

***** Act 81 of 2022 THIS NEW ACT IS EFFECTIVE JULY 18, 2022 *****

***** Act 81 of 2022 THIS ACT IS REPEALED BY ACT 81 OF 2022 EFFECTIVE JANUARY 1, 2026. See MCL 54.323 *****

MICHIGAN-INDIANA STATE LINE REMONUMENTATION ACT

Act 81 of 2022

AN ACT 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.

History: 2022, Act 81, Eff. July 18, 2022.

The People of the State of Michigan enact:

***** 54.311.new THIS NEW SECTION IS EFFECTIVE JULY 18, 2022 *****

***** 54.311.new THIS SECTION IS REPEALED BY ACT 81 OF 2022 EFFECTIVE JANUARY 1, 2026. See MCL 54.323 *****

54.311.new Short title.

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

History: 2022, Act 81, Eff. July 18, 2022.

***** 54.313.new THIS NEW SECTION IS EFFECTIVE JULY 18, 2022 *****

***** 54.313.new THIS SECTION IS REPEALED BY ACT 81 OF 2022 EFFECTIVE JANUARY 1, 2026. See MCL 54.323 *****

54.313.new Definitions.

Sec. 3. As used in this act:

- (a) "Commission" means the Michigan-Indiana state line commission established in section 5(1).
- (b) "County peer review group" means a county peer review group appointed under section 9b of the state survey and remonumentation act, 1990 PA 345, MCL 54.269b.
- (c) "Department" means the department of licensing and regulatory affairs.
- (d) "Monument" means a relatively permanent physical marker that occupies the position of a corner and that possesses or is made to possess a magnetic field.

History: 2022, Act 81, Eff. July 18, 2022.

***** 54.315.new THIS NEW SECTION IS EFFECTIVE JULY 18, 2022 *****

***** 54.315.new THIS SECTION IS REPEALED BY ACT 81 OF 2022 EFFECTIVE JANUARY 1, 2026. See MCL 54.323 *****

54.315.new Michigan-Indiana state line commission; establishment; membership; appointment; meetings; quorum; public meeting; compensation.

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

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

- (a) Berrien County.
- (b) Cass County.
- (c) St. Joseph County.
- (d) Branch County.
- (e) Hillsdale County.

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

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

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

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

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

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

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

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

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

History: 2022, Act 81, Eff. July 18, 2022.

***** 54.317.new THIS NEW SECTION IS EFFECTIVE JULY 18, 2022 *****

***** 54.317.new THIS SECTION IS REPEALED BY ACT 81 OF 2022 EFFECTIVE JANUARY 1, 2026.

See MCL 54.323 *****

54.317.new Duties of commission; replacement of lost corner positions; collaboration.

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

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

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

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

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

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

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

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

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

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See MCL 54.323 *****

54.319.new Submission of survey and report to legislature.

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

(a) Submit the survey to the legislature of this state. The survey shall be accompanied by a report of the commission that states whether there are differences between the survey and the survey of a similar commission established by the state of Indiana and explains any differences.

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

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

(ii) File a copy of the certificate under subdivision (a) with the state survey and remonumentation

commission created under section 3 of the state survey and remonumentation act, 1990 PA 345, MCL 54.263.

History: 2022, Act 81, Eff. July 18, 2022.

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See MCL 54.323 *****

54.321.new Professional surveying services; procurement.

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

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See MCL 54.323 *****

54.323.new Repeal of act.

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

History: 2022, Act 81, Eff. July 18, 2022.

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