

SFA

BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

• (517) 373-5383

House Bill 4502 (Substitute H-3 as reported with amendment)
Sponsor: Representative Philip Hoffman
House Committee: State Affairs
Senate Committee: State Affairs, Tourism, and Transportation

Date Completed: 3-28-90

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RATIONALE

Farwell, Pine Hill, Rainbow, and Fox Lakes in Jackson County constitute a chain of natural inland lakes, channels, and artificial lakes known as the Farwell Lake Chain. The Department of Natural Resources (DNR) purchased property on Pine Hill Lake three years ago to provide a public access site to the chain of lakes. Payment was made by a waterways public access site appropriation from the State Recreational Land Acquisition Trust Fund. The DNR acquisition, however, met with opposition from a riparian property owners' association on Farwell Lake, which sought to keep the lake "private", and which was concerned that a State-owned public access site would lead to littering and vandalism problems. Because of the controversy, the public access site has never been developed. After three years of negotiation between those who wanted the lake to remain private--the property owners' association and the local township--and those who wanted public access to fishing and boating--the DNR and the Michigan United Conservation Clubs--it apparently was agreed that the property should remain under local control, and that it should be conveyed to Hanover Township. The township would maintain the property as a public park for recreational purposes and for a boat launch.

CONTENT

The bill would authorize the Department of Natural Resources to convey, by quitclaim deed

and without consideration, three parcels of property to Hanover Township in Jackson County. The conveyance would have to be made for public boating access and recreation purposes, and would have to provide that the property had to be used only for public park purposes and be open to all residents of the State on the same terms, fees, and conditions. Upon termination of public park use, or use for any other purpose, the property would revert immediately to the State, which would assume no liability for any improvements made by the township. The State would retain all coal, oil, gas, and metallic minerals rights in the property.

SENATE COMMITTEE ACTION

The Senate Committee adopted an amendment to reserve to the State all coal, oil, gas, and metallic mineral rights in the property.

FISCAL IMPACT

The bill would have a minimal impact on State government. The parcel was purchased by the Department of Natural Resources for \$29,750 and annual taxes have been less than \$100.

ARGUMENTS**Supporting Argument**

Conveyance of the three parcels of property would help ensure that people would have access to some of the area's most attractive

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lakes for boating and fishing. Under the bill, Hanover Township would be required to develop the property for "public boating access and recreation purposes". Should the township attempt to use the land for any other purpose, the property would revert to the State.

Legislative Analyst: L. Burghardt
Fiscal Analyst: G. Cutler

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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.