

SENATE BILL No. 972

January 24, 2006, Introduced by Senators BIRKHOLZ, BROWN, PATTERSON, BISHOP, GEORGE, GARCIA, HARDIMAN, PRUSI, KUIPERS, McMANUS, BASHAM and OLSHOVE and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 2131 (MCL 324.2131), as amended by 2001 PA 174.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2131. (1) Except as otherwise provided in subsection (2)
2 **OR (3)**, the department may designate as surplus land any state
3 owned land that is under the control of the department and that has
4 been dedicated for public use and may, on behalf of the state, sell
5 that land if the department determines all of the following:

6 (a) That the sale will not diminish the quality or utility of
7 other state owned land.

8 (b) That the sale is not otherwise restricted by law.

9 (c) That the sale is in the best interests of the state.

1 (d) That 1 or both of the following conditions are met:

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

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

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

10 (3) **THE DEPARTMENT SHALL NOT DESIGNATE AS SURPLUS LAND ANY**
11 **LAND WITHIN A STATE PARK.**

12 Enacting section 1. This amendatory act does not take effect
13 unless Senate Bill No. 971

14 of the 93rd Legislature is enacted into law.