

SUBSTITUTE FOR
SENATE BILL NO. 375

A bill to amend 1990 PA 345, entitled
"State survey and remonumentation act,"
by amending sections 2 and 12 (MCL 54.262 and 54.272), section 2 as
amended by 1998 PA 5 and section 12 as amended by 2002 PA 489.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Commission" means the director of the department of
3 ~~consumer and industry services~~ **ENERGY, LABOR, AND ECONOMIC GROWTH.**

4 (b) "County plan" means a county monumentation and
5 remonumentation plan under section 8.

6 (c) "Executive director" means the person appointed to that
7 office under section 7.

8 (d) "Fund" means the state survey and remonumentation fund
9 created in section 11.

1 (e) "Property controlling corner" for a property means a
2 public land survey corner or any property corner that does not lie
3 on a property line of the property in question but that controls
4 the location of 1 or more of the property corners of the property
5 in question.

6 Sec. 12. (1) Money in the fund shall be used by the commission
7 for the following purposes:

8 (a) Annual grants to the various counties to implement their
9 county plans, excluding the perpetual monument maintenance plan
10 described in section 8(2)(d).

11 (b) Annual grants to 2 or more counties to implement their
12 multicounty plan, excluding the perpetual monument maintenance plan
13 described in section 8(2)(d).

14 (c) The implementation of county plans that are initiated and
15 contracted for by the commission pursuant to section 8(4).

16 (d) An annual grant to each county that has a county plan or
17 to 2 or more counties that have a multicounty plan to implement the
18 perpetual monument maintenance plan described in section 8(2)(d).
19 The commission shall make not less than 5% of the total amount of
20 the fund available for grants under this subdivision.

21 (e) The payment of contracts that are entered into by the
22 commission under section 10.

23 (f) Other activities necessary, incidental, or appropriate to
24 implement this act.

25 (2) In addition to the purposes described in subsection (1),
26 money in the fund shall be used to pay the costs of expediting a
27 plan or to reimburse the cost described in section 8(6) and (7),

1 for a county or 2 or more counties that have elected to expend or
2 borrow funds to expedite the implementation of the county's or
3 counties' plan.

4 (3) Of the money collected and remitted to the state treasurer
5 for deposit in the fund pursuant to section 2567a of the revised
6 judicature act of 1961, 1961 PA 236, MCL 600.2567a, both of the
7 following shall apply:

8 (a) An annual grant to a county pursuant to subsection (1)(a)
9 or to 2 or more counties pursuant to subsection (1)(b) shall be in
10 an amount that is not less than 40% of the amount of money
11 collected in that county or those counties, as applicable, under
12 section 2567a of the revised judicature act of 1961, 1961 PA 236,
13 MCL 600.2567a, during the calendar year immediately preceding the
14 year in which the grant is made.

15 (b) If the commission initiates and contracts for the
16 implementation of a county plan for a county pursuant to section
17 8(4), the commission shall annually spend an amount that is not
18 less than 40% of the amount of money collected in that county under
19 section 2567a of the revised judicature act of 1961, 1961 PA 236,
20 MCL 600.2567a, during the calendar year immediately preceding the
21 year in which the expenditure is made, to implement that county
22 plan.

23 (4) If the commission contracts with a county or 2 or more
24 counties that elect to expend or borrow funds to expedite the
25 implementation of the county's or counties' plan under section
26 6(2), the commission shall annually pay to that county or counties
27 in lieu of any grant or payments under subsection (3) an amount

1 that is not less than 40% of the amount of money collected in that
2 county or counties under section 2567a of the revised judicature
3 act of 1961, 1961 PA 236, MCL 600.2567a, during the calendar year
4 and will be paid in annual installments until the contract is paid
5 in full.

6 (5) IN ADDITION TO THE PURPOSES DESCRIBED IN SUBSECTIONS (1)
7 AND (2), ANY AMOUNT OF MONEY NOT GREATER THAN \$500,000.00 THAT IS
8 APPROPRIATED BY THE LEGISLATURE TO PAY THE COSTS OF THE
9 MONUMENTATION OF THE MICHIGAN-INDIANA STATE BOUNDARY LINE PURSUANT
10 TO THE MICHIGAN AND INDIANA STATE LINE MONUMENT ACT SHALL BE USED
11 BY THE DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH ONLY FOR
12 THAT PURPOSE. HOWEVER, THE APPROPRIATION DESCRIBED IN THIS
13 SUBSECTION SHALL NOT COME FROM MONEY COLLECTED AND REMITTED TO THE
14 STATE TREASURER FOR DEPOSIT IN THE FUND PURSUANT TO SECTION 2567A
15 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2567A.

16 Enacting section 1. This amendatory act does not take effect
17 unless Senate Bill No. 374 of the 95th Legislature is enacted into
18 law.