

HOUSE BILL No. 5718

(As passed the Senate, May 9, 2002)

February 21, 2002, Introduced by Rep. Lipsey and referred to the Committee on House Oversight and Operations.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 33934, 42506, 47104, and 52706 (MCL
324.33934, 324.42506, 324.47104, and 324.52706), section 33934 as
added by 1995 PA 59 and sections 42506, 47104, and 52706 as added
by 1995 PA 57.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 33934. (1) ~~In all cases where~~ IF default is made in
2 the payment of taxes to the treasurer of the township, city, or
3 village in which the lands leased are located, the same shall be
4 returned to the county treasurer according to and subject to the
5 provisions of law for the return and collection of unpaid taxes
6 assessed upon real estate. The treasurer of the township, city,
7 or village, at the same time that he or she makes returns to the
8 county treasurer, shall make and transmit to the department a

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1 list of the lands so delinquent for taxes and the amount of taxes
2 delinquent upon each description in the list. The county trea-
3 surer shall, at the same time he or she makes his or her return
4 of delinquent lands to the ~~auditor general~~ DEPARTMENT OF
5 TREASURY, make a similar return to the department of all such
6 leasehold interests, the taxes upon which have not been col-
7 lected, with a statement of the amount thereof. The county trea-
8 surer shall not receive payment of the amount of any taxes
9 assessed upon such leasehold interests; but such taxes when
10 returned delinquent by the township treasurer shall be payable
11 only to the department. The department shall provide suitable
12 books and enter in those books the description of every leasehold
13 interest so returned and the taxes thereon. The person holding
14 such interest in any parcel of ~~said lands~~ THIS LAND may pay to
15 the department at any time within 1 year after the same becomes a
16 lien on the premises, the taxes assessed thereon, with interest
17 at the rate of 1/2 of 1% per month or fraction thereof, with 4%
18 as a collection fee, from the first day of March last preceding.
19 However, if the taxes are not paid within ~~the time herein speci-~~
20 ~~fied, said~~ THIS TIME PERIOD, THE leasehold interest ~~shall~~
21 ~~stand~~ IS forfeited because of the nonpayment of ~~such~~ THE
22 taxes, and within its discretion the department may release
23 ~~said~~ THE premises to any person for any term of years not
24 exceeding 99 years, upon ~~such~~ THAT person paying to the depart-
25 ment all unpaid taxes ~~thereon~~ ON THE LAND, together with such
26 rental as may be determined upon under this part by the
27 department. ~~In the event any such~~

1 (2) IF THE leasehold interest is owned by 2 or more persons,
2 and any 1 or more of the persons neglect or refuse to pay his or
3 her or their proportionate share of the taxes assessed against
4 the leasehold at the date when the taxes become due and payable,
5 then any 1 or more of the owners may pay his or her or their pro-
6 portionate share of the taxes, and the county treasurer, in his
7 or her return of delinquent lands to the department, shall indi-
8 cate ~~said~~ partial payments of taxes credited to the owner or
9 owners making them. Any owner not having made payment of his or
10 her proportionate share of the taxes may, at any time within 1
11 year after the taxes have become a lien on the premises, pay to
12 the department his or her proportionate share of the taxes with
13 interest at the rate of 1% per month or fraction thereof, from
14 the first day of March last preceding. If the proportionate
15 share of taxes of any such owner is not paid within ~~the time~~
16 ~~herein specified~~ THIS TIME PERIOD, the interest of the owner in
17 the leasehold ~~shall stand~~ IS forfeited because of the nonpay-
18 ment of ~~such~~ THE taxes, and thereafter within 30 days, such of
19 the owners as have paid their proportionate share of the taxes,
20 upon payment to the department of the amount of the taxes remain-
21 ing due with interest accrued to the date of forfeiture, shall be
22 entitled to conveyances by the department of ~~such~~ THE interests
23 in the leasehold ~~as~~ THAT have been forfeited. The interest
24 thus conveyed shall be allotted equally among those owners who
25 shall pay the delinquent taxes with interest as provided in this
26 section.

1 (3) If default is made by any lessee in the payment of
2 taxes, he or she shall be notified in writing by the department
3 at least 3 months before the date of final forfeiture of the
4 amount due and the penalty for nonpayment and the date upon which
5 forfeiture is to occur.

6 (4) Upon payment to the department of taxes and interest as
7 provided in this section, ~~such~~ THE PAYMENT amount shall be
8 credited to the county in which such leasehold interests were
9 assessed, in the same manner as taxes and interest are now cred-
10 ited to counties on part-paid state lands.

11 (5) Immediately upon formal determination by the department
12 that a lease has been forfeited under this part, a certificate of
13 cancellation of the ~~same~~ LEASE shall be executed under the seal
14 of the department and shall be forwarded to the register of deeds
15 of the county ~~wherein such~~ WHERE THE land is situated. Upon
16 receipt of ~~such~~ THIS certificate, the register of deeds shall
17 at once cause ~~the same~~ IT to be recorded in a suitable book to
18 be provided by ~~said~~ THE register OF DEEDS. If the lease is of
19 record in ~~said office~~ THE REGISTER OF DEEDS, the register OF
20 DEEDS shall note ~~thereon~~ ON THE LEASE the fact that a certifi-
21 cate of cancellation has been issued and shall also note the
22 citation to the record of such certificate.

23 Sec. 42506. All money received from the sale of licenses as
24 provided in this part shall be forwarded to the ~~auditor general~~
25 STATE TREASURER and placed to the credit of the game and fish
26 protection fund created in part 435, and shall be used for the

1 purpose necessary to the protection, propagation, and
2 distribution of game and fur-bearing animals as provided by law.

3 Sec. 47104. The unexpended balance of any appropriation to
4 implement this part at the end of the year for which the appro-
5 priation is made shall be carried forward to the credit of the
6 department, if the department certifies to the ~~auditor general~~
7 ~~and the~~ state treasurer that the money is needed for the pur-
8 chase of additional grounds, for making permanent improvements
9 upon any of its property, or for equipment or labor.

10 Sec. 52706. The department, the ~~auditor general~~
11 DEPARTMENT OF TREASURY, or other state officer having charge of
12 state land, may sell homestead, tax, swamp, or primary school
13 land to municipalities for forestry purposes, at a price fixed by
14 the department, ~~auditor general~~ DEPARTMENT OF TREASURY, or
15 other state officer. However, land shall not be sold in excess
16 of the amount that may be necessary for the municipality, and any
17 land that is sold shall be suitable for and used solely for a
18 forestry purpose. When the land described in this section is no
19 longer used for a forestry purpose, the land shall revert to the
20 state.