

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

• (517) 373-5383

**RECEIVED**

APR 17 1989

Mich. State Law Library

Senate Bill 76 (as reported without amendment)  
Sponsor: Senator Ed Fredricks  
Committee: State Affairs, Tourism, and Transportation

Date Completed: 2-22-89

**RATIONALE**

According to the Natural Resources Commission, the Commission in 1974 accepted as a gift a 21.32-acre tract of marshland in Park Township, Ottawa County. Subsequently, the township acquired title to 50 acres immediately to the east of the marshland tract for township park purposes, and the township has expressed the desire to acquire and manage the State-owned parcel in conjunction with its park site.

**CONTENT**

The bill would authorize the Department of Natural Resources to convey to Park Township for \$1 about 21.32 acres of marshland. The conveyance would have to provide for all of the following conditions:

- The property would be used in conjunction with adjacent park area and exclusively as a permanent wildlife, waterfowl, or natural area, whichever would prove the most beneficial to the public.
- No hunting of wildlife would be permitted unless for the public welfare.
- A suitable plaque would be erected on the site with the following inscription: "In Memory of James Nibbelink and Edith Winstrom by Ruby I. Winstrom and William Winstrom".

If the property were no longer used for the specified purpose, or were used for any other purpose, title to the land would revert immediately to the State, with the State

assuming no liability for improvements made at the township's expense.

The conveyance would be by quitclaim deed and would reserve to the State rights to all coal, oil, gas, and metallic minerals found on, within, or under the property. Revenue from the conveyance would be credited to the General Fund.

**FISCAL IMPACT**

The bill would result in a minimal (approximately \$60) cost savings to the State due to discontinued payment of taxes on the property. The commercial value of the parcel is limited due to the restrictions on the deed.

**ARGUMENTS****Supporting Argument**

While the State-owned parcel is suitable to be administered as a natural area, the swampy character of the land, coupled with deed covenants that prevent hunting, limits habitat management potential, according to the Natural Resources Commission. The Commission further reports that the township has contacted the original donor, who has agreed to the proposed transfer, provided the original deed restrictions continue to be observed.

Legislative Analyst: S. Margules

Fiscal Analyst: G. Cutler

**A8990/S76A**

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.