
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 5222 (as reported with amendment)
Sponsor: Representative Tom Alley
House Committee: Conservation, Environment and Recreation
Senate Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act to require the State to retain an easement to continue the use of a Michigan trailway, off-road vehicle trail, or snowmobile trail, as established under the Act, if the State sold or transferred land containing the trail or trailway. The bill also would add that if the trail or trailway at issue could be transformed into or reactivated as a railroad, then the sale or transfer of the trail or trailway would be subject to the rail interest, and any easement retained by the State also would be subject to the rail interest.

Under the Act, a trailway may be designated as a "Michigan trailway" if it complies with the following: is located on public land; meets public safety and designated use standards; is available for designated recreation uses on a nondiscriminatory basis; is a multiuse trail; is or may be a segment of a network of trailways; is marked with a Michigan trailway sign and logo; is not directly attached to a roadway; and offers support facilities for the public where feasible.

MCL 324.2102a

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would have an indeterminate, but minimal, fiscal impact on State and local government by potentially reducing the value of State land for sale due to the State's retention of a permanent trail easement. However, the bill also could help clarify property rights and avoid potential legal costs to the State.

Date Completed: 2-4-98

Fiscal Analyst: G. Cutler