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BILL ANALYSIS

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Senate Fiscal Agency

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House Bill 4446 (as reported without amendment)

Sponsor: Representative Sidney Ouwinga

House Committee: State Affairs

Senate Committee: State Affairs, Tourism, and Transportation

Date Completed: 5-5-87

RATIONALE

Redding Township is requesting the transfer of three acres of the AuSable State Forest, located in western Clare County, to expand its cemetery. The vacant three acres are located 20 miles northwest of the City of Clare, immediately east of the existing township cemetery. Currently, the cemetery does not have any vacant grave sites.

Transfer of the three acres through a public use deed is not possible because the State acquired the land by purchase in 1949. Thus, special legislation is needed to authorize the land transfer.

CONTENT

The bill would authorize the Department of Natural Resources to convey certain state-owned property to Redding Township in Clare County for \$1.

The property could be used only for public purposes. Upon termination of such use, or use for any other purpose, title would revert immediately to the State, which would assume no liability for any improvements made by Redding Township. The conveyance authorized by the bill would reserve to the State all rights to coal, oil, gas, and other minerals, and rights of ingress and egress for exploration and development purposes.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS**Supporting Argument**

Currently, the Redding Township cemetery does not have any vacant grave sites. Due to residential development near the cemetery, it can be extended only to adjacent State land. The bill would allow the township to expand the cemetery to add extra space for grave sites.

The Department of Natural Resources does not have the authority to give to local units of government land that has been purchased by the State. Because the State purchased the land adjacent to the cemetery in 1949, special legislation is necessary in order to allow the DNR to transfer the land to Redding Township.

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Fiscal Analyst: A. Rich

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.

H.B. 4446 (5-5-87)