



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bills 716 (as reported by the Committee of the Whole)
Sponsor: Senator John D. Cherry, Jr.
Committee: Transportation and Tourism

CONTENT

The bill would amend the county road law to provide for the conveyance or relinquishment of control to the State or to a township, if applicable, of county roads that serve as access sites to lakes and streams and that are proposed for discontinuation, alteration, abandonment, or vacation. The Department of Natural Resources (DNR) and the township or municipality in which the road was located would have to determine whether the property should be retained as a public access site. If the road were situated in a township, the township would have first priority and the DNR would have second priority to retain the property as a public access site. If the road were not situated in a township, the DNR would have first priority to retain the property. If a township obtained the property and later proposed to transfer it, the DNR would have first priority to obtain the property or jurisdiction over it. If the State obtained the property or jurisdiction over it, the property would be under the jurisdiction of the DNR. The State could retain title to the property, transfer title to a local unit of government, or deed the property to the adjacent property owners. If the property were purchased by the State from restricted fund revenue, money obtained from the sale of the property would have to be returned to that restricted fund.

If interest in the property were conveyed or control relinquished to a local unit or the State, the local unit or the State would have to operate and maintain the property so as to prevent and eliminate garbage and litter accumulation, unsanitary conditions, undue noise, and congestion. If the local unit or the State failed to do so, the circuit court could order it to close the road ending for up to 30 days. Proceedings under this provision could be initiated by application of seven landowners in the township to the court. If the local unit or State failed to satisfy the bill's requirements after the road ending was reopened following these proceedings, the court could order it to quitclaim the property or relinquish control to the adjacent landowners.

MCL 224.18

Legislative Analyst: S. Margules

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government dependent upon the amount of land involved, whether the Department of Natural Resources or townships decided to retain a parcel as a public access site, its value, and the potential taxes and maintenance costs to be paid upon it.

Date Completed: 2-5-96

Fiscal Analyst: G. Cutler
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