



**House
Legislative
Analysis
Section**

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CONVEY DNR PROPERTY TO BAY COUNTY

**House Bill 4539 as enrolled
Second Analysis (6-15-89)**

**Sponsor: Rep. Thomas Hickner
House Committee: State Affairs
Senate Committee: State Affairs, Tourism, and
Transportation**

THE APPARENT PROBLEM:

The enactment of the Wetland Protection Act in 1980 altered some Department of Natural Resources' (DNR) plans to develop state parks on properties it had acquired for that purpose. One such site — the Pinconning Access Site at the mouth of the Pinconning River on Saginaw Bay — was planned as the Pinconning State Park. The project would have involved dredging the Pinconning River to provide a channel for two new boat launches, building campsites and a 20 to 30-site parking lot for cars and trailers, and installing bridges in low spots along a nature trail. Once it was discovered that the property included a wetlands area, however, the department's plans were abandoned. The site was leased to the county to relieve the department of the responsibility of traveling to and from the site to attend to maintenance of the site, and the county has now requested that the property be conveyed to it for use as a public park.

THE CONTENT OF THE BILL:

The bill would authorize the Department of Natural Resources to convey for \$1 state owned property on Saginaw Bay to Bay County. The conveyance would be by quitclaim deed, approved by the attorney general, and would provide that the property had been acquired by the state with the assistance of the Land and Water Conservation Fund, and would remain subject to the program requirements of the fund, as administered by the National Park Service. The conveyance would reserve all rights to coal, oil, gas, and other minerals to the state. The bill would also require that the conveyance provide that the property be used only for public park purposes, and that the park located on the property be open to all residents of the state on the same terms, fees, and conditions. Upon termination of public park use, or use for any other purpose, the property would revert immediately to the state, which would assume no liability for any improvement made by the county.

FISCAL IMPLICATIONS:

According to the Department of Natural Resources, the conveyance would result in no cost to the state. (4-26-89)

ARGUMENTS:

For:

Conveyance of the property would allow Bay County to develop as Pinconning Public Park a piece of land for which the Department of Natural Resources has no further use.