



**House
Legislative
Analysis
Section**

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CONVEY DOC PROPERTY TO BLACKMAN TWP.

**House Bill 5057 as enrolled
Second Analysis (1-31-90)**

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

FILED

JAN 31 1990

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H.B. 5057 (1-31-90)

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 fair market value, as determined by the Department of Corrections, five acres of land located in Jackson County near the northeast corner of O'Leary and Elm roads, to be used as the location for a fire barn. The conveyance authorized by the bill would be by 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 and the Department of Management and Budget, the property has not yet been surveyed nor appraised; therefore, the revenue anticipated from the sale cannot be determined. (1-31-90)

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 sell the land to the township.

Against:

According to the rules of the Joint Capital Outlay subcommittee, a survey and a tax appraisal of state-owned property must first be undertaken before legislation is introduced to convey the property. These rules were not followed, and, according to the Department of Management and Budget, it will take approximately three months to complete the survey and appraisal. The bill should be amended to reflect the fact that this procedure will be followed.