

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.74102b Transfer of 100 acres or more than 15% of total acreage of state park; proposal; public hearing; recommendation; conditions; website; definitions.

Sec. 74102b. (1) Prior to recommending that the state transfer more than 100 acres or more than 15% of the total acreage of a state park, whichever is less, by sale or otherwise, the department shall do both of the following:

(a) Submit a proposal with detailed information regarding the potential transfer to the committee for its review and recommendation.

(b) Submit a proposal with detailed information regarding the potential transfer to the commission for its review and approval.

(c) Hold a public hearing, following appropriate public notice, in the vicinity of the state park.

(2) Upon receipt of a proposal under subsection (1), the committee shall review the proposal and make a recommendation to the department. The committee's recommendation is not binding on the department.

(3) Following the public hearing under subsection (1) and receipt of the committee's recommendation under subsection (2), if the commission has approved the proposed transfer, the department may prepare a written recommendation for the transfer of land within a state park. The written recommendation shall include the committee's recommendation. The written recommendation shall be submitted to the standing committees of the senate and house of representatives with jurisdiction over issues primarily pertaining to natural resources and the environment and to the senate and house appropriations committees. If the recommendation is for the transfer of more than 100 acres or more than 15% of the total acreage of a state park, whichever is less, to another public entity without compensation, the recommendation shall include a proposed deed restriction on the land that provides for public access to the land for purposes of hunting and fishing and other similar recreational uses of the land.

(4) The transfer of more than 100 acres or more than 15% of the total acreage of a state park, whichever is less, is prohibited unless specifically authorized by law.

(5) State park land, other than state park land described in subsection (4), shall not be sold unless all of the following conditions are met:

(a) The department has posted on its website notice of the proposed sale.

(b) The department has provided written notice of the proposed sale to the standing committees of the legislature with jurisdiction over issues primarily dealing with natural resources and the environment.

(c) The commission has approved the sale.

(d) The sale is not completed for a period of at least 30 days after the notice has been provided to the standing committees under subdivision (b).

(6) The department shall publish on its website a list of the acreage of each state park on the effective date of the amendatory act that added this subsection.

(7) As used in this section:

(a) "State park" means land within the dedicated boundary of a state park or state recreation area that was designated as a state park or state recreation area on the effective date of the amendatory act that added this section and any land within the dedicated boundary of a state park or state recreation area that is designated as a state park or state recreation area by the director after the effective date of the amendatory act that added this section.

(b) "Total acreage of a state park" means the total acreage within the dedicated boundaries of a state park on the effective date of the amendatory act that added this section or the largest amount of acreage included within the dedicated boundaries of a state park after the effective date of the amendatory act that added this section, whichever is greater.

History: Add. 2006, Act 307, Imd. Eff. July 20, 2006.

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