

SB-0627, House Concurred, May 10, 2022

SB-0627, Senate Concurred, May 4, 2022

SB-0627, As Passed House, April 28, 2022

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 627

A bill to provide for the recovery or replacement of durable monuments defining the Michigan-Indiana state line; to create a commission; to provide for the powers and duties of certain state and local governmental officers and agencies; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act may be cited as the "Michigan-Indiana state  
2 line remonumentation act".

3           Sec. 3. As used in this act:

4           (a) "Commission" means the Michigan-Indiana state line  
5 commission established in section 5(1).

6           (b) "County peer review group" means a county peer review  
7 group appointed under section 9b of the state survey and

1 remonumentation act, 1990 PA 345, MCL 54.269b.

2 (c) "Department" means the department of licensing and  
3 regulatory affairs.

4 (d) "Monument" means a relatively permanent physical marker  
5 that occupies the position of a corner and that possesses or is  
6 made to possess a magnetic field.

7 Sec. 5. (1) The Michigan-Indiana state line commission is  
8 established in the department of licensing and regulatory affairs.

9 (2) The commission shall consist of 5 surveyors licensed in  
10 this state, 1 of whom is a resident of each of the following  
11 counties:

12 (a) Berrien County.

13 (b) Cass County.

14 (c) St. Joseph County.

15 (d) Branch County.

16 (e) Hillsdale County.

17 (3) The governor shall appoint members of the commission, by  
18 and with the advice and consent of the senate. The governor shall  
19 consider for appointment individuals previously appointed to the  
20 Indiana-Michigan boundary line commission pursuant to former 2010  
21 PA 259.

22 (4) The term of a member of the commission is 2 years or until  
23 a successor is appointed, whichever is later.

24 (5) If a vacancy occurs on the commission, the governor,  
25 subject to subsection (3), shall appoint an individual to fill the  
26 vacancy for the balance of the term.

27 (6) The governor may remove a member of the commission for  
28 incompetence, dereliction of duty, malfeasance, misfeasance, or  
29 nonfeasance in office, or any other good cause.

1           (7) The first meeting of the commission shall be called by a  
2 majority of the members of the commission. The first meeting shall  
3 be held not later than **September** 15, 2022. At the first meeting,  
4 the commission shall elect from among its members a chairperson and  
5 other officers as it considers necessary or appropriate. After the  
6 first meeting, the commission shall meet at least quarterly, or  
7 more frequently at the call of the chairperson or if requested by 3  
8 or more members.

9           (8) A majority of the members of the commission constitute a  
10 quorum for transacting business. A vote in favor by a majority of  
11 the members serving is required for any action of the commission.

12           (9) The commission shall conduct its business in compliance  
13 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

14           (10) A writing that is prepared, owned, used, possessed, or  
15 retained by the commission in performing an official function is  
16 subject to the freedom of information act, 1976 PA 442, MCL 15.231  
17 to 15.246.

18           (11) A member of the commission is not entitled to  
19 compensation for service on the commission but may be reimbursed  
20 for actual and necessary expenses incurred in serving.

21           Sec. 7. (1) Subject to subsection (2), the commission shall do  
22 all of the following:

23           (a) Administer a survey and remonumentation of the Michigan-  
24 Indiana state line.

25           (b) Recover or reestablish monuments at the mileposts and  
26 intermediate monument control points of the Michigan-Indiana state  
27 line as established in the 1827 federal survey that defined that  
28 line. The commission also shall recover or reestablish monuments at  
29 the posts originally set at or near the shores of lakes and large

1 rivers of the Michigan-Indiana state line as established in the  
2 1827 federal survey, or witness corners for set posts. The  
3 commission shall review the survey upon completion of each  
4 milepost.

5 (c) Compile appropriate records and documents verifying the  
6 location of the mileposts and submit those records and documents to  
7 the respective county peer review groups.

8 (d) Resolve any differences revealed by the survey between  
9 record documents and recovered evidence regarding the location of  
10 mileposts defining the Michigan-Indiana state line.

11 (e) Provide regular updates to the department's office of land  
12 survey and remonumentation.

13 (2) The director of the department's office of land survey and  
14 remonumentation shall keep the state survey and remonumentation  
15 commission created under section 3 of the state survey and  
16 remonumentation act, 1990 PA 345, MCL 54.263, apprised of the  
17 Michigan-Indiana state line commission's progress in discharging  
18 its duties under subsection (1).

19 (3) The commission shall not replace lost corner positions if  
20 the state of Indiana does not participate in the survey and  
21 remonumentation project as authorized by Indiana law.

22 (4) To accomplish the purposes of this act, the commission or  
23 its representative may meet and collaborate with a similar  
24 commission established by the state of Indiana or that commission's  
25 representative.

26 Sec. 9. (1) Upon completion of the survey and remonumentation,  
27 the commission shall do both of the following:

28 (a) Submit the survey to the legislature of this state. The  
29 survey shall be accompanied by a report of the commission that

1 states whether there are differences between the survey and the  
2 survey of a similar commission established by the state of Indiana  
3 and explains any differences.

4 (b) For each post originally set at or near the shore of a  
5 lake or large river or milepost determined under this act, the  
6 commission shall do both of the following:

7 (i) File with the appropriate county register of deeds a land  
8 corner recordation certificate under the state corner recordation  
9 act, 1970 PA 74, MCL 54.201 to 54.210d, that provides appropriate  
10 references and Michigan state plane coordinates.

11 (ii) File a copy of the certificate under subdivision (a) with  
12 the state survey and remonumentation commission created under  
13 section 3 of the state survey and remonumentation act, 1990 PA 345,  
14 MCL 54.263.

15 Sec. 11. The commission shall procure professional surveying  
16 services through negotiated contracts. The commission shall award  
17 contracts only to persons incorporated in this state or with a  
18 principal place of business in this state.

19 Sec. 13. This act is repealed effective January 1, 2026.

20 Enacting section 1. This act takes effect 60 days after the  
21 date it is enacted into law.