



**Senate Fiscal Agency**  
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Senate Bill 472 (Substitute S-2 as reported by the Committee of the Whole)  
Sponsor: Senator Howard C. Walker  
Committee: Local Government and Elections

### **CONTENT**

The bill would amend the State Survey and Remonumentation Act to do the following:

- Re-establish the State Survey and Remonumentation Commission.
- Increase the Commission's membership from five to seven by adding a grant administrator and an additional member to represent the general public.
- Transfer some of the duties carried out currently by the Department of Licensing and Regulatory Affairs (LARA) back to the Commission, and revise these duties.
- Require members of the Commission to be reimbursed from the State Survey and Remonumentation Fund, rather than the General Fund.
- Eliminate a requirement that the Commission appoint an executive director and delegate duties to him or her.
- Require the Commission to coordinate memoranda of understanding with other State, Federal, and local agencies to promote the activities necessary, incidental, or appropriate to promotion of the Act.
- Require the Commission to review county monumentation and remonumentation plans for approval.
- Require the Commission to coordinate and administer a grant program for grants to counties to implement the Act.
- Require LARA to promulgate rules to implement the Act.
- By the second March 1 after LARA promulgated rules, require each county to submit to LARA for approval in consultation with the Commission a county plan or revised plan that complied with the requirements of the Act and the rules.
- Specify that a county plan would have to include a monumentation and remonumentation plan and a perpetual monument maintenance plan.
- Delete a provision allowing two or more contiguous counties to submit a multicounty monumentation and remonumentation plan, as well as references to multicounty plans throughout the Act.
- Prohibit a county from expediting its plan or spending or borrowing money to expedite its plan after the bill's effective date.
- Require an annual grant to a county to be at least 20% of certain recording fees collected in the county to implement its perpetual monument maintenance plan, and delete a requirement that the Commission make at least 5% of the total amount in the State Survey and Remonumentation Fund available for this purpose.
- Require the Commission to spend at least 20% of certain recording fees collected in a county if LARA initiated and contracted for implementation of the county plan.
- Delete a requirement that the Commission spend 40% of certain recording fees collected in a county to implement that county's plan, if the Commission contracts with a county that elects to spend or borrow money to expedite implementation.
- Eliminate a provision prohibiting LARA from making a grant unless the applicant meets the prescribed deadline for establishing an approved county plan.

- Allow a county plan to provide for the support by a county program of the extension, densification, upgrade, and maintenance of active and passive geodetic control stations.
- Require a county board of commissioners to appoint a grant administrator to be responsible for and oversee the county's obligations and money associated with the Act.
- Require a county board of commissioners to appoint a peer review group to review and provide advice on original survey corners presented by surveyors before the county accepted the corners for filing under the county plan.
- Allow a county aggrieved by a LARA decision to contest it as a contested case under the Administrative Procedures Act.
- Require LARA to consult with and consider recommendations of the Commission in promulgating rules or adopting guidelines related to administration of the Act.
- Require the employee in direct charge of the State Survey and Remonumentation Section in LARA to be a licensed professional surveyor.

MCL 54.262 et al.

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

The bill would have a neutral fiscal impact on the Department of Licensing and Regulatory Affairs and a neutral fiscal impact on local units of government.

The bill would re-create the State Survey and Remonumentation Commission, which would meet at least twice annually. Members of the Commission would be unpaid, but would be reimbursed for travel and other costs, which would be paid by LARA, presumably from the Survey and Remonumentation Fund.

The bill would require grants from the Survey and Remonumentation Fund for implementation of perpetual maintenance plans to be not less than 20% of the revenue from certain recording fees collected from the county receiving the grant. The bill also includes a similar requirement for counties where LARA has contracted for the perpetual maintenance plan. These changes would have an indeterminate effect on the amounts awarded to or spent in each county, but would ultimately not affect the total amount of funds available for all counties collectively.

Date Completed: 3-6-14

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.