

Legislative Analysis



MACKINAC ISLAND STATE PARK COMMISSION

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5674

Sponsor: Rep. Howard Walker

Committee: Conservation, Forestry, and Outdoor Recreation

Complete to 4-18-06

A SUMMARY OF HOUSE BILL 5674 AS INTRODUCED 2-14-06

House Bill 5674 would amend the Natural Resources and Environmental Protection Act (MCL 324.76702) to authorize the Mackinac Island State Park Commission to accept gifts, grants, and donations, and also to sell real and personal property under its control, including sales at a price lower than fair market value, under certain conditions.

The bill specifies that the commission members would have the authority to sell real or personal property under its control at fair market value. However, the determination of fair market value could take into account a commitment by the buyer to keep the property open or accessible to the public. Further, if the property was being sold to a person who donated labor or materials for the improvement, repair, maintenance, or restoration of the property, then the price could be reduced, but not greater than the portion of the fair market value attributable to the donated labor or materials. Under the bill, the commission members could not sell property under these conditions, unless they determined that all of the following applied:

- ** The property is not of current or potential value to the purposes of the commission as set forth in the law.
- ** The sale is in the best interests of the state.
- ** The sale is not otherwise prohibited.

Further, currently under the law the commission is authorized to acquire, construct, develop, improve, better, extend, repair, maintain, use, and operate all property, real or personal, necessary to the exercise of its powers conferred by law if, in the judgment of the commission members, the property will increase the beauty and utility of the recreational and historical facilities for the benefit and enjoyment of the public. House Bill 5674 would modify this authority to add that the commission members could also restore, equip, and furnish such properties necessary or convenient to its mission.

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact.

Legislative Analyst: J. Hunault
Fiscal Analyst: Al Valenzio

■ 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.