

Legislative Analysis



REMOVE DEED RESTRICTIONS ON MUNICIPAL FORESTLAND CONVEYED BY STATE

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House Bill 5114

Sponsor: Rep. Rich Brown

1st Committee: Natural Resources, Great Lakes, Land Use, and Environment

2nd Committee: Conservation, Forestry, and Outdoor Recreation

Complete to 11-9-05

A SUMMARY OF HOUSE BILL 5114 AS INTRODUCED 8-31-05

House Bill 5114 would amend the Natural Resources and Environmental Protection Act to make technical changes in the provisions to remove deed restrictions on municipal forest property conveyed by the state.

On May 24, 1995, when the Natural Resources and Environmental Protection Act was enacted into law, it repealed the Municipal Forest Act of 1931, and Section 324.52706 of NREPA was adopted instead. During the last legislative session, that section of NREPA was amended, with the intent that the Department of Natural Resources release its reversionary interest in municipal forestland conveyed to a public agency. The effective date of this new act was October 12, 2004. Consequently, the section of the law that was amended applied only to those conveyances of municipal forestland from the DNR made between May 24, 1995 and October 12, 2004. House Bill 5114 clarifies that the DNR would be required to release its reversionary interest in municipal forestland conveyed to a public agency before May 1995, and pursuant to the Municipal Forest Act of 1931, by striking the words "under this section" in subsection 324.52706(9), and in the definition of "municipal forestland".

Further, House Bill 5114 would amend the definition of "municipal forestland" to mean homestead, tax, swamp, or primary school land sold *by the department* (of Natural Resources), *the Department of Treasury, or a state officer having charge of state land* to a public agency solely for a forestry purpose, adding the words in italics, and eliminating the phrase "under this section."

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