

STATE BOUNDARIES

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House Bill 4264 as introduced
Sponsor: Rep. Phil Potvin
Committee: Local Government
Complete to 9-6-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4264 would amend Public Act 78 of 1945, "an act to declare the area of the state of Michigan," in order to establish in statute the accurate boundaries of the state. Many of these boundaries are already codified in various statutes or treaties, but this bill would compile in a single public act the boundaries between Michigan and the states of Ohio, Indiana, Illinois, Minnesota, and Wisconsin, and the province of Ontario in Canada. These boundaries were listed in the 1908 Michigan Constitution (see below), but were not included in the 1963 Constitution. While this bill would not amend the Constitution, it would codify the full and accurate boundaries of the state.

The bill would require that the description of the state which is used in the bill be printed in the *Michigan Manual* and successor publications with an unofficial appropriate general reference map.

Currently, all official state publications in which the *total area*, *total land area*, or *total water area* of Michigan are stated, must use the figures provided in PA 78 of 1945. Under the bill, instead, all official state publications in which the *total area* of Michigan is stated would have to use the figure provided in the Act.

BACKGROUND:

A bill of this kind has been contemplated since at least 2006, when SB 1130 passed the Senate. SB 687 of 2009, HB 4801 of 2011, HB 4505 and SB 361 of 2013, and the current bill have followed with substantially the same language.

Article I, Section 1 of the 1908 Michigan Constitution included the following description of the state's boundaries:

The State of Michigan consists of and has jurisdiction over the territory embraced within the following boundaries, to wit: Commencing at a point on the eastern boundary line of the state of Indiana, where a direct line drawn from the southern extremity of Lake Michigan to the most northerly cape of Maumee Bay shall intersect the same—said point being the northwest point of the state of Ohio, as established by act of congress, entitled "An act to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the Union upon the conditions therein expressed," approved June fifteenth, 1836; thence with the said boundary line of the state of Ohio, until it intersects the

boundary line between the United States and Canada through the Detroit River, Lake Huron and Lake Superior to a point where the said line last touches Lake Superior; thence in a direct line through Lake Superior to the mouth of the Montreal River; thence through the middle of the main channel of the westerly branch of the Montreal River to Island Lake, the head waters thereof; thence in a direct line to the center of the channel between Middle and South Island in the Lake of The Desert; thence in a direct line to the southern shore and down the River Brule to the main channel of the Menominee River; thence down the center of the main channel of the same to the center of the most usual ship channel of the Green Bay of Lake Michigan; thence through the middle of Lake Michigan to the northern boundary of the state of Indiana to the northeast corner thereof; and thence south with the eastern boundary line of Indiana to the place of beginning.

FISCAL IMPACT:

House Bill 4264 would not affect costs or revenues for the Department of Natural Resources nor the Department of Environmental Quality.

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