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Senate Bill 1320 (Substitute S-1)
Sponsor: Senator Gerald Van Woerkom
Committee: Appropriations

Date Completed: 6-7-10

CONTENT

The bill would authorize the State Administrative Board to convey 40 acres of property located in Free Soil Township, Mason County. The property, commonly known as the Camp Sauble Correctional Facility, is currently under the jurisdiction of the Department of Corrections. The Camp was closed in May 2005.

The bill would require the property to be first offered to the Township of Free Soil. The Township of Free Soil could acquire the property, or any portion of it, for less than fair market value. If the property, or any portion of it, were not sold to Free Soil Township within 180 days after the offer, the Department of Technology, Management, and Budget would be required to take necessary steps to convey the remaining portions of the property through competitive bidding, a public auction, use of real estate brokerage services, a value-for-value conveyance, or offering the property for sale for fair market value (or less than fair market value) to a local unit or units of government.

If the property were conveyed to a local unit of government for less than fair market value, the property would have to be used exclusively for public purposes. Any fees, terms, waivers, or conditions for the use of the property would have to be applied uniformly to all members of the public. In the event of an activity inconsistent with these requirements, the State could reenter and repossess the property, terminating the grantee's or any successor's interest in it. If the State did so, the State would not be liable to reimburse any party for any improvements made on the property. The local unit of government would have to reimburse the State for all costs necessary to prepare the property for conveyance.

If the local unit of government intended to convey the property within 10 years after the conveyance from the State, the State would retain a right to first purchase the property at the original sale price, plus the value of any improvements made to the property. In the event that the State waived its first refusal right, the local unit of government would have to pay to the State 40% of the difference between the sale price of the conveyance from the State and the sale price of the local unit's subsequent sale or sales to a third party.

All rights in aboriginal antiquities, including mounds, earthworks, forts, burial and village sites, mines, and other relics, on, within, or under the property, would be reserved by the State. The State would not reserve the mineral rights to the property conveyed; however, if the purchaser or any grantee developed any oil, gas, or minerals found on, within, or under the conveyed property, the State would receive one-half of the gross revenue generated from the development of the oil, gas, or minerals.

FISCAL IMPACT

There is no property tax assessment or current appraisal of the property. If conveyed to a local unit of government for a public purpose, revenue to the State would be a nominal amount, usually \$1. Net revenue from the sale of the property would be deposited in the State General Fund.

Fiscal Analyst: Bill Bowerman

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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.