

HOUSE BILL No. 4620

May 1, 2003, Introduced by Rep. Minore and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 2129 and 2150 (MCL 324.2129 and 324.2150),
section 2129 as added by 1995 PA 60 and section 2150 as amended
by 1996 PA 585, and by amending the heading to subpart 13 of part
21; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2129. The department may grant easements, upon terms
2 and conditions the department determines just and reasonable, for
3 state and county roads and for the purpose of constructing,
4 erecting, laying, maintaining, and operating pipelines, electric
5 lines, telecommunication systems, and facilities for the intake,
6 transportation, and discharge of water, including pipes,
7 conduits, tubes, and structures usable in connection with the
8 lines, telecommunication systems, and facilities, over, through,

1 under, and upon any ~~and all~~ lands belonging to the state which
 2 are under the jurisdiction of the department and over, through,
 3 under, and upon any ~~and all~~ of the unpatented overflowed lands,
 4 made lands, and lake bottomlands belonging to or held in trust by
 5 this state. Except as otherwise specifically provided by law,
 6 revenue received as the result of the granting of an easement
 7 shall be deposited in the state fund from which revenues are
 8 appropriated for the payment in lieu of taxes required to be paid
 9 in relation to state land under subpart ~~14~~ 13.

10 SUBPART 13 ~~TAX ON TAX REVERTED, RECREATION, AND FOREST LANDS~~
 11 **PAYMENTS IN LIEU OF TAXES**

12 Sec. 2150. (1) On December 1 of each year, there shall be
 13 paid into the treasury of each county in which are located tax
 14 reverted, recreation, or forest lands under the control and
 15 supervision of the department ~~, and~~ **on that date or** any other
 16 lands held by the department ~~, except lands purchased after~~
 17 ~~January 1, 1933 for natural resource purposes, a tax of \$2.50 per~~
 18 ~~acre or major portion of an acre for years before December 1,~~
 19 **1994 and on that date a payment of \$2.00** per acre or major
 20 portion of an acre. ~~for years after November 30, 1994 on all the~~
 21 ~~lands that belong to this state on December 1 in each year. The~~
 22 ~~tax imposed~~ **The payment** under this section ~~shall be~~ **is** in lieu
 23 of all other taxes ~~now~~ levied against the state land under any
 24 ~~existing~~ law. ~~State land on which payments in lieu of taxes~~
 25 ~~are made pursuant to subpart 14 are exempt from this subpart.~~

26 (2) **The department shall enter upon its records against each**
 27 **description of the land the amounts provided by this subpart and**

1 shall certify the amounts to the department of treasury. The
2 department of treasury shall make a detailed statement of account
3 between the state and each county in which the lands **described in**
4 **subsection (1)** are situated, including the descriptions of the
5 lands, and render the detailed statement of account to the county
6 treasurer of the county. The department of treasury shall cause
7 a warrant to be drawn on the state treasurer payable for the
8 amount indicated on the detailed statement of account to be due
9 to the county. The county treasurer of each county shall
10 immediately make up a detailed statement of the account between
11 the county and each township, ~~and school district,~~ prorating
12 the amount received by the county according to the number of
13 acres of the lands located in each ~~unit~~ **township**. ~~For~~
14 ~~disbursements made before December 1, 1994, the proration shall~~
15 ~~be 40% to county general fund, 40% to township general fund, and~~
16 ~~20% to school operating fund. For disbursements made after~~
17 ~~November 30, 1994, the~~ **The** proration shall be 50% to the county
18 general fund and 50% to the township general fund. The county
19 treasurer shall immediately issue his or her warrant to each of
20 the ~~units~~ **townships** according to the detailed statement of
21 account.

22 (3) ~~(2) The tax on tax reverted, recreation, forest lands,~~
23 ~~or other lands under the control of the department on which~~
24 ~~payments are made~~ **payments in lieu of taxes** under this subpart
25 shall be ~~paid~~ **made** from the general fund.

26 Enacting section 1. Both of the following are repealed:

27 (a) Section 2151 of the natural resources and environmental

1 protection act, 1994 PA 451, MCL 324.2151.

2 (b) Subpart 14 of part 21 of the natural resources and
3 environmental protection act, 1994 PA 451, MCL 324.2152 to
4 324.2154.