

MICHIGAN AND INDIANA STATE LINE MONUMENTATION ACT (EXCERPT)
Act 259 of 2010

***** 54.295.new THIS NEW SECTION IS CONDITIONALLY EFFECTIVE UPON ENACTMENT OF CERTAIN LEGISLATION BY THE STATE OF INDIANA: See 54.303.new *****

***** 54.295.new THIS NEW SECTION IS REPEALED BY ACT 259 OF 2010 EFFECTIVE JANUARY 1, 2015 *****

54.295.new Indiana-Michigan boundary line commission; establishment; membership; appointment; meetings; quorum; public meeting; writings subject to freedom of information act; compensation; duties.

Sec. 5. (1) The Indiana-Michigan boundary line commission is established within the department.

(2) The commission consists of 10 members, 5 from the state of Indiana and 5 from this state, who shall be known as state line commissioners. The 5 members from the state of Indiana shall be appointed under the laws of the state of Indiana. The 5 members from this state shall be appointed by the governor. Each member appointed by the governor shall be a professional surveyor licensed under article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014. The governor shall appoint 1 resident from each of the following counties:

- (a) Berrien.
- (b) Cass.
- (c) St. Joseph.
- (d) Branch.
- (e) Hillsdale.

(3) At the first meeting of the commission, the commission shall elect from among its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the commission shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by 6 or more members.

(4) A majority of the members of the commission appointed from this state and a majority of the members of the commission appointed from the state of Indiana, together, constitute a quorum for the transaction of business at a meeting of the commission. A quorum of the members present and serving are required for official action of the commission.

(5) The business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(6) A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(7) The members of the commission appointed from this state shall serve without compensation, but shall be reimbursed for necessary travel and other expenses pursuant to the standard travel regulations of the department of technology, management, and budget.

(8) The commission shall do all of the following:

(a) Administer a survey and remonumentation of the Indiana-Michigan border.

(b) Recover or reestablish relatively permanent monuments at the mileposts of the Indiana-Michigan state line as established in the 1827 federal survey that defined that line. The commission also shall recover or reestablish relatively permanent monuments at the posts originally set at or near the shores of lakes and large rivers of the Indiana-Michigan state line as established in the 1827 federal survey that defined that line, or witness corners for set posts. The commission shall make periodic reviews of the contractors' progress in performing the work described in this subdivision and shall make a final review upon the installation of each monument.

(c) Compile appropriate records and documents verifying the location of the monuments, and furnish those records and documents to the department.

(d) Resolve any controversies regarding the location of monuments defining the Michigan-Indiana boundary.

History: 2010, Act 259, Eff. (pending).

Compiler's note: The conditions contained in MCL 54.303 pertaining to the effectiveness of 2010 PA 374 were certified as satisfied by the director of the department of energy, labor, and economic growth on (pending).