
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 5084 (Substitute H-1 as passed by the House)
Sponsor: Representative Agnes Dobronski
House Committee: Local Government
Senate Committee: Local, Urban and State Affairs

Date Completed: 11-12-97

CONTENT

The bill would amend the State Survey and Remonumentation Act to do the following:

- Permit a county or two or more counties to expedite a monumentation and remonumentation plan.**
- Require the amount spent or borrowed for expediting a plan to be paid from the State Survey and Remonumentation Fund.**
- Permit a county or counties to recapture money that was spent or borrowed to expedite a plan before January 1, 1991.**
- Increase the grant to a county or counties to implement a plan from 20% to 40% of the money collected in the county or counties by a register of deeds for recording an instrument.**

Each county is required under the Act to establish a county monumentation and remonumentation plan that, among other things, provides for the monumentation or remonumentation of the entire county within 20 years. The plan also must include a perpetual monument maintenance plan that provides for all corners to be checked, and if necessary remonumented, at least once every 20 years. A county's plan must be approved by the Commission. (The bill would revise the definition of "commission" to delete reference to the State Survey and Remonumentation Commission, and define Commission, instead, as the Director of the Department of Consumer and Industry Services.)

Under the bill, upon the establishment and approval by the Commission of a county plan, a county could spend or borrow funds to expedite the completion of its plan. If a county or two or more counties elected to spend or borrow funds to expedite their county plan, the Commission would have to enter into a contract to provide that the costs to expedite that plan would be reimbursed or paid from the State Survey and Remonumentation Fund. A county or two or more counties that spent or borrowed money to expedite their county plan after January 1, 1991, could recapture costs spent or borrowed and used to expedite that plan, which would have to be paid out of the Fund. The Commission would have to pay those costs to the county over a period of at least 10 years.

Of the money collected and remitted to the State Treasurer for deposit in the Fund, the Act provides that an annual grant to a county or to two or more counties to implement their plans must be in an amount that is not less than 20% of the money collected in that county or those counties, under the Revised Judicature Act, during the calendar year immediately preceding the year in which the grant is made. The bill would increase that percentage to 40%. (Under the Revised Judicature Act, a county register of deeds is required to collect a \$2 fee for recording any instrument. The fees collected must be remitted quarterly to the State Treasurer and deposited in the Survey and

Remonumentation Fund, except that a county may retain up to 1-1/2% of each \$2 fee collected to cover administrative costs. (MCL 600.2567a.)

In addition, if the Commission initiates and contracts for implementation of a county plan, the Commission annually must spend an amount that is not less than 20% of the aggregate amount of money collected in the county pursuant to the Revised Judicature Act. The bill would increase the grant and expenditure to 40% of the money collected in the county. If the Commission contracted with a county or two or more counties that elected to spend or borrow funds to expedite the implementation of the county or counties' plan, the Commission would have to pay annually to that county or counties, in lieu of any grant or payments described above, an amount that was not less than 40% of the amount of money collected in that county or counties under the Revised Judicature Act, during the calendar year and would be paid in annual installments until the contract was paid in full.

MCL 54.262 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: M. Tyszkiewicz

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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.