



Senate Fiscal Agency
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**BILL ANALYSIS**

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Senate Bill 70 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Senator Patricia L. Birkholz

Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would add Part 360 to the Natural Resources and Environmental Protection Act to permit the Department of Environmental Quality (DEQ), in conjunction with the Department of Natural Resources, to administer an "Adopt-A-Watershed Program" in which volunteer groups would participate in cleanup, conservation, and pollution prevention activities.

The DEQ would have to administer the Program in conjunction and cooperation with other State programs designed to protect water resources. In doing so, the Department would have to ensure that the scope of the Program did not overlap or conflict with other similar water quality programs it was administering.

The DEQ could enter into agreements with volunteer groups to implement the Program. An agreement would have to identify the watershed and describe the group's responsibilities, including all of the following: cleanup, pollution prevention, and conservation activities in the watershed; programs, seminars, and other educational and promotional activities; environmental testing and monitoring activities in the watershed; and fund-raising.

Before a volunteer group conducted watershed management activities on private property, the group first would have to obtain written permission from the owner of that property. A property owner would not be liable for an injury to a person who was on the property with the owner's consent for the purpose of conducting watershed management activities, unless the injury were caused by the owner's gross negligence or willful and wanton misconduct.

Proposed MCL 324.36001-324.36007

Legislative Analyst: Claire Layman

FISCAL IMPACT

This bill would allow the DEQ to create a new program encouraging watershed management. While most of the work would be completed by volunteer groups, the DEQ would serve in an administrative role, which would require staff time and materials. The bill would permit the DEQ to provide funding, support personnel, equipment, signs, training, and educational materials for the program. No funding would be available unless an appropriation were made, and existing resources would have to be used for the other activities. The level of support services provided by the Department would depend upon the agreements between the DEQ and each volunteer group. The bill would permit the Department to seek funding from the Environmental Protection Agency or other sources for administration of the program. The bill also would limit potential liability of the Department for activities related to watershed management.

Date Completed: 3-8-05

Fiscal Analyst: Jessica Runnels

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Analysis available @ <http://www.michiganlegislature.org>

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