



Senate Bills 715 (as reported by the Committee of the Whole)

Sponsor: Senator Doug Carl

Committee: Transportation and Tourism

CONTENT

The bill would amend Public Act 341 of 1927, which regulates the abandonment, discontinuation, and alteration of public highways bordering lakes and streams, to provide for the conveyance or relinquishment of control to the State or to a township, if applicable, of public roads that serve as access sites to lakes and streams and that are proposed for discontinuation, alteration, abandonment, or vacation. The Department of Natural Resources (DNR) or the township in which the highway was located would have to determine whether the property should be retained as a public access site. The township in which the highway was situated would have first priority to obtain the property or control of it as a public access site. If a township later proposed to transfer the property or its control, the township would have to give the DNR first priority. If the State obtained the property or control of it, the property would have to be under the jurisdiction of the DNR. The State could retain title to the property, transfer title to a local unit of government, or deed the property to the adjacent property owners. If the property were purchased by the State from restricted fund revenue, money obtained from the sale of the property would have to be returned to that restricted fund.

If interest in the property were conveyed or control relinquished to a local unit or the State, the local unit or the State would have to operate and maintain the property so as to prevent and eliminate garbage and litter accumulation, unsanitary conditions, undue noise, and congestion. If the local unit or the State failed to do so, the circuit court could order it to close the road ending for up to 30 days. Proceedings under this provision could be initiated by application to the court of seven landowners in the city or village. If the local unit or State failed to satisfy the bill's requirements after the road ending was reopened following these proceedings, the court could order it to quitclaim the property or relinquish control to the adjacent landowners.

The bill also would change the application, notification, and hearing requirements concerning public roads that are access sites to lakes and streams and that are proposed for abandonment or alteration.

MCL 247.41-247.46

Legislative Analyst: S. Margules

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government dependent upon the amount of land involved, whether the Department of Natural Resources or townships decided to retain a parcel as a public access site, its value, and the potential taxes and maintenance costs to be paid upon it.

Date Completed: 2-5-96

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.