

Act No. 174
Public Acts of 2001
Approved by the Governor
December 11, 2001
Filed with the Secretary of State
December 11, 2001
EFFECTIVE DATE: December 11, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Rep. Mead

ENROLLED HOUSE BILL No. 4753

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 2131 (MCL 324.2131), as added by 1995 PA 60.

The People of the State of Michigan enact:

Sec. 2131. (1) Except as otherwise provided in subsection (2), the department may designate as surplus land any state owned land that is under the control of the department and that has been dedicated for public use and may, on behalf of the state, sell that land if the department determines all of the following:

- (a) That the sale will not diminish the quality or utility of other state owned land.
- (b) That the sale is not otherwise restricted by law.
- (c) That the sale is in the best interests of the state.
- (d) That 1 or both of the following conditions are met:

(i) The land has been dedicated for public use for not less than 5 years immediately preceding its sale and is not needed to meet a department objective.

(ii) The land is occupied for a private use through inadvertent trespass.

(2) The department shall not authorize the sale of surplus land as provided in subsection (1) if the proceeds from the sale of the land will cause the fund to exceed \$2,500,000.00.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.