

HOUSE BILL No. 5558

February 18, 2004, Introduced by Reps. Walker, Huizenga, Ward, Moolenaar, Hummel, Nofs, Farhat, Pastor and Richardville and referred to the Committee on Regulatory Reform.

A bill to amend 1990 PA 345, entitled
"State survey and remonumentation act,"
by amending section 8 (MCL 54.268), as amended by 2002 PA 489.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. (1) Each county shall establish a county
2 monumentation and remonumentation plan. Not later than 1 year
3 after January 1, 1991, the commission shall create and distribute
4 a model county plan that may be adopted by a county with any
5 changes appropriate for that county. Not later than January 1,
6 1994, each county shall have submitted a county plan that is
7 approved by the commission.

8 (2) A county plan shall provide for all of the following:

9 (a) The monumentation or remonumentation of the entire
10 county, within 20 years, under the guidelines of the manual of
11 instructions for the survey of the public lands of the United

1 States, 1973, prepared by the bureau of land management of the
2 department of interior, technical bulletin 6, or subsequent
3 editions, and utilizing the real time kinematic **GPS standards**
4 **developed by the Michigan department of transportation.**

5 (b) The provision of copies of all survey monumentation
6 information produced by the county plan to the county surveyor
7 and the commission.

8 (c) The filing with the county surveyor and the commission of
9 copies of all monumentation or remonumentation documents required
10 to be recorded with the register of deeds under the corner
11 recordation act, 1970 PA 74, MCL 54.201 to 54.210d, or recorded
12 with the register of deeds under 1970 PA 132, MCL 54.211 to
13 54.213.

14 (d) A perpetual monument maintenance plan that provides for
15 all corners to be checked, and if necessary remonumented, at
16 least once every 20 years.

17 (e) Any other provisions reasonably required by the
18 commission for purposes of this act.

19 (3) Two or more contiguous counties may submit a multicounty
20 plan, which shall meet the same requirements within each member
21 county as are established for a county plan under this act.

22 (4) If a county fails to establish and submit a county plan
23 that is approved by the commission within the time required under
24 subsection (1), the commission shall initiate and contract for
25 the implementation of a county plan in that county pursuant to
26 section 10.

27 (5) Upon the establishment and approval by the commission of

1 a county plan, a county may expend or borrow funds to expedite
2 the completion of its plan. If a county or 2 or more counties
3 elect to expend or borrow funds to expedite their county plan,
4 the commission shall enter into a contract to provide that the
5 costs to expedite that plan including the payment of the
6 principal of and interest on the bonds issued under
7 subsection (7) are reimbursed or paid from the fund as provided
8 in section 12(2) and (4).

9 (6) A county or 2 or more counties that expended or borrowed
10 money to expedite their county plan after January 1, 1991 may
11 recapture costs expended or borrowed and used to expedite that
12 plan, which shall be paid out of the fund as provided in section
13 12(2) and (4). The commission shall pay those costs to the
14 county over a period of not less than 10 years.

15 (7) Upon the establishment and approval by the commission of
16 a county plan, a county or 2 or more counties seeking to expedite
17 their county plan may by resolution of the county board of
18 commissioners, and without the vote of its electors, issue bonds
19 payable primarily from the money received or to be received under
20 the contract provided for in subsection (5). These bonds may be
21 secured by a limited tax full faith and credit pledge of the
22 county or counties. The bonds shall be payable in annual
23 installments, and unless otherwise determined by the commission,
24 the annual installments are not to exceed the length of the
25 contract that the county or counties entered into with the
26 commission under subsection (5). The issuance of bonds under
27 this section shall be subject to the provisions of the revised

1 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.