

SENATE BILL No. 136

February 27, 1991, Introduced by Senator EMMONS and referred to the Committee on State Affairs and Military/Veteran Affairs.

A bill to amend section 12 of Act No. 280 of the Public Acts of 1909, entitled

"An act to create a commission to be known as a public domain commission; to provide for the appointment of such a commission and to fix their terms of office; to prescribe their powers and duties; to make an appropriation to carry out the provisions of this act; and to repeal all acts and parts of acts inconsistent herewith,"

being section 322.212 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 12 of Act No. 280 of the Public Acts of
2 1909, being section 322.212 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 12. ~~When any sales are~~ IF A SALE IS made by the com-
5 mission, the deeds by which ~~said lands are~~ LAND OTHER THAN TAX
6 REVERTED LAND IS conveyed may reserve all mineral, coal, oil, and
7 gas rights to the state but DEEDS BY WHICH ALL LANDS ARE CONVEYED

1 BY THE COMMISSION shall not reserve the rights to sand, gravel,
2 clay, or other nonmetallic minerals. The commission ~~shall have~~
3 ~~power to~~ MAY make contracts with private individuals or corpora-
4 tions for taking ore, coal, gas, or oil from ~~said lands~~ THAT
5 LAND upon a royalty basis upon ~~such~~ terms ~~as~~ the commission
6 ~~may deem~~ CONSIDERS just and equitable. The commission ~~shall~~
7 also ~~have power to~~ MAY provide that all deeds issued for
8 ~~lands~~ LAND along water courses and streams ~~shall~~ contain a
9 clause reserving the rights of ingress and egress ~~—~~ over and
10 across ~~said lands~~ THE LAND. ~~Wherever~~ IF an exchange of land
11 is made, either with the United States government, a corporation,
12 or an individual, for the purpose of consolidating the state
13 forest reserves, the commission may issue ~~such~~ deeds to the
14 United States government, corporation, or individual ~~—~~ without
15 reserving to the state the mineral, coal, oil, and gas rights and
16 the rights of ingress and egress. The commission ~~is hereby~~
17 ~~authorized to~~ MAY sell the limestone, sand, gravel, or other
18 nonmetallic minerals. The commission ~~is authorized to~~ MAY sell
19 all reserved mineral, coal, oil, and gas rights to ~~such lands~~
20 LAND upon ~~such~~ terms and conditions ~~as~~ the commission ~~may~~
21 ~~deem~~ CONSIDERS proper. The owner of ~~such lands~~ THE LAND as
22 shown by the records shall be given priority ~~in case~~ IF the
23 commission ~~shall authorize~~ AUTHORIZES any sale of ~~such lands~~
24 LAND, and unless he ~~shall waive such~~ OR SHE WAIVES THOSE
25 rights, the commission shall not sell ~~such~~ THE rights to any
26 other person. For the purpose of this section, "mineral rights"

1 ~~shall~~ DOES not include "sand, gravel, clay, or other
2 nonmetallic minerals".