

The Challenge of Attainable Housing for Teachers and Other Essential Workers in Michigan's Community Schools

Issue

Many Michigan counties and communities are experiencing a dramatic increase in the price of homes and land. The demand for property and homes, particularly from potential vacation home owners and retirees, has significantly impacted the value and affordability of land and existing homes.

As an example, attainable housing unit levels and availability in Leelanau County are currently inadequate, creating a barrier to young families and essential workers seeking to live in their respective communities. Increasing the inventory of attainable homes requires developers to seek the lowest costs achievable in bringing a residence to the market. Cost of the underlying land, a significant initial investment, can derail projects that seek to serve essential workers.

The Glen Lake Community Schools and businesses in Leelanau County struggle to bring talent to their respective enterprises due to the high cost of housing. Without a solution that sponsors development of attainable workforce housing, the character of many Leelanau County communities will experience significant changes including the inability to house families in these communities. The school district has an opportunity to repurpose land assets to significantly reduce the total costs of housing units necessary to change the dynamics currently in place.

Solution

In 1931, the Michigan Legislature passed the Municipal Forest Act (Community Forest Act) authorizing the Department of Conservation, now the DNR, to convey tax-reverted land to school districts and other units of government to establish community forests. The express purpose of the land was to be used solely for school forest purposes, demonstrating proper forest management, and was later amended to include public recreation as an approved use.

Over the next 30+ years, the State transferred to municipalities and school districts over 82,000 acres of land (See Appendix A). Many have been underutilized for the express purpose of forest schools. Since the initiation of this property transfer program over 90 years ago, the relevant issues in Michigan have shifted significantly. First, most forest owners have embraced forest certification and sustained yield harvesting as most commercial forestland is now owned by institutional investors, primarily public pension funds including MERS of Michigan. This change in ownership and pressure on forest products companies has led to an improved model of forest management. Second, the emerging and growing issue of home affordability is a much higher concern today than 90 years ago. With limited opportunities for public non-profits to acquire land for attainable housing, these forest school properties could provide a platform

around which non-profit housing development could occur, providing much needed relief to families and essential workers in our Michigan communities.

There is a unique opportunity to repurpose some of the forest school properties, based on greatest need, for attainable workforce housing. This requires a policy change in the Michigan legislature. Attached as Appendix B is a draft of the policy changes Glen Lake Schools is seeking. This effort is supported by Senator John Damoose and Representative Betsy Coffia. The DNR has responded to the proposed changes, stating that a process currently exists for owners of forest school properties to repurpose these tracts if necessary.

From the Glen Lake School's perspective, the size of the parcel and stocking of trees on the property do not allow the school district to repurpose without returning the property to the DNR and then purchasing the property for appraised value. This process would derail any attempt to develop attainable housing for essential workers.

The Glen Lake School District received a 180 acre parcel in Empire Township which was originally deeded to the Empire Rural Agricultural School by the State of Michigan in 1941 and subsequently consolidated under the Glen Lake Community Schools district's assets. If not used for the expressed purposes of forestry or recreation, the DNR would determine if the land is prime land (*Act 451 of 1994 324.52706 (1)*) with the definition of "prime land" being one or more of the following;

- a) Is within a boundary of a program administered by the department
- b) Provides access to a public body of water, or
- c) Is not less than 121 acres in size and, at any time during the preceding 10 years, had a basal area factor of not less than 90 square feet per acre

The 180+ acre tract owned by the school district would be classified as "prime land" as it is greater than 121 acres in size and has an estimated basal area of at least 90 square feet per acre. This would require the school district to transfer the property back to the DNR if not used for forest school and/or recreational purposes and would not be available to the school district and community to develop attainable housing.

Today, the value of this 180+ acre tract is significant. If the market cost of the land were included in a non-profit housing development strategy, the resulting housing units would not meet the attainable housing needs of the local communities and school district.

The school district is investigating the opportunity to use this land as a scalable solution to the attainable housing needs in the school district and communities. The intent is to create a non-profit community land trust that would administer the use of the land for attainable workforce housing, both seasonal and permanent. To succeed in this endeavor would require the support of the Michigan House and Senate in modifying the current legislation in Act 451 of 1994.

The initial step is to allow the property to be retained by the school district for attainable housing regardless of its size.

The second step would be to relinquish the reversionary interest currently in place which is allowed for non-prime properties (*Act 451 of 1994 324.52706 (2)*) and to specifically allow non-profit housing strategies as a use approved by the department (*Act 451 of 1994 324.52706 (3)*).

The final step would be to modify the definition of a public agency (*Act 451 of 1994 324.52706 (10)(d)*) allowing the school district to assign its interest in the property to a non-profit entity, such as a community land trust, formed to accomplish the housing initiative.

In summary, these forest school properties could provide a turning point for school districts and communities to make progress against the headwinds of a lack of attainable housing in many areas of the State. Please consider supporting this initiative to repurpose forest school properties.

Appendix A

Act 217 - SCHOOL/MUNICIPAL FORESTS (10/07)

(1931 Municipal/Community Forest Act - DNR deeded 40-acre parcels to schools to manage for educational purposes)

COUNTY	OWNER
(49 counties)	
ALCONA	ALCONA COMMUNITY SCHOOLS
ALCONA	ALCONA COUNTY
ALCONA	CALEDONIA TOWNSHIP
ALCONA	PINE GROVE SCHOOL DIST #3
ALGER	BURT TOWNSHIP SCHOOL DIST.
ALGER	MATHIAS TOWNSHIP SCHOOL, ALGER COUNTY
ALGER	MICHIGAN STATE BOARD OF AGRICULTURE
ALGER	MUNISING PUBLIC SCHOOLS
ALGER	MUNISING TOWNSHIP SCHOOL DISTRICT
ALPENA	SANBORN TOWNSHIP UNION SCHOOL DISTRICT
ANTRIM	ALBA RURAL AGRICULTURAL SCHOOL
ANTRIM	ANTRIM COUNTY
ANTRIM	BELLAIRE RURAL AGRICULTURAL SCHOOL
ANTRIM	BOARD OF EDUCATION OF SCHOOL DISTRICT #1
ANTRIM	CENTRAL LAKE PUBLIC SCHOOLS
ANTRIM	ELLSWORTH PUBLIC SCHOOLS
ANTRIM	HELENA TOWNSHIP PUBLIC SCHOOLS
ANTRIM	MANCELONA PUBLIC SCHOOLS
ANTRIM	SCHOOL DISTRICT #9, FRACTIONAL TOWNSHIP OF BANKS
ANTRIM	TWP OF CHESTONIA -
ANTRIM	VILLAGE OF BELLAIRE
ANTRIM	VILLAGE OF CENTRAL LAKE
ANTRIM	SCHOOL DISTRICT #1, ELK RAPIDS TOWNSHIP
ARENAC	ARENAC RURAL AGRI SCHOOL DIST #1
ARENAC	AU GRES-SIMS SCHOOL
ARENAC	COUNTY OF ARENAC
ARENAC	LINCOLN TWP, SCHOOL DIST #1, FRACTIONAL
ARENAC	MOFFATT SCHOOL DISTRICT #2 ARENAC COUNTY
ARENAC	SCHOOL DISTRICT #2. FRL. DEEP RIVER AND ADAMS TO
ARENAC	VILLAGE OF STERLING
ARENAC	WHITNEY TOWNSHIP
BARAGA	ARVON TWP.
BARAGA	BARAGA TWP SCHOOL DIST
BARAGA	MICHIGAN TECHNOLOGICAL UNIVERSITY
BARAGA	L'ANSE TWP. SCHOOLS
BARRY	BARRY COUNTY
BARRY	DELTON RURAL AGRI SCHOOL
BARRY	SCHOOL DIST. OF THE CITY OF HASTINGS
BARRY	W. K. KELLOGG SCHOOL
BARRY	CITY OF HASTINGS
BAY	FRASER TOWNSHIP, BAY CO.
BENZIE	ALMIRA TOWNSHIP RURAL AGRICULTURAL SCHOOL
BENZIE	BENZONIA CONSOLIDATED SCHOOL DISTRICT #1
BENZIE	FRANKFORT PUBLIC SCHOOL
BENZIE	HONOR RURAL AGRICULTURAL SCHOOL
BENZIE	PLATTETOWNSHIP

BENZIE	THOMPSONVILLE CONS. SCHOOL
COUNTY	PARTY
CHARLEVOIX	BOYNE CITY RURAL AG.SCHOOL
CHARLEVOIX	BOYNE VALLEY RURAL AGRICULTURAL SCHOOL DISTRICT
CHARLEVOIX	BOYNE VALLEY TOWNSHIP UNIT SCHOOL
CHARLEVOIX	EAST JORDAN RURAL AG. SCHOOL DIST. NO.2
CHARLEVOIX	EAST JORDAN RURAL AGRICULTURAL SCHOOL
CHARLEVOIX	MELROSE TWP.
CHEBOYGAN	CITY OF CHEBOYGAN
CHEBOYGAN	CITY OF CHEBOYGAN PUBLIC SCHOOLS
CHEBOYGAN	FOREST TOWNSHIP UNIT SCHOOL DISTRICT
CHEBOYGAN	INDIAN RIVER SCHOOL DISTRICT NO.2
CHEBOYGAN	KOEHLER TOWNSHIP FRL #1
CHEBOYGAN	NUNDA TOWNSHIP UNIT SCHOOL DISTRICT
CHIPPEWA	BOARD OF EDUCATION, RUDYARD TOWNSHIP SCHOOLS
CHIPPEWA	DE TOUR TOWNSHIP RURAL AGRICULTURAL SCHOOL DIST.
CHIPPEWA	DRUMMOND TOWNSHIP SCHOOL
CHIPPEWA	HULBERT TOWNSHIP-BOARD OF EDUCATION
CHIPPEWA	MICH. STATE BOARD OF AGRICULTURE
CHIPPEWA	MICHIGAN COLLEGE OF MINING & TECHNOLOGY
CHIPPEWA	MICHIGAN STATE BOARD OF AGRICULTURE
CHIPPEWA	PICKFORD TOWNSHIP BOARD OF EDUCATION
CHIPPEWA	PUBLIC SCHOOLS OF SAULT STE MARIE, MICH
CHIPPEWA	RUDYARD TOWNSHIP BOARD OF EDUCATION
CHIPPEWA	RUDYARD TOWNSHIP SCHOOL
CHIPPEWA	STATE BOARD OF AGRICULTURE
CLARE	FARWELL AGRICULTURAL SCHOOL
CLARE	FRANKLIN TOWNSHIP UNIT SCHOOL
CLARE	HATTON SCHOOL DISTRICT #5
CLARE	HAYES TOWNSHIP UNIT SCHOOL DIST.
CLARE	SCHOOL DISTRICT #2
CLARE	SURREY TOWNSHIP AGRICULTURAL SCHOOL
CLARE	CITY OF HARRISON
CLARE	FARWELL AREA SCHOOL DISTRICT NO. 7
CRAWFORD	FREDERIC RURAL AGRICULTURAL SCHOOL
CRAWFORD	GRAYLING SCHOOL DISTRICT #1
DELTA	BALDWIN TOWNSHIP
DELTA	BRD. OF ED. GARDEN, MICH
DELTA	CITY OF ESCANABA
DELTA	CITY OF GLADSTONE
DELTA	GARDEN TOWNSHIP SCHOOLS
DELTA	MAPLE RIDGE TOWNSHIP SCHOOL DISTRICT
DELTA	MASONVILLE TWP. PUBLIC SCHOOL
DICKINSON	BREEN TOWNSHIP SCHOOL DISTRICT
DICKINSON	BREITUNG TOWNSHIP
DICKINSON	NORWAY CITY PUBLIC SCHOOLS
DICKINSON	NORWAY TOWNSHIP BOARD OF EDUCATION
DICKINSON	SAGOLA TOWNSHIP BOARD OF EDUCATION
DICKINSON	SAGOLA TOWNSHIP SCHOOLS
DICKINSON	SCHOOL DISTRICT OF THE CITY OF IRON MOUNTAIN

DICKINSON	VILLAGE OF KINGSFORD
COUNTY	PARTY
DICKINSON	WAUCEDAH TOWNSHIP SCHOOLS
DICKINSON	BREITUNG TOWNSHIP SCHOOL DISTRICT
DICKINSON	FELCH TOWNSHIP RURAL AGRICULTURAL SCHOOL
EMMET	EMMET COUNTY
EMMET	FRIENDSHIP TOWNSHIP EMMET COUNTY
EMMET	HARBOR SPRINGS PUBLIC SCHOOLS
EMMET	LITTLEFIELD TWP UNIT SCHOOL
EMMET	MACKINAW CITY PUBLIC SCHOOLS
EMMET	MAPLE RIVER TOWNSHIP
EMMET	MCKINLEY TOWNSHIP UNIT SCHOOL
EMMET	PELLSTON PUBLIC SCHOOLS
EMMET	PETOSKEY PUBLIC SCHOOLS
EMMET	CITY OF PETOSKEY
EMMET	VILLAGE OF MACKINAW CITY
EMMET	VILLAGE OF PALLSTON
GLADWIN	BEAVERTON SCHOOL DIST #1
GLADWIN	BEAVERTON TOWNSHIP SCHOOL DISTRICT
GLADWIN	BUCKEYE TOWNSHIP
GLADWIN	GLADWIN RURAL AGRICULTURAL SCHOOL
GLADWIN	HAY TOWNSHIP UNIT SCHOOL DISTRICT
GLADWIN	CITY OF GLADWIN
GOGEBIC	EDWIN TOWNSHIP SCHOOL DIST., GOGEBIC COUNTY
GOGEBIC	GOGEBIC CO. FORESTRY COMMISSION
GOGEBIC	SCHOOL DISTRICT OF THE CITY OF IRONWOOD
GOGEBIC	WATERSMEET TOWNSHIP SCHOOL DIST.
GRAND TRAVERSE	EAST BAY TOWNSHIP
GRAND TRAVERSE	FIFE LAKE TOWNSHIP
GRAND TRAVERSE	GRAND TRAVERSE COUNTY
GRAND TRAVERSE	GRANT TOWNSHIP
GRAND TRAVERSE	LONG LAKE TWP.
GRAND TRAVERSE	PARADISE TOWNSHIP
GRAND TRAVERSE	PARADISE TOWNSHIP UNIT SCHOOL DISTRICT
GRAND TRAVERSE	SCHOOL DISTRICT #2
GRAND TRAVERSE	WHITEWATER TOWNSHIP
GRAND TRAVERSE	WILLIAMSBURG CONSOLIDATED SCHOOL
GRAND TRAVERSE	EAST BAY TWP. SCHOOL DIST #4
HOUGHTON	CHASSELL TOWNSHIP SCHOOLS
HOUGHTON	MICHIGAN TECHNOLOGICAL UNIVERSITY
HOUGHTON	CALUMET TOWNSHIP - Calumet-Laurium-Keweenaw Schools
HOUGHTON	LAKE LINDEN-HUBBELL SCHOOL DISTRICT
IOSCO	BURLEIGH TOWNSHIP SCHOOLS
IOSCO	OSCODA TOWNSHIP UNIT SCHOOL
IOSCO	TOWNSHIP OF BURLEIGH
IRON	BATES TOWNSHIP SCHOOL DISTRICT
IRON	FOREST PARK SCHOOL DISTRICT
IRON	HEMATITE TOWNSHIP SCHOOLS
IRON	IRON COUNTY
IRON	IRON RIVER TOWNSHIP SCHOOLS
IRON	MANSFIELD TOWNSHIP

IRON	MASTODON TWP. SCHOOL
IRON	MASTODON TWP. SCHOOLS DIST. #1
COUNTY	PARTY
IRON	SCHOOL DIST HEMATITE TWP
IRON	SCHOOL DIST. OF CRYSTAL FALLS
IRON	SCHOOL DISTRICT NO. 1
IRON	STAMBAUGH TOWNSHIP SCHOOLS
IRON	TOWNSHIP OF MANSFIELD
IRON	YATES TOWNSHIP
ISABELLA	MOUNT PLEASANT PUBLIC SCHOOLS
KALKASKA	CLEARWATER TOWNSHIP UNIT SCHOOL
KALKASKA	KALKASKA COUNTY
KALKASKA	KALKASKA PUBLIC SCHOOLS
KALKASKA	RAPID RIVER TWP.
KALKASKA	SPRINGFIELD TOWNSHIP
KALKASKA	TOWNSHIP OF BOARDMAN
LAKE	CHASE VILLAGE SCHOOL
LAKE	PLEASANT PLAINS SCHOOL DIST #2
LAKE	TOWNSHIP OF MASTODON
LAKE	BALDWIN PUBLIC SCHOOL
LAKE	YATES TOWNSHIP
LEELANAU	LEELANAU TOWNSHIP NORTHPORT CONSOLIDATED
LEELANAU	TOWNSHIP OF SOLON, LEELANAU
LEELANAU	EMPIRE RURAL AGRICULTURAL SCHOOL
LUCE	LAKEFIELD TOWNSHIP BOARD OF EDUCATION
MACKINAC	BREVORT TOWNSHIP SCHOOL DISTRICT #2
MACKINAC	CLARK TOWNSHIP BOARD OF EDUCATION
MACKINAC	GARFIELD TOWNSHIP SCHOOLS
MACKINAC	NEWTON TOWNSHIP SCHOOL DISTRICT
MACKINAC	PORTAGE TOWNSHIP SCHOOL DISTRICT
MACKINAC	PUBLIC SCHOOLS OF THE CITY OF ST. IGNACE MICHIGA
MANISTEE	ARCADIA TOWNSHIP SCHOOLS
MANISTEE	BEAR LAKE & PLEASANTON TWPS SCHOOL DIST. NO. 2
MANISTEE	BEAR LAKE TOWNSHIP
MANISTEE	BRETHREN PUBLIC SCHOOLS
MANISTEE	CLAYBANKS TWP. SCHOOL
MANISTEE	COPEMISH CONSOLIDATED AGRICULTURAL SCHOOL
MANISTEE	DICKINSON RURAL AGRICULTURAL SCHOOL
MANISTEE	KALEVA CONSOLIDATED AGRICULTRAL SCHOOL
MANISTEE	MANISTEE COUNTY
MANISTEE	MANISTEE COUNTY MAPLE GROVE TOWNSHIP
MANISTEE	MANISTEE PUBLIC SCHOOLS
MANISTEE	MARILLA TOWNSHIP SCHOOL DISTRICT #2
MANISTEE	NORMAN TOWNSHIP UNIT SCHOOL DISTRICT
MANISTEE	ONEKAMA TOWNSHIP MANISTEE COUNTY
MANISTEE	PLEASANTON TOWNSHIP
MANISTEE	SCHOOL DIST #2 FRACTIONAL OF BEAR LAKE
MANISTEE	SCHOOL DISTRICT #1 FRACTIONAL
MARQUETTE	BOARD OF COUNTY ROAD COMMISSIONERS
MARQUETTE	FORSYTH TOWNSHIP PUBLIC SCHOOLS
MARQUETTE	FOSYTH TWP. BOARD OF EDUCATION

MARQUETTE	MARQUETTE COUNTY
MARQUETTE	MICHIGAMME PUBLIC SCHOOL
COUNTY	PARTY
MARQUETTE	PAUBLIC SCHOOLS OF CITY OF MARQUETTE, MICH.
MARQUETTE	REPUBLIC TOWNSHIP
MARQUETTE	TOWNSHIP OF FORSYTH
MARQUETTE	WEST BRANCH TOWNSHIP
MASON	AMBER TWP.
MASON	BANNER SCHOOL DIST. #2
MASON	DORR SCHOOL DIST. #1
MASON	LUDINGTON PUBLIC SCHOOLS
MASON	SUMMIT TOWNSHIP
MASON	TOWN HALL SCHOOL DIST. #1
MASON	UNION SCHOOL DISTRICT #1,
MASON	VICTORY TOWNSHIP
MASON	SCOTTVILLE PUBLIC SCHOOL
MECOSTA	ALTONA SCHOOL DISTRICT NO. 1
MECOSTA	CATO TOWNSHIP SCHOOL DISTRICT
MECOSTA	DEEFIELD TOWNSHIP SCHOOL DISTRICT #1
MECOSTA	MECOSTA COUNTY
MECOSTA	VILLAGE OF MECOSTA
MECOSTA	MORLEY CONSOLIDATED SCHOOL DISTRICT #2
MENOMINEE	BOARD OF EDUCATION
MENOMINEE	DAGGETT TWP. SCHOOLS
MENOMINEE	HARRIS TWP. SCHOOLS
MENOMINEE	NADEAU TOWNSHIP SCHOOL DISTRICT
MENOMINEE	SCHOOL DISTRICT #3 GOURLEY TOWNSHIP
MENOMINEE	SPALDING TOWNSHIP SCHOOL
MENOMINEE	STEPHENSON TOWNSHIP PUBLIC SCHOOLS
MIDLAND	BRECKENRIDGE PUBLIC SCHOOLS
MIDLAND	COUNTY OF MIDLAND
MIDLAND	GREENDALE TOWNSHIP SCHOOL DISTRICT #1 SHEPARD
MIDLAND	INGERSOLL TOWNSHIP MIDLAND COUNTY
MIDLAND	JEROME TOWNSHIP SCHOOLS DIST #3 MIDLAND COUTNY
MIDLAND	MOUNT HALEY TOWNSHIP MIDLAND COUNTY
MIDLAND	NO. BRADLEY SCHOOL DIST. #1 FRACTIONAL
MIDLAND	NORTH BRADLEY SCHOOL DISTRICT #1, FRL.
MIDLAND	SCH. DISTRICT 1, COLEMAN
MIDLAND	SCHOOL DISTRICT #1, EDENVILLE TOWNSHIP
MIDLAND	CITY OF MIDLAND
MISSAUKEE	FALMOUTH RURAL AGRICULTURAL SCHOOL
MISSAUKEE	LAKE CITY RURAL AGRICULTURAL SCHOOL
MISSAUKEE	MERRITT AGRICULTURAL SCHOOL
MISSAUKEE	NORWICH RURAL AGRICULTRUL SCHOOL DISTRICT NO.1
MISSAUKEE	NUMBER ONE FRACTIONAL RIVERSIDE SCHOOL DISTRICT
MONTMORENCY	VILLAGE OF HILLMAN
MUSKEGON	BLUE LAKE TOWNSHIP
MUSKEGON	MOORLAND TOWNSHIP
MUSKEGON	PUBLIC SCHOOLS OF THE CITY OF MUSKEGON
MUSKEGON	CITY OF MONTAGUE
MUSKEGON	COUNTY OF MUSKEGON

MUSKEGON	MONTAGUE TOWNSHIP SCHOOL DISTRICT
COUNTY	PARTY
NEWAYGO	ASHLAND AND GRANT SCHOOL DISTRICT #7
NEWAYGO	BARTON TOWNSHIP SCHOOL DIST. #2
NEWAYGO	BIG RAPIDS SCHOOL DISTRICT
NEWAYGO	BRIDGETON TOWNSHIP
NEWAYGO	BROOKS TOWNSHIP SCHOOL DIST. #1FRL
NEWAYGO	CITY OF FREMONT
NEWAYGO	CORNELL SCHOOL
NEWAYGO	COUNTY OF NEWAYGO
NEWAYGO	CROTON TOWNSHIP SCHOOL DISTRICT #5
NEWAYGO	CROTON TWP. SCHOOL DISTRICT NO. 3, NEWAYGO CO.
NEWAYGO	GOODWELL SCHOOL DIST. #3
NEWAYGO	LINCOLN SCHOOL DIST #3
NEWAYGO	RURAL AGRICULTURAL SCHOOL DIST.#1
NEWAYGO	SAMIS SCHOOL DISTRICT #3
NEWAYGO	SCHOOL DIST #3,
NEWAYGO	SCHOOL DIST. #4 LINCOLN TWP.
NEWAYGO	SCHOOL DIST. NO.1
NEWAYGO	SHERIDAN TOWNSHIP SCHOOL DISTRICT #1
NEWAYGO	TRIPP SCHOOL DISTRICT #4
NEWAYGO	VILLAGE OF NEWAYGO
NEWAYGO	WHITE CLOUD AGR. SCHOOLS
NEWAYGO	WILCOX TOWNSHIP SCHOOL DISTRICT#3
OCEANA	CLAYBANKS AND GRANT TWPS.
OCEANA	EAST GRAND RAPIDS HIGH SCHOOLK
OCEANA	ELBRIDGE TOWNSHIP SCHOOL DIST. NO. 1
OCEANA	FERRY TOWNSHIP OCEANA COUNTY
OCEANA	FERRY TOWNSHIP SCHOOL DISTRICT ##1
OCEANA	FERRY TOWNSHIP SCHOOL DISTRICT #4
OCEANA	FERRY TOWNSHIP SCHOOL DISTRICT #7
OCEANA	FR1. SCHOOL DISTRICT #9, HART TOWNSHIP
OCEANA	FRL. DIST. NO.3 FO SHELBY & GRANT TWPS.
OCEANA	GOLDEN TOWNSHIP SCHOOL DISTRICT #3
OCEANA	GRANT TOWNSHIP SCHOOL DISTRICT NO. 5
OCEANA	HART SCHOOL DISTRICT NO. 1
OCEANA	HART TOWNSHIP SCHOOL DISTRICT #1
OCEANA	HART TOWNSHIP SCHOOL DISTRICT #2, SHELBY
OCEANA	HOVEY SCHOOL DISTRICT #4, HART.
OCEANA	LEAVITT TOWNSHIP SCHOOL DISTRICT #8
OCEANA	LEAVITT TOWNSHIP SCHOOL, DISTRICT #7
OCEANA	MARSHVILLE SCHOOL DISTRICT #4
OCEANA	MEARS SCHOOL DIST. NO. 5 GOLDEN TWP.
OCEANA	NEWFIELD TOWNSHIP SCHOOL DISTRICT NO. 2
OCEANA	PENTWATER RURAL AGRICULTURAL SCHOOL
OCEANA	PHILO SCHOOL DIST. NO. 4 FRL,
OCEANA	RATHBONE SCHOOL DIST #3 FERRY TWP
OCEANA	SCHOOL DIST. #1,
OCEANA	SCHOOL DISTRICT #5 FERRY TOWNSHIP
OCEANA	SCHOOL DISTRICT #7 BENONA TOWNSHIP OCEANA COUNTY

OCEANA	SCHOOL DISTRICT NO. 3
OCEANA	SCHOOL DISTRICT NO. 6, SHELBY TOWNSHIP
COUNTY	PARTY
OCEANA	SHELBY TOWNSHIP
OCEANA	TOWNSHIP OF GRANT
OCEANA	TOWNSHIP OF LEAVITT
OCEANA	TOWNSHIP OF OTTO OCEANA COUNTY
OCEANA	HART PUBLIC SCHOOL DISTRICT NO. 1
OGEMAW	CUMMING TOWNSHIP UNIT SCHOOL
OGEMAW	OGEMAW COUNTY
OGEMAW	WEST BRANCH PUBLIC SCHOOL
ONTONAGON	BERGLAND TOWNSHIP SCHOOLS,
ONTONAGON	COPPER RANGE CO
ONTONAGON	COUNTY OF ONTONAGON
ONTONAGON	GREENLAND TOWNSHIP SCHOOL DISTRICT
ONTONAGON	HAIGHT TOWNSHIP
ONTONAGON	HAIGHT TOWNSHIP SCHOOLS
ONTONAGON	INTERIOR TOWNSHIP SCHOOL
OSCEOLA	BURDELL TOWNSHIP
OSCEOLA	BURDELL TOWNSHIP RURAL AGRICULTURAL SCHOOL
OSCEOLA	CEDAR TOWNSHIP
OSCEOLA	COUNTY OF OSCEOLA
OSCEOLA	HERSEY TOWNSHIP AGRICULTURAL SCHOOL
OSCEOLA	LEROY AGRICULTURAL SCHOOL
OSCEOLA	MARION TOWNSHIP
OSCEOLA	MIDDLE BRANCH TOWNSHIP
OSCEOLA	ORIENT TOWNSHIP
OSCEOLA	OSCEOLA TOWNSHIP
OSCEOLA	REED CITY PUBLIC SCHOOLS
OSCEOLA	ROSE LAKE TOWNSHIP
OSCEOLA	SYLVAN TOWNSHIP
OSCODA	CHARLTON SCHOOL DIST #1
OSCODA	CLINTON TOWNSHIP SCHOOL DISTRICT
OSCODA	COMINS TOWNSHIP
OSCODA	PUBLIC SCHOOLS OF THE TOWNSHIPS OF BIG CRK&MENTOR
OTSEGO	BOARD OF EDUCATION ELMIRA RURAL AGRICULT. SCHOOL
OTSEGO	BOARD OF EDUCATION OF CORWITH TWP, OSTEGO CO.
OTSEGO	GAYLORD PUBLIC SCHOOL DIST #1
OTSEGO	GAYLORD RURAL AGRICULTURAL SCHOOL
OTSEGO	JOHANNESBURG RURAL AGRICULTURAL SCHOOL
OTSEGO	OTSEGO COUNTY
OTSEGO	CORWITH RURAL AG. SCHOOL
PRESQUE ISLE	CASE TOWNSHIP UNIT SCHOOL
PRESQUE ISLE	ONAWAY PUBLIC SCHOOLS
PRESQUE ISLE	SCHOOL DIST. #3 BELKNAP TWP.
PRESQUE ISLE	SCHOOL DISTRICT #2 BELKNAP
PRESQUE ISLE	SCHOOL DISTRICT #3
PRESQUE ISLE	VILLAGE OF ROGERS CITY
ROSCOMMON	GERRISH-HIGGINS AGRICULTURAL SCHOOL
ROSCOMMON	HOUGHTON LAKE BOARD OF EDUCATION
SCHOOLCRAFT	COOKS CONSOLIDATED SCHOOL

VAN BURREN	MATTAWAN CONSOLIDATED SCHOOLS FRTL DIST #7
VAN BURREN	VAN BUREN COUNTY
COUNTY	PARTY
WEXFORD	CADILLAC PUBLIC SCHOOLS
WEXFORD	CITY OF CADILLAC
WEXFORD	HANOVER UNIT AG. SCHOOL
WEXFORD	HANOVER UNIT TOWNSHIP SCHOOL
WEXFORD	HARLAN RURAL AGRICULTURAL SCHOOL DISTRICT
WEXFORD	MANTON RURAL AGRICULTURAL SCHOOL
WEXFORD	SCHOOL DISTRICT OF CITY OF CADILLAC

Appendix B

DRAFT 2

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 52706 (MCL 324.52706), as amended by 2012 PA
488.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 52706. (1) The department, the department of treasury, or
2 a state officer ~~having~~ **who has** charge of state land, may sell
3 homestead, tax, swamp, or primary school land to a public agency
4 for a forestry or recreational purpose, or both, at a price set by
5 the department, the department of treasury, or the state officer.
6 However, the amount of land sold ~~shall~~ **must** not exceed the amount



1 that ~~may be~~**is** necessary for the public agency, and any land that
2 is sold ~~shall~~**must** be suitable for and used for a forestry or
3 recreational purpose, or both, unless conveyed as provided in this
4 section. Land sold to a public agency under this section or section
5 6 of former 1931 PA 217 ~~shall~~**must** be used only for a forestry or
6 recreational purpose, or both, if the land is prime land. When the
7 prime land is no longer used for a forestry or recreational
8 purpose, or both, the land ~~shall revert~~**reverts** to this state.

9 (2) Except as provided in subsection (6), the department shall
10 relinquish a reversionary interest in municipal forestland,
11 conveyed to a public agency under this section or section 6 of
12 former 1931 PA 217 before October 12, 2004, within 90 days after
13 the department receives, on a form prescribed by the department, a
14 written request for relinquishment from the public agency that owns
15 the municipal forestland subject to the reversionary interest. The
16 department shall relinquish its reversionary interest by an
17 instrument approved by the department of attorney general and
18 recorded by the department with the register of deeds of the county
19 where the municipal forestland is located. The instrument ~~shall~~
20 **must** include provisions implementing subsections (3) ~~through to~~
21 (8). The department may charge the public agency an amount equal to
22 the charge for recording the release.

23 (3) A public agency to which a reversionary interest ~~was~~**is**
24 relinquished under subsection (2) shall not convey the municipal
25 forestland formerly subject to the reversionary interest unless the
26 conveyance is approved by the department. **The department shall**
27 **approve the conveyance if it is to a nonprofit entity as described**
28 **in subsection (10) (d) (ii) .**

29 (4) Subject to subsection (5), a public agency to which a



1 reversionary interest ~~was~~**is** relinquished under subsection (2) and
 2 any public agency that is a successor in interest shall not convey
 3 the municipal forestland formerly subject to the reversionary
 4 interest, or any part ~~thereof,~~**of the municipal forestland,** unless
 5 the conveyance is to a public agency for \$1.00 or to a public
 6 agency or any other person for fair market value. If the conveyance
 7 is to a public agency for \$1.00, the deed ~~shall recite~~**must state**
 8 "MCL 324.52706 requires an accounting and specifies how proceeds
 9 are to be distributed when the property is subsequently conveyed
 10 for fair market value.". If the conveyance is to a public agency or
 11 any other person for fair market value, the public agency conveying
 12 the property shall have an accounting taken, shall retain 50% of
 13 the proceeds, and shall submit the remaining 50% of the proceeds to
 14 the department of treasury for deposit as follows:

15 (a) The first \$18,000,000.00 in total proceeds from all such
 16 conveyances ~~shall~~**must** be deposited in the general fund.

17 (b) Any proceeds in excess of \$18,000,000.00 ~~shall~~**must** be
 18 deposited in the fire protection fund created in section 732a of
 19 the Michigan vehicle code, 1949 PA 300, MCL 257.732a.

20 (5) Once ~~the~~ municipal forestland or part ~~thereof~~**of municipal**
 21 **forestland** formerly subject to a reversionary interest is conveyed
 22 for fair market value and an accounting is taken and the proceeds
 23 are distributed as provided under subsection (4), subsection (4)
 24 does not apply to subsequent conveyances of that municipal
 25 forestland or part ~~thereof,~~**respectively.of municipal forestland.**

26 (6) Subsection (2) does not apply to prime land.

27 (7) A public agency to which a reversionary interest is
 28 relinquished under subsection (2) shall not convey the municipal
 29 forestland formerly subject to the reversionary interest to a third



1 person unless the public agency has conducted a public hearing on
2 the proposed conveyance. The public agency may conduct a second
3 public hearing on the proposed conveyance if the public agency
4 determines that a second public hearing may be necessary. Notice of
5 a public hearing under this subsection ~~shall~~**must** be published at
6 least twice in a newspaper of general circulation in the county or
7 counties where the municipal forestland is located, not more than
8 28 or less than 7 days before the hearing. The notice ~~shall~~**must**
9 describe where the municipal forestland is located, specify the
10 approximate size of the municipal forestland, describe its current
11 use, and identify the person to whom the municipal forestland is
12 proposed to be sold, if known. The public agency shall provide a
13 copy of the notice to the director of the department not less than
14 7 days before the hearing.

15 (8) The requirements of subsection (7) do not relieve the
16 public agency of any notice, hearing, or other requirements imposed
17 by any other law.

18 (9) If municipal forestland was conveyed to a public agency
19 under this section or section 6 of former 1931 PA 217 and the
20 municipal forestland is subsequently conveyed by the public agency
21 to the department, ~~then,~~ for purposes of subparts 13 and 14 of part
22 21, the municipal forestland ~~shall~~**must** not be considered to have
23 been reacquired by the department on or after January 1, 1933 for
24 natural resource purposes unless the municipal forestland was
25 originally acquired by the department on or after January 1, 1933
26 for natural resource purposes.

27 (10) As used in this section:

28 (a) "Basal area" means the sum of the cross-sectional area of
29 trees 4 inches or greater in diameter measured at 4.5 feet from the



1 highest ground at the base of each tree.

2 (b) "Municipal forestland" means homestead, tax, swamp, or
3 primary school land sold to a public agency under this section or
4 section 6 of former 1931 PA 217 for a forestry or recreational
5 purpose, or both.

6 (c) "Prime land" means municipal forestland that meets 1 or
7 more of the following requirements:

8 (i) Is within a boundary of a program administered by the
9 department.

10 (ii) Provides access to a public body of water.

11 (iii) Is not less than 121 acres in size and, at any time during
12 the preceding 10 years, had a basal area of not less than 90 square
13 feet per acre. **However, municipal forestland is not prime land**
14 **under this subparagraph if the land is conveyed to a nonprofit**
15 **entity as described in subdivision (d) (ii) .**

16 (d) "Public agency" means ~~a~~any of the following:

17 (i) **A** school district, public educational institution,
18 governmental unit of this state or agency of this state, or ~~a~~
19 municipality.

20 (ii) **For purposes of a conveyance under subsection (4) from a**
21 **public agency to which a reversionary interest is relinquished**
22 **under subsection (2), a nonprofit entity, such as a community land**
23 **trust, that is formed to develop and administer the use of the land**
24 **conveyed for attainable seasonal and permanent workforce housing.**

25 (e) "Recreational purpose" includes any motorized or
26 nonmotorized recreational activity.

27 (11) The use in this section of the phrase "this section or
28 section 6 of former 1931 PA 217" does not imply that the term "this
29 section" as used elsewhere in this act does not include the



1 relevant section as it existed in former law codified in this act.

