

House Bill 5140

Sponsor: Rep. Douglas Bovin

Committee: Regulatory Reform

Complete to 10-17-01

A SUMMARY OF HOUSE BILL 5140 AS INTRODUCED 10-4-01

The bill would allow the Department of Natural Resources (DNR) to convey property under its jurisdiction to Waucedah Township in Dickinson County for \$1. The property would have to be used exclusively for public recreational purposes or it would revert to state ownership. If the township disputed the state's right to reclaim the property, the attorney general could bring an action to quiet title to, and regain possession of, the property. Any fees, terms, conditions, and waivers imposed for the public use of the property would have to apply to both residents and nonresidents. The conveyance would be by quitclaim deed. Revenue received under this bill would be credited to the Game and Fish Protection Fund created in Section 43553 of the Natural Resources and Environmental Protection Act (NREPA).

The bill would retain the following rights to the state:

- The right to ingress and egress over and across the property along any watercourse or stream as provided for in Part 5 of the NREPA.
- The rights to all Native American antiquities (including mounds, earthworks, forts, burial and village sites, mines, or other relics).
- The right to explore and excavate for Native American relics by or through state employees or state-authorized agents as provided for in Part 761 of the NREPA.

Further, the conveyance would be subject to mining rights and mineral exceptions and reservations contained or referenced in former conveyances of the property described in the bill.

(The bill would convey 6.55 acres of state-owned land adjacent to Lake Mary dam. The county has operated a park on this site under terms of an agreement entered into more than forty years ago between the county and the DNR.)

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.