

Legislative Analysis



COLDWATER TOWNSHIP CONVEYANCE

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House Bill 6101 (Substitute H-1)

Sponsor: Rep. Bruce Caswell

Committee: Regulatory Reform

Complete to 9-9-04

A SUMMARY OF HOUSE BILL 6101 (H-1) AS REPORTED FROM COMMITTEE

The bill would authorize the State Administrative Board, on behalf of the state, to convey certain state-owned property to Coldwater Township in Branch County for \$1. The property is currently under the jurisdiction of the Department of Corrections and is adjacent to a parcel previously conveyed by the state to Coldwater Township. The property would have to be used exclusively for public recreational purposes. The conveyance would be by quitclaim deed and would reserve mineral rights to the state.

The quitclaim deed would also have to include the requirement that the grantee install a six-foot chain-link fence separating the property (and the previously conveyed adjacent property) from the property remaining under the jurisdiction of the Department of Corrections. The fence would have to be installed not later than one year after the date of conveyance.

If the property were used for any nonpublic purpose, the state could re-enter and repossess the property. If the township disputed the state's right of re-entry or possession, the attorney general could bring a quiet title action to regain possession of the property. Any fees, terms, conditions, and waivers imposed for public use of the property would be applied to both residents and nonresidents alike. Any revenue received under the bill would be credited to the general fund.

FISCAL IMPACT:

The bill would have an indeterminate but minimal fiscal impact.

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