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BILL ANALYSIS

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Senate Bills 873, 875, 876, and 877 (as enacted)
House Bills 5553 and 5559 (as enacted)

Sponsor: Senator John Moolenaar (S.B. 873)
Senator Dave Hildenbrand (S.B. 875)
Senator Goeff Hansen (S.B. 876)
Senator Tom Casperson (S.B. 877)
Representative Ray A. Franz (H.B. 5553)
Representative Dave Pagel (H.B. 5559)

Senate Committee: Outdoor Recreation and Tourism
House Committee: Tourism

Date Completed: 8-20-14

PUBLIC ACTS 210-213 of 2014
PUBLIC ACTS 214 & 215 of 2014

RATIONALE

Because of Michigan's abundant natural resources and scenic beauty, the State is a popular location among residents and tourists for outdoor recreation activities such as hiking, snowmobiling, and horseback riding. The thousands of miles of trails developed over the years in support of these pastimes reportedly have earned Michigan the reputation as "the Trail State". In 1993, legislation was enacted to create a process by which the Natural Resources Commission (NRC) may designate as "Michigan trailways" trails that meet specific design standards. Evidently, the legislation was motivated by a desire to facilitate the conversion of abandoned railroad corridors to recreational use, encourage uniformity and high quality in trail features, foster expansion of the trail system, and further promote Michigan as a destination for outdoor recreation. Also, legislation providing for the designation of "Michigan heritage water trails" was enacted to achieve similar goals with regard to the State's numerous waterways.

The State's recreational trail system has grown significantly over the last few decades, and in recent years, there has been substantial discussion among policymakers and stakeholders on the system's future. Legislation enacted several years ago required the Department of Natural Resources (DNR) to prepare a comprehensive trail plan. The DNR completed its plan in January 2014, incorporating many recommendations of the Michigan Snowmobiles and Trails Advisory Council. (The plan is described below, under **BACKGROUND**).

In the course of the conversation regarding the trail system, some shortcomings in the current program were identified. For example, only two trails actually have been designated as "Michigan trailways" thus far. Reportedly, some have found the designation process cumbersome and the funding for trail support inadequate. Additionally, some believe that the designation program has been too narrowly focused on rail trails. It was suggested that the program should be revised and affiliated with "Pure Michigan", a brand created by Travel Michigan (the State's travel bureau) in 2006. The Pure Michigan campaign has been both popular and successful, receiving a number of accolades and effectively promoting Michigan as a vacation destination throughout the country. Also, it was suggested that transferring trail designation authority from the NRC to the DNR Director, expanding the program to include communities adjacent to trails, and making other changes suggested in the comprehensive trail plan, will spur further improvements to, and raise the profile of, the State's trail system.

CONTENT

All of the bills amend Part 721 (Michigan Trailways) of the Natural Resources and Environmental Protection Act, and House Bill 5559 also amends Part 13 (Permits), to replace provisions for Michigan trailways with provisions for the designation of Pure Michigan trails and water trails; allow the designation of Pure Michigan trail towns; require the development of an online database and a mobile software application of Michigan trail maps; transfer authority from the Natural Resources Commission to the Department of Natural Resources; and make related changes.

Senate Bill 873 does the following:

- Deletes provisions authorizing the NRC to designate trails meeting specific criteria as "Michigan trailways".
- Authorizes the DNR Director to designate "Pure Michigan" trails and water trails, after receiving the NRC's recommendation.
- Revises the criteria for designation that will apply to a Pure Michigan trail or water trail.
- Deletes provisions allowing the NRC to designate "Michigan trailway connectors" that do not meet the requirements for a Michigan trailway designation.
- Authorizes the DNR Director to designate a city, village, or township meeting certain criteria as a "Pure Michigan trail town".
- Requires the DNR to obtain a trademark license from the Michigan Economic Development Corporation for use of the words "Pure Michigan".
- Transfers from the NRC to the DNR the authority to promulgate rules considered necessary to implement Part 721.
- Requires the DNR to work in cooperation with interested parties to develop an online database of Michigan trail maps that users may download and print, as well as a mobile software application of trail maps and other information related to specific trails.

Senate Bill 875 does the following:

- Deletes the definition of "trailway" (i.e., a trail or other land corridor that features a broad trail capable of accommodating a variety of public recreation uses).
- Includes a water trail in the definition of "trail" (which means a right-of-way adapted to foot, horseback, motorized, or other nonmotorized travel).
- Defines "water trail" as a designated route on a body of water.

Senate Bill 876 does the following:

- Refers to trails, rather than Michigan trailways, pack and saddle trails, and rail trails, in provisions regarding operation and maintenance by the DNR or a trail management council and the DNR's adopt-a-trail program.
- Requires the DNR to coordinate other volunteer programs operated in the vicinity of an adopted trail.

Senate Bill 877 does the following:

- Refers to the Michigan Trails Advisory Council, rather than the Michigan Snowmobile and Trailways Advisory Council.
- Includes water trails among the types of trails on which the Advisory Council must advise the DNR and the Governor.
- Requires at least two members, rather than one member, of the Advisory Council to be Upper Peninsula residents.
- Requires the Advisory Council to consult with organizations involved with expanding trail access for people with disabilities.
- Requires the Advisory Council to make certain recommendations to the DNR Director, rather than to the NRC and the Department.

- Refers to Pure Michigan trails and water trails rather than Michigan trailways in provisions regarding the Advisory Council's recommendations.
- Refers to trails rather than trailways in a number of provisions regarding the Equine Trailways Subcommittee and pack and saddle trailways.
- Requires the DNR, rather than the NRC, to hold a public meeting on a proposal to restrict access to certain land by pack and saddle animals.
- Eliminates a requirement that the Michigan Horse Council be invited to attend the meeting.

House Bill 5553 does the following:

- Changes the name of the "Michigan Trailways Fund" to the "Pure Michigan Trails Fund".
- Eliminates a provision allowing the Fund to receive fees collected from users of trailways on State forestland.
- Includes nonprofit organizations and private sector entities among the entities eligible for grants from the Fund to operate and maintain designated trail segments.
- Deletes specific factors that the DNR must consider in determining expenditures of Fund money.

House Bill 5559 does the following:

- Refers to a "Pure Michigan trail" rather than a "Michigan trailway" in the definition of "permit" and provisions regarding easements, contracts, and leases related to designated trails.
- Transfers from the NRC to the DNR authority regarding easements, contracts, and leases related to designated trails.

The bills will take effect on September 25, 2014. All of the bills, except Senate Bill 875, are described in detail below.

Senate Bill 873

Designation of Pure Michigan Trail

Under Part 721, upon petition by any person or on its own motion, the Natural Resources Commission may designate a trailway in Michigan as a "Michigan trailway". The bill, instead, authorizes the Director of the Department of Natural Resources to designate a trail located on land as a "Pure Michigan trail". The bill allows a person to request the Director to make such a designation.

Currently, the NRC may not designate a trailway as a Michigan trailway unless it meets, or will meet when completed, all of the following requirements:

- The land on which the trail is located is owned by the State or a governmental agency, or otherwise under the long-term control of the State or a governmental agency through a lease, easement, or other arrangement.
- The design and maintenance of the trail and its related facilities meet generally accepted standards of public safety.
- The trail meets appropriate standards for its designated recreation uses.
- The trail is available for designated recreation uses on a nondiscriminatory basis.
- The trail is, or has potential to be, a segment of a statewide network of trails, or it attracts a substantial share of its users from beyond the local area.
- The trail is marked with an official Michigan trailway sign and logo at major access points.
- Where feasible, the trail offers adequate support facilities for the public, including parking, sanitary facilities, and emergency telephones, that are accessible to people with disabilities and are at reasonable frequency along the trail.
- Potential negative impacts of trail development on owners or residents of adjacent property are minimized through prescribed measures.
- Other conditions as required by the NRC.

Under the bill, all of these conditions will apply to the designation of a Pure Michigan trail by the DNR Director, except the trail will have to meet other conditions required by the Director, rather than the NRC. In addition, the trail must be a model trail for its designated uses and the designation as a Pure Michigan trail must contribute to a statewide trail network that promotes healthy lifestyles, economic development, recreation, and conservation of the State's resources.

The current conditions for trail designation also include the following:

- The trail is a multiuse trail suitable for use by pedestrians, by people with disabilities, and by other users, as appropriate.
- The trail is not directly attached to a roadway, except at roadway crossings.

The bill deletes these conditions with regard to a Pure Michigan trail designation.

Designation of Pure Michigan Water Trail

The bill authorizes the DNR Director to designate a water trail as a "Pure Michigan water trail", and allows a person to request that the Director make such a designation.

The Director may not designate a trail as a Pure Michigan water trail unless it meets, or will meet when completed, all of the following requirements:

- The trail and its access points are open to public use and are designed, constructed, and maintained according to best management practices.
- The trail is located on a contiguous waterway or a series of waterways that are contiguous or are connected by portages.
- The trail is consistent with applicable land use plans and environmental laws.

Additionally, the water trail will have to function as a model trail and contribute to a statewide network that promotes healthy lifestyles, economic development, recreation, and resource conservation, as well as meet the criteria applicable to a trail located on land regarding the following:

- Generally accepted standards of public safety.
- Appropriate standards for the trail's designated uses.
- Availability for designated uses on a nondiscriminatory basis.
- Potential as a segment of a statewide network or attraction of a substantial share of users who are not local.
- Sign and logo requirements.
- Support facilities for the public.
- The minimization of negative impacts.
- Other conditions required by the DNR Director.

The bill repeals Section 72113, which required the Great Lakes Center for Maritime Studies at Western Michigan University, in conjunction with the DNR, the former Department of History, Arts, and Libraries, and the Michigan 4-H Youth Conservation Council, to develop a plan for a statewide recognition program to be known as the "Michigan Heritage Water Trail Program", designed to do all of the following:

- Establish a method for designating significant water corridors in the State as Michigan heritage water trails.
- Provide recognition for the historical, cultural, recreational, and natural resource significance of Michigan heritage water trails.
- Establish methods for local units of government to participate in programs that complement the heritage water trail designation.
- Assure that private property rights along the water trails are not disturbed or disrupted, or restricted by the State or local units of government.

Public Hearing Requirements; Factors for Consideration

Part 721 prohibits the NRC from designating a trail as a Michigan railway unless a public hearing has been held in the vicinity of the proposed railway to take testimony and gather public opinion on the proposal, including the railway's proposed uses and whether motorized uses are appropriate. When a Michigan railway is designated, the NRC, in consultation with the applicable governmental agencies, must establish uses to be permitted on the railway, taking into consideration all of the following:

- The safety and enjoyment of railway users.
- Impacts on residents, landowners, and businesses adjacent to the railway.
- Applicable local ordinances.

A change in the permitted uses of the designated railway relating to whether motorized use is allowed may not be made without NRC approval after a public hearing held in the same manner as provided for the original designation of the railway.

The bill deletes all of these provisions.

The bill requires the DNR Director, in designating trails as Pure Michigan trails, to consider all forms of permissible recreation uses equally in order to develop a Pure Michigan trails network that will be representative of the various trail uses.

Before designating either a Pure Michigan trail or a water trail, the DNR Director must refer the proposed designation to the NRC, which will have to hold a public hearing on the proposed designation. Within 90 days after receiving the referral, the Commission will have to give the Director its recommendation regarding the designation.

Revocation of Designation

Part 721 allows the NRC to revoke a Michigan railway designation if it determines that the trail fails to meet applicable requirements. Before revoking the designation, the NRC must provide notice to all entities involved in the trail's management. If the trail is brought into compliance within 90 days after the notice is provided, the Commission may not revoke the designation. Under the bill, these provisions will apply to the DNR Director with regard to the revocation of a Pure Michigan trail or water trail designation.

Trailway Connector Designation

Currently, upon petition by any person or on its own motion, the NRC may designate a trailway, bicycle path, sidewalk, road, or other suitable route that does not meet the requirements for a Michigan railway as a "Michigan railway connector" if all of the following criteria are met:

- The connector meets appropriate safety and design standards for its designated uses.
- The connector connects directly to a Michigan railway.
- The public agency having jurisdiction over the connector has consented in writing to the designation.
- The connector is marked with an official Michigan railway connector sign and logo at major access points.

An aquatic corridor capable of accommodating watercraft that connects to a Michigan railway also may be designated as a connector if it meets these requirements.

The bill deletes these provisions.

Pure Michigan Trail Town

The bill authorizes the DNR Director, upon petition by a person, to designate a city, village, or township as a "Pure Michigan trail town" if the Director determines that the city, village, or township meets all of the following conditions:

- Is easily accessible to users of a Pure Michigan trail or water trail.
- Has adopted a resolution in support of the designation.
- Has adopted a plan for providing trail users with support services, such as parking, sanitary facilities, restaurants, accommodations, grocery stores, bike shops, boat docks, or other services needed or desired by trail users.

Additionally, the petitioner will have to demonstrate at least three of the following:

- There is community support for the designation as evidenced by creation of an advisory committee.
- There has been an annual trail-related project or event within the city, village, or township.
- A school board within the city, village, or township has endorsed a trail-based service learning educational component within its schools.
- Land use plans, planning tools, ordinances, or guidelines that recognize the relationship between the trail and other community assets are in place, or there is support to amend, change, or add these provisions.

Upon being designated as a Pure Michigan trail town, the city, village, or township may erect and maintain along the Pure Michigan trail or water trail at a junction with the city, village, or township an official Pure Michigan trail town sign and logo designed by the DNR.

The Department may provide for the erection and maintenance of an official sign and logo only when sufficient private contributions are received to pay for the costs of doing so.

The Director may revoke a Pure Michigan trail town designation if he or she determines that the city, village, or township has failed to meet the requirements prescribed in the bill. Before revoking the designation, the Director will have to notify the city, village, or township. If the city, village, or township is brought into compliance within 90 days after the notice is provided, the Director may not revoke the designation.

Establishment of Statewide Trail Network

Public Act 45 of 2010 amended Part 721 to create the Michigan Snowmobile and Trail Advisory Council and establish the Equine Trails Subcommittee of the Advisory Council. Public Act 45 required the Subcommittee to prepare and submit to the Advisory Council a recommended plan for a statewide network of pack and saddle trailways. Within one year after receiving the recommendations, the Advisory Council had to review them and make recommendations to the DNR for the establishment of a plan for a statewide trail network. Within one year after receiving the Advisory Council's recommendations, the DNR was required to establish a plan for a statewide trail network that includes Michigan trailways, pack and saddle trailways, and other recreational use trails. The plan must be designed to accommodate a variety of public recreation uses and specify the types of uses that are allowed on each trail segment. The DNR must make the established plan available on the Department's website.

If the DNR is informed that additional trails should be added to the plan or that uses on particular segments should be modified, the Department may modify the plan accordingly.

The bill generally retains these provisions but refers to the statewide trail network rather than the plan.

The bill requires the DNR to work in cooperation with interested parties to facilitate the creation and maintenance of a current database of trail maps for all trails within the statewide trail network on the Department's website. The database must designate specifically which of the trails are Pure Michigan trails or water trails. The database also must allow trail users to download or print trail maps.

Additionally, the bill required the DNR to work in cooperation with interested parties to facilitate the development and maintenance of a mobile software application of trail maps and other information related to specific trails that may be downloaded onto smartphones, tablet

computers, and other portable electronic devices. The DNR must work with these parties to assure that the application is updated to reflect current information from the database.

Senate Bill 876

Operation & Maintenance of Trails

Part 721 authorizes the DNR to operate and maintain a Michigan trailway that is located on State-owned land or enter into an agreement with a Michigan trailway management council or one or more governmental agencies to provide for the trailway's operation and maintenance. Two or more governmental agencies may establish a Michigan trailway management council for the development and management of a Michigan trailway pursuant to the Urban Cooperation Act. The bill refers to a trail rather than a Michigan trailway in these provisions.

Volunteer Programs

Part 721 requires the DNR to establish an "adopt-a-trail" program that allows volunteer groups to assist in maintaining and enhancing Michigan trailways, pack and saddle trailways, and rail trails. The bill refers to trails on State-owned land, rather than Michigan trailways, pack and saddle trailways, and rail trails.

Under the bill, if the DNR operates other programs in the vicinity of an adopted trail that allow volunteers to adopt a park or other resource, the Department will have to coordinate these programs to provide for efficient and effective volunteer programs in the area.

Senate Bill 877

The bill changes the name of the Michigan Snowmobile and Trails Advisory Council to the Michigan Trails Advisory Council.

Part 721 requires the Advisory Council to advise the DNR Director and the Governor on the creation, development, operation, and maintenance of motorized and nonmotorized trails in Michigan, including snowmobile, biking, equestrian, hiking, off-road vehicle, and skiing trails. The bill also includes water trails.

Part 721 also requires the Advisory Council to make recommendations to the NRC and the DNR on the following:

- Expenditure of money in the Michigan Trailways Fund.
- The implementation of Part 721 and the establishment and operation of Michigan trailways.

Under the bill, the Advisory Council must make these recommendations to the DNR Director, rather than the Commission and the Department. In addition, the bill refers to Pure Michigan trails and water trails, rather than Michigan trailways.

The bill also refers to trails rather than trailways in a number of provisions regarding the Equine Trailways Subcommittee and pack and saddle trailways.

Currently, at least one Advisory Council member must be a resident of the Upper Peninsula. Under the bill, at least two members will have to be Upper Peninsula residents. The bill also requires the Advisory Council to consult with organizations involved with expanding trail access for people with disabilities.

Part 721 requires that pack and saddle animals be allowed access to pack and saddle trails on public land managed by the DNR, subject to prescribed conditions, and allows access to be restricted only if conditions are not suitable for the animals because of public safety concerns, necessary maintenance, or reasons related to the Department's mission.

The Department may not restrict access unless a number of conditions prescribed in Part 721 are met. These include a requirement that the NRC, upon the Department's request, hold a public

meeting on a proposal to restrict access by pack and saddle animals, to receive testimony from the general public. The NRC must invite the Advisory Council, a subcommittee, and the Michigan Horse Council to attend the meeting. The bill requires the Department, rather than the NRC, to hold the public meeting and issue the required invitations. The bill also eliminates the requirement that the Horse Council be invited.

House Bill 5553

Pure Michigan Trails Fund

The Michigan Trailways Fund exists within the State Treasury. The bill changes the name of the Fund to the Pure Michigan Trails Fund.

Except as otherwise provided by law, the State Treasurer may receive money or other assets from any of the following for deposit into the Fund:

- Fees collected from users of trailways on State forestland.
- Payments to the State for easements, use permits, leases, or other uses of State-owned Michigan trailway property.
- Payments to the State for concessions operated by private vendors on State-owned property located on or adjacent to a Michigan trailway.
- Federal funds, gifts or bequests, and State appropriations.
- Money or assets from other sources as provided by law.

The bill eliminates the reference to fees collected from users of trailways on State forestland. Additionally, the bill refers to a "Pure Michigan trail" rather than a "Michigan trailway".

Fund money may be spent for any of the following purposes:

- The DNR's expenses in operating and maintaining the designated trail system and enforcing trail rules and regulations.
- Grants to or contracts with councils or governmental agencies to operate and maintain segments of designated trails and to enforce the rules and regulations.
- Funding designated trail construction and improvements.
- Acquisition of land or rights in land.
- Publications and promotions of the designated trail system.

The bill also allows money to be spent for grants to nonprofit organizations and private sector entities to operate and maintain the trail segments and enforce rules and regulations.

The bill deletes a requirement that the DNR consider all of the following in determining the expenditure of Fund money:

- The need for funding each of the purposes prescribed in Part 721.
- The estimated cost of Michigan trailway management for each governmental agency that manages a Michigan trailway.
- The need of each governmental agency that manages a Michigan trailway for financial assistance in managing the trailway, and the amount of money from the Fund that agency received in the past.
- The amount of revenue accruing to the Fund that is generated from each Michigan trailway.
- Other factors considered appropriate by the DNR.

House Bill 5559

Part 721 Authority

Part 721 authorizes the NRC to do any of the following:

- Grant easements or use permits or lease land owned by the State that is being used for a Michigan trailway for a use that is compatible with the use of the trailway.

- Enter into contracts for concessions along a State-owned Michigan trailway.
- Lease land adjacent to a State-owned Michigan trailway for the operation of concessions.

The bill transfers this authority to the DNR. The bill also refers to a "Pure Michigan trail" rather than a "Michigan trailway" in these provisions.

If the NRC approves of the acquisition of land by the DNR, the Commission may state that the land is acquired for use as a Michigan trailway. Under the bill, instead, if the DNR acquires land, the Director may state that the land is acquired for use as a Pure Michigan trail.

Part 13 Permits

Part 13 provides for the issuance of permits under the Act, and defines "permit" as a permit or operating license required by any of the sections listed in the definition or by rules promulgated under them. The listed sections include Section 72108, "use permits for a Michigan trailway". The bill refers instead to "use permits for a Pure Michigan trail".

MCL 324.72103 et al. (S.B. 873)
 324.72101 & 324.72102 (S.B. 875)
 324.72105-324.72106 (S.B. 876)
 324.72110 et al. (S.B. 877)
 324.72107 & 324.72109 (H.B. 5553)
 324.1301 & 324.72108 (H.B. 5559)

BACKGROUND

Public Act 45 of 2010 required the DNR to prepare a statewide comprehensive trail plan through a three-step process. First, the Equine Trailways Subcommittee of the Michigan Snowmobiles and Trails Advisory Council (MSTAC) had to prepare an equine trail plan. After receiving the plan, the MSTAC had a year to prepare a State plan that considered all trail users and submit it to the DNR, which then had to develop a comprehensive trail plan. The MSTAC adopted its Michigan Comprehensive Trail Plan in May 2013. In January 2014, the DNR issued a five-year strategy to implement its plan, based on the Advisory Council's recommendations. The DNR's implementation plan specifies the following priorities:

- Developing funding sources and mechanisms for trail maintenance and filling funding gaps for trail acquisition and development.
- Ensuring sustainability by maintaining trails according to established guidelines.
- Expanding trails and trail experiences to ensure broader public access to trail systems, outdoor recreation opportunities, and Pure Michigan natural and cultural resources.
- Linking trails, trail users, and adjoining communities to create memorable trail experiences and enhance local prosperity.
- Developing, enhancing, and celebrating trail partnerships and collaborations.
- Creating and implementing a statewide marketing plan that engages residents and guests in exploring Michigan's array of trail opportunities.
- Ensuring that the State's trail system complements other plans and planning efforts, conserves the resources that enhance the system, and is compatible with the other values and programs associated with the land.
- Through the MSTAC, leading efforts to maintain and enhance Michigan's reputation as "the Trail State".

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Trails deliver a number of benefits to the public, not only with regard to recreation and tourism, but also in terms of transportation, health, economic development, and vibrant communities. Trails promote physical fitness and provide expanded commuting options, reducing congestion on

local streets and mitigating the environmental and health problems caused by pollution from vehicles. Additionally, trails have a positive impact on nearby home values, contribute to a high quality of life for residents, and encourage a sense of investment in communities. Trail users provide a customer base for related businesses, such as bicycle rental and repair shops, ORV retailers, and paddle sport outfitters. The presence of recreational trails boosts business for other local establishments, such as restaurants and ice cream shops, and sparks property redevelopment and community revitalization.

The State is already known for its first-class recreational trail system, especially with regard to snowmobiling and off-roading; the changes enacted by the bills will increase the system's utility and expand the reach of related promotional efforts. In practice, the existing "Michigan railway" legislation has been less effective than anticipated. The process for receiving the designation from the NRC has proven cumbersome, and evidently the Michigan Trailways Fund has not been effective in supporting the program. As a result, only two trails (both of them rail trails) have been designated as Michigan trailways. Senate Bill 873 will bring efficiency to the process by transferring ultimate authority to grant a trail designation from the NRC to the DNR Director (although the bill still requires the NRC to hold a public hearing and make a recommendation regarding a petition). This should encourage more entities responsible for maintaining trails to pursue superior design standards and seek designation. House Bill 5553 eliminates the list of specific factors the DNR must consider in allocating money from the renamed Pure Michigan Trails Fund. This expanded flexibility, combined with the bill's inclusion of nonprofit organizations and private-sector entities among those eligible for grants, will help ensure that more adequate funding flows to trail construction, maintenance, and improvement efforts.

In a related matter, some people feel that the existing Michigan trailways program focuses too narrowly on rail trails and does not adequately showcase the rest of the trail network. Michigan has received recognition for having more miles of rail trails than any other state; the rest of the State's substantial trail mileage, including waterways, should receive the same level of attention. The bills will achieve this by allowing the well-known Pure Michigan brand to be attached to those trails that offer exceptional value to users. In the same vein, Senate Bill 873 requires that all uses be represented among the trails that receive a Pure Michigan designation, ensuring opportunities for fans of all recreation interests, both motorized and nonmotorized.

Furthermore, including local units of government among the entities that may receive a Pure Michigan designation will encourage strategic planning and placemaking activities in communities near trails. This careful consideration will enable communities to take full advantage of their unique assets, integrating trails in a deliberate fashion so as to preserve local character and maximize economic benefit. In particular, the bills will help the State to make the most of its plentiful water-based recreation opportunities and expand its "blue" economy.

Dedicated snowmobilers, hikers, and bicyclists desire longer trails, so it is important that Michigan works to increase the continuous mileage available to the full array of user groups. The bills will foster increased connectivity between trails, which is essential to bringing tourists to the State and discouraging Michigan residents from traveling elsewhere for their outdoor recreation needs.

The package also requires the development of a trail map database and smartphone application. Currently, information on trails in Michigan is fragmented and somewhat inaccessible. Consolidating all of this information in one highly visible location, such as the Pure Michigan website, will make it easier to find and use. Also, the coordination among trail programs required by Senate Bill 876 will highlight the essential work performed by volunteers and increase the efficiency and effectiveness of trail maintenance and improvement efforts. All of these measures will help make the State a more enticing location for outdoor enthusiasts.

Overall, the legislation will enable Michigan to capitalize on its existing infrastructure, elevating the entire trail system through better coordination, increased connectivity, and heightened public visibility. Together, these measures will strengthen Michigan's reputation for outdoor recreation and amplify all of the associated benefits.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bills will not have a substantial fiscal impact on the Department of Natural Resources or local units of government. From a cost perspective, the Pure Michigan Trails program that will be established by the bills does not appear to require the DNR to engage in activities that will be substantially different from those undertaken for the creation and maintenance of nonmotorized trails currently. House Bill 5553 makes changes to the Michigan Trailways Fund (renamed the Pure Michigan Trails Fund) by eliminating the provision allowing the Fund to receive revenue derived from fees charged to users of trailways. This change will have no practical fiscal impact on the DNR as no such fees are currently charged and subsequently credited to the Fund. Senate Bill 873 will allow for the erection of signs indicating that a municipality is a Pure Michigan Trail Town, but only after the municipality has demonstrated that sufficient private funds are available to pay for the signs. The overall fiscal impact of these bills may vary based on available revenue at both the State and local levels. At the State level, funds for the program will depend on appropriations from the Legislature.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.