

SENATE BILL NO. 627

September 01, 2021, Introduced by Senator LASATA and referred to the Committee on Appropriations.

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 monumentation act".

3 Sec. 3. As used in this act:

4 (a) "Commission" means the Michigan-Indiana state line

1 commission established in section 5(1).

2 (b) "Monument" means a relatively permanent physical marker.

3 Sec. 5. (1) The Michigan-Indiana state line commission is
4 established.

5 (2) The commission consists of 10 members, 5 from the state of
6 Indiana and 5 from this state, who shall be known as state line
7 commissioners. The 5 members from the state of Indiana shall be
8 appointed under the laws of the state of Indiana. The 5 members
9 from this state are the elected county surveyors of Berrien County,
10 Cass County, St. Joseph County, Branch County, and Hillsdale County
11 and shall serve ex officio.

12 (3) The first meeting of the commission shall be called by the
13 director of the department of labor and economic opportunity. At
14 the first meeting of the commission, the commission shall elect
15 from among its members a chairperson and other officers as it
16 considers necessary or appropriate. After the first meeting, the
17 commission shall meet at least quarterly, or more frequently at the
18 call of the chairperson or if requested by 6 or more members.

19 (4) A majority of the members of the commission appointed from
20 this state and a majority of the members of the commission
21 appointed from the state of Indiana, together, constitute a quorum
22 for transacting business. A vote in favor by a majority of the
23 members serving is required for any action of the commission.

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

26 (6) A writing that is prepared, owned, used, possessed, or
27 retained by the commission in performing an official function is
28 subject to the freedom of information act, 1976 PA 442, MCL 15.231
29 to 15.246.

1 (7) A member of the commission appointed from this state is
2 not entitled to compensation for service on the commission but may
3 be reimbursed for actual and necessary expenses incurred in
4 serving.

5 Sec. 7. The commission shall do all of the following:

6 (a) Administer a survey and remonumentation of the Michigan-
7 Indiana state line.

8 (b) Recover or reestablish monuments at the mileposts and
9 intermediate monument control points of the Michigan-Indiana state
10 line as established in the 1827 federal survey that defined that
11 line. The commission also shall recover or reestablish monuments at
12 the posts originally set at or near the shores of lakes and large
13 rivers of the Michigan-Indiana state line as established in the
14 1827 federal survey, or witness corners for set posts. The
15 commission shall review the survey upon completion of each
16 milepost.

17 (c) Compile appropriate records and documents verifying the
18 location of the mileposts, and process those records and documents
19 through the state survey and remonumentation commission created in
20 section 3 of the state survey and remonumentation act, 1990 PA 345,
21 MCL 54.263.

22 (d) Resolve any controversies regarding the location of
23 mileposts defining the Michigan-Indiana state line.

24 Sec. 9. For each milepost or the posts originally set at or
25 near the shores of lakes or large rivers determined under this act,
26 the commission shall do both of the following:

27 (a) File a Michigan land recordation certificate that provides
28 appropriate references and Michigan south zone state plane
29 coordinates with the appropriate county register of deeds.

1 (b) File a copy of the certificate under subdivision (a) with
2 the state survey and remonumentation commission created under
3 section 3 of the state survey and remonumentation act, 1990 PA 345,
4 MCL 54.263.

5 Sec. 11. The commission shall procure professional surveying
6 services through negotiated contracts. The commission shall award
7 contracts only to persons incorporated in this state or with a
8 principal place of business in this state.

9 Sec. 13. This act takes effect when the director of the
10 department of labor and economic opportunity certifies in writing
11 to the secretary of the senate and the speaker of the house of
12 representatives that legislation similar to this act has been
13 enacted into law by the state of Indiana and that the Indiana
14 legislation does both of the following:

15 (a) Enables the interstate cooperation necessary to effectuate
16 this act.

17 (b) Provides that the state of Indiana will share the
18 responsibilities and costs of determining the Michigan-Indiana
19 state line in an equitable manner.

20 Sec. 15. This act is repealed effective January 1, 2026.