

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Senator Casperson

ENROLLED SENATE BILL No. 617

AN ACT to amend 1967 PA 168, entitled “An act to authorize the state administrative board to convey certain lands and to cede a certain water area in Alger county to the United States of America for use by the national park service; and to declare the effect thereof,” by amending sections 1 and 4 (MCL 3.451 and 3.454) and by adding sections 4a, 4b, and 4c.

The People of the State of Michigan enact:

Sec. 1. The state administrative board may convey by quitclaim deed or deeds the title to lands vested in the state of Michigan and under the jurisdiction of the department of natural resources and may cede the offshore water area, without any monetary consideration, for and on behalf of the state of Michigan, to the United States of America, as lie within the boundaries of the Pictured Rocks national lakeshore as depicted on the map identified as “proposed Pictured Rocks national lakeshore, United States department of the interior, national park service, boundary map NL-PR-7001A, July, 1966”, to be used by the United States department of the interior. The natural resources commission shall approve the descriptions and total acreage of land to be conveyed and water area to be ceded.

Sec. 4. The jurisdiction of the lands and water area described in section 1 is ceded to the United States of America upon the express condition that the state of Michigan shall retain concurrent jurisdiction, both civil and criminal, over persons on the lands and water area, so that all civil and criminal process issued by any court of competent jurisdiction or officer having authority of law to issue process and all orders made by the court, or any judicial officer authorized to make the orders necessary to be served upon any person, may be executed upon the lands and water area in the same manner as if jurisdiction had not been ceded.

Sec. 4a. (1) If the United States desires to acquire concurrent legislative jurisdiction over the lands and waters within the Pictured Rocks national lakeshore that have not previously been ceded under section 4, the United States shall submit an application, in writing, to the governor. Upon receipt of the application, the governor may cede to the United States jurisdiction, not exceeding that requested by the United States, over any or all of the lands or waters for which jurisdiction has been applied, and reserving to this state concurrent jurisdiction as the governor considers appropriate.

(2) An application submitted under subsection (1) shall state the measure of jurisdiction desired and shall be accompanied by an accurate description of the lands or waters, or both, over which jurisdiction is desired and information as to which of the lands are owned by the United States.

(3) The cession of jurisdiction under this section becomes effective when it is accepted on behalf of the United States. Acceptance by the United States shall be indicated in writing upon the instrument of cession by an authorized official of the United States and shall be filed with the secretary of state of this state.

Sec. 4b. (1) This state reserves jurisdiction as follows over lands and waters within the Pictured Rocks national lakeshore, to which legislative jurisdiction is ceded to the United States under this act:

(a) The state's entire legislative jurisdiction with respect to taxation by this state or a political subdivision of this state.

(b) The state's entire legislative jurisdiction with respect to marriage, divorce, annulment, adoption, commitment of the mentally incompetent, and descent and distribution of property.

(c) Concurrent or separate power to enforce the criminal law.

(d) The power to execute any process, civil or criminal, issued under authority of this state.

(2) A person residing on lands within the Pictured Rocks national lakeshore, to which legislative jurisdiction is ceded to the United States under this act, shall not be deprived of any civil or political rights, including the right of suffrage, by reason of the cession of jurisdiction to the United States.

Sec. 4c. If the United States offers to this state a relinquishment of legislative jurisdiction over lands within the Pictured Rocks national lakeshore, the governor may accept on behalf of this state the legislative jurisdiction offered to be relinquished. The governor shall indicate his or her acceptance of relinquished legislative jurisdiction by a writing addressed to the head of the appropriate department or agency of the United States. The acceptance is effective when deposited in a United States post office or mailbox.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Gay E. Randall

Clerk of the House of Representatives

Approved

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Governor