



HOUSE BILL No. 5636

April 18, 2000, Introduced by Reps. Rick Johnson, Cassis, Sheltroun, Rivet, Birkholz, Neumann, Gosselin, Bisbee, Richardville, Allen, Mans, Caul, Ehardt, Shackleton, Kowall, Garcia, Pumford, Jelinek and Julian and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 52706 (MCL 324.52706), as added by 1995 PA
57.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 52706. (1) The department, the auditor general, or
2 other state officer having charge of state land ~~—~~ may sell
3 homestead, tax, swamp, or primary school land to municipalities
4 for forestry purposes, at a price fixed by the department, audi-
5 tor general, or other state officer. However, land shall not be
6 sold in excess of the amount that may be necessary for the munic-
7 ipality, and any land that is sold shall be suitable for and used
8 solely for a forestry purpose. ~~When~~ EXCEPT AS PROVIDED IN
9 SUBSECTION (2), WHEN the land described in this section is no

1 longer used for a forestry purpose, the land shall revert to the
2 state.

3 (2) A SCHOOL DISTRICT THAT HAS RECEIVED LAND UNDER SUBSEC-
4 TION (1) MAY PETITION THE DEPARTMENT ON A FORM PROVIDED BY THE
5 DEPARTMENT FOR A CHANGE IN DEED RESTRICTIONS THAT WOULD REMOVE
6 THE DEPARTMENT'S REVERSIONARY INTEREST IN THE LAND. WITHIN 30
7 DAYS OF RECEIPT OF A PETITION UNDER THIS SUBSECTION, THE DEPART-
8 MENT SHALL GRANT THE PETITION UNLESS THE DEPARTMENT DETERMINES
9 THAT THE LAND IS OF SIGNIFICANT ENVIRONMENTAL INTEREST TO THE
10 STATE. NOT MORE THAN 60 DAYS AFTER APPROVAL OF A PETITION UNDER
11 THIS SUBSECTION, THE DEPARTMENT SHALL CONVEY THE PROPERTY OR THE
12 STATE'S INTEREST IN THE PROPERTY TO THE SCHOOL DISTRICT WITHOUT
13 DEED RESTRICTIONS. IF THE DEPARTMENT DENIES A PETITION UNDER
14 THIS SUBSECTION, THE DEPARTMENT SHALL NOTIFY THE PETITIONER OF
15 THE DENIAL, SHALL STATE THE SPECIFIC REASONS FOR THE DENIAL, AND
16 SHALL INFORM THE PETITIONER OF ITS RIGHT TO A CONTESTED CASE
17 HEARING BEFORE THE COMMISSION. A SCHOOL DISTRICT WHOSE PETITION
18 IS DENIED UNDER THIS SUBSECTION MAY DEMAND A CONTESTED CASE HEAR-
19 ING ON THE MATTER BEFORE THE COMMISSION. THE CONTESTED CASE
20 HEARING SHALL BE HELD IN COMPLIANCE WITH THE ADMINISTRATIVE PRO-
21 CEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328.