



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 5211 (as passed by the House)
Sponsor: Representative Allen L. Lowe
House Committee: Regulatory Affairs
Senate Committee: Local, Urban and State Affairs

Date Completed: 2-12-96

CONTENT

The bill would authorize the State Administrative Board to convey to Clearwater Township, in Kalkaska County, for \$1, certain State-owned property located in Clearwater Township. The conveyance would have to require that the property be used exclusively for public purposes, and to provide that, upon termination of that use, title would revert immediately to the State, which would assume no liability for improvements made at the township's expense. The conveyance also would have to provide that if the property were used for a public park or for other public recreational purposes, all members of the public, residents nonresidents, or organizations, using the property would be subject to the same annual and daily fees, terms, and conditions. The township could waive daily fees or waive fees for the use of specific areas or facilities in the case of use by specified groups or classes of persons, but the waiver would have to apply to all members of that group or class regardless of their residence.

The conveyance would have to be by quitclaim deed approved by the Attorney General, and reserve to the State all rights to coal, oil, gas, and other minerals found on or under the property.

Legislative Analyst: S. Margules

FISCAL IMPACT

To the degree that the property is currently used for a public purpose and would be conveyed for a public purpose, the public purpose protected by a reverter clause, there would be no impact on the State except in terms of potential revenue associated with outright sale of the property or recompense for any original cost of the property. The Department of Natural Resources indicates that both timber and gravel are present on the site. Removal of these resources for other than a public purpose would be precluded under the proposed legislation.

It is apparently the intent of the township to lease the land to a nonprofit organization to establish memorials to veterans, and prisoners of war and law enforcement officers killed in the line of duty. Any lease payments, netted for any costs to the township, would represent a revenue to the township.

Fiscal Analyst: R. Abent

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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.