE CONTENT OF THE BILL:

The bill would convey to Blackman Township, for consideration of \$1, a parcel of land located in Jackson County near the northeast corner of O'Leary and Blackman roads. The conveyance authorized by the bill would be by quitclaim deed, approved by the attorney general, with the state reserving all rights to coal, oil, gas, and other minerals found on, within, or under the conveyed lands. Revenue from the conveyance would be deposited in the state treasury and credited to the general fund.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no fiscal implications. (11-8-89)

ARGUMENTS:

For:

The Jackson prison complex is at present served by a Blackman Township fire station that is farther away from the complex than the property in the proposed conveyance. Since the township is under obligation to serve the prison, and would build a fire station on the property, it makes sense to convey the land to it.

Against:

The description of the property contained in the bill is inaccurate. The property is located near the northeast corner of O'Leary and Elm roads in Blackman Township, not the northeast corner of O'Leary and Blackman roads. An amendment is needed to correct this error.

Against:

The bill should be amended to include the standard reverter clause included in conveyance bills stating that the property would revert to the state if not used for its designated purpose, and that the state would assume no liability for improvements made at the county's expense.

POSITIONS:

There are no positions on the bill.