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BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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FILED
DEC 01 1988**House Bill 5629 (Substitute S-1 as reported)**

Sponsor: Representative Gerald H. Law

House Committee: Appropriations

Senate Committee: State Affairs, Tourism, and Transportation

Date Completed: 10-26-88

RATIONALE

Heavy traffic near the Scott Correctional Facility in the City of Plymouth prompted Wayne County road officials to widen sections of Five Mile and Beck Roads recently. Reportedly, the road improvements were made with the understanding that the county would be granted a right-of-way from the State along Five Mile Road. The Department of Corrections (DOC) has jurisdiction over the land near Five Mile which the county apparently has been planning to use to drain the roads recently improved near the prison. The county, therefore, has requested the State to convey a small strip of land along Five Mile and Beck Roads, from the DOC to Wayne County, to be used for drainage purposes.

A second conveyance is being requested by the Village of Shepherd. In 1985, Public Act 65 conveyed to Shepherd a parcel of land that was part of a railroad right-of-way acquired by the Department of Transportation when it took over the Ann Arbor railroad. The village wanted the property as the site for a new fire station and the Act conveyed the property specifically for that purpose. The fire station has since been built on another parcel of land and the village would now like to use the original site as a public park. In order for Shepherd to do that, however, the conveyance provisions of Public Act 65 of 1985 must be repealed and the property must be "reconveyed".

CONTENT

The bill would permit the State to convey a certain 27' x 27' strip of State-owned land under the jurisdiction of the Department of Corrections to the Wayne County Road Commission for consideration of \$1. The bill also would allow the Department of Transportation to convey to the Village of Shepherd a parcel of land that would have to be used for public purposes. If the land were no longer used for public purposes, or if it were used for any other purpose, title to the property would revert immediately to the State and the State would not be liable for any improvements made by the Village of Shepherd.

The conveyances would be by quitclaim deed approved by the Attorney General, and revenue received under the conveyances would have to be deposited into the General Fund.

SENATE COMMITTEE ACTION

The committee adopted a substitute that would allow the Department of Transportation to convey land to the Village of Shepherd, and the Department of Corrections to convey land to the Wayne County Road Commission. The

House-passed version of the bill provided only for the conveyance to the Wayne County Road Commission.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS***Supporting Argument***

The bill simply would permit the State to convey land under the jurisdiction of the DOC, near the Scott Correctional Facility in Plymouth, to Wayne County's road officials. The county recently widened two roads close to the prison because of increased traffic in the area, and did the work with the understanding it would be given a right-of-way to specific State land next to the roads for drainage purposes. Because the conveyance is for a public road improvement, the land is not being sold to the county at its fair market value.

Supporting Argument

The bill would enable the Village of Shepherd to use as a public park land that was conveyed to the village as the site for a new fire station but which is no longer needed for that purpose.

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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.