

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 876

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 72105, 72105a, and 72106 (MCL 324.72105,
324.72105a, and 324.72106), sections 72105 and 72106 as added by
1995 PA 58 and section 72105a as amended by 2010 PA 46.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 72105. The department may operate and maintain a ~~Michigan~~
2 ~~railway-TRAIL~~ that is located on state owned land or may enter
3 into an agreement with a council or 1 or more governmental agencies
4 to provide for the operation and maintenance of the ~~Michigan~~
5 ~~railway-TRAIL~~. An agreement entered into under this subsection
6 may include provisions for any of the following:
7 (a) Construction, maintenance, and operation of the
8 ~~railway-TRAIL~~.

1 (b) Enforcement of ~~trailway~~ **TRAIL** rules and regulations
 2 including permitted uses of the ~~trailway~~ **TRAIL**.

3 (c) Other provisions consistent with this part.

4 Sec. 72105a. (1) The department shall establish an "adopt-a-
 5 trail" program that will allow volunteer groups to assist in
 6 maintaining and enhancing ~~Michigan trailways, pack and saddle~~
 7 ~~trailways, and rail trails~~ **TRAILS ON STATE OWNED LAND**.

8 (2) Subject to subsection (3), volunteer groups in the adopt-
 9 a-trail program may adopt any available ~~Michigan trailway, pack and~~
 10 ~~saddle trailway, or rail trail or Michigan trailway, pack and~~
 11 ~~saddle trailway, or rail trail~~ **TRAIL OR TRAIL** segment and may
 12 choose any 1 or more of the following volunteer activities:

13 (a) Spring cleanups.

14 (b) Environmental activities.

15 (c) Accessibility projects.

16 (d) Special events.

17 (e) ~~Trailway~~ **TRAIL** maintenance, **ENHANCEMENT**, and development.

18 (f) Public information and assistance.

19 (g) Training.

20 (3) The department shall designate the activities to be
 21 performed by a volunteer group in the adopt-a-trail program. The
 22 department may provide for more than 1 volunteer group to adopt a
 23 ~~Michigan trailway, pack and saddle trailway, or rail trail or~~
 24 ~~Michigan trailway, pack and saddle trailway, or rail trail~~ **AN**
 25 **ELIGIBLE TRAIL OR TRAIL** segment. **IF THE DEPARTMENT OPERATES OTHER**
 26 **PROGRAMS IN THE VICINITY OF THE TRAIL THAT ALLOWS VOLUNTEERS TO**
 27 **ADOPT A PARK OR OTHER RESOURCE, THE DEPARTMENT SHALL COORDINATE**

1 **THESE PROGRAMS TO PROVIDE FOR EFFICIENT AND EFFECTIVE VOLUNTEER**
2 **PROGRAMS IN THE AREA.**

3 (4) A volunteer group that wishes to participate in the adopt-
4 a-trail program shall submit an application to the department on a
5 form provided by the department. Additionally, volunteer groups
6 shall agree to the following:

7 (a) Volunteer groups shall participate in the program for at
8 least a 2-year period.

9 (b) Volunteer groups shall consist of at least 6 people who
10 are 18 years of age or older, unless the volunteer group is a
11 school or scout organization, in which case the volunteers may be
12 under 18 years of age.

13 (c) Volunteer groups shall contribute a total of at least 400
14 service hours over a 2-year period.

15 (d) Volunteer groups shall comply with other reasonable
16 requirements of the department.

17 (5) A state park manager or a district forest manager may
18 issue to volunteers who are actively working on adopt-a-trail
19 projects that last more than 1 day free camping permits if
20 campsites are available. A state park manager or a district forest
21 manager may waive state park entry fees for volunteers entering
22 state parks to work on adopt-a-trail projects.

23 (6) While a volunteer is working on an adopt-a-trail project,
24 the volunteer has the same immunity from civil liability as a
25 department employee and shall be treated in the same manner as an
26 employee under section 8 of 1964 PA 170, MCL 691.1408.

27 (7) The department shall design and erect near the entrance of

each ~~Michigan railway, pack and saddle railway, or rail trail in~~
~~the adopt-a-trail program or along the railway~~ **ADOPTED TRAIL OR**
TRAIL SEGMENT an adopt-a-trail program sign with the name of the
volunteer group's sponsoring organization listed for each volunteer
group that has contributed at least 100 service hours by
volunteers.

Sec. 72106. (1) Two or more governmental agencies may
establish a ~~Michigan railway~~ **TRAIL** management council for the
development and management of a ~~Michigan railway~~ **TRAIL** pursuant to
the urban cooperation act of 1967, ~~Act No. 7 of the Public Acts of~~
~~the Extra Session of 1967, being section 124.501 to 124.512 of the~~
~~Michigan Compiled Laws.1967~~ **(EX SESS) PA 7, MCL 124.501 TO 124.512.**

(2) Upon formation, a council shall adopt operating procedures
and shall elect officers as the council considers appropriate.

(3) A council may do 1 or more of the following as authorized
in an interlocal agreement entered into pursuant to ~~Act No. 7 of~~
~~the Public Acts of the Extra Session of 1967.~~ **THE URBAN COOPERATION**
ACT OF 1967, 1967 (EX SESS) PA 7, MCL 124.501 TO 124.512:

(a) Operate and maintain that portion of 1 or more ~~Michigan~~
~~railways~~ **TRAILS** that ~~is~~ **ARE** owned or under the control of the
governmental agencies establishing the council.

(b) Pursuant to an agreement under section 72105, operate and
maintain that portion of 1 or more ~~Michigan railways~~ **TRAILS** that
~~is~~ **ARE** located on state owned land.

(c) Coordinate the enforcement of ~~railway~~ **TRAIL** rules and
regulations and other applicable laws and ordinances, including
permitted uses of the ~~railway~~ **TRAIL** on ~~railways~~ **TRAILS** owned or

Senate Bill No. 876 (H-1) as amended June 10, 2014

under the control of the governmental agencies establishing the council or, pursuant to an agreement under section 72105, ~~trailways~~ **TRAILS** that are located on state owned land.

(d) Receive any grant made from the fund or other funding related to that portion of a ~~Michigan railway~~ **TRAIL** within its jurisdiction.

(e) Acquire or hold real property for the purpose of operating a ~~Michigan railway~~ **TRAIL**.

(f) Perform other functions consistent with this part.

(4) A council may be dissolved by the governmental agencies that participated in creating the council. However, if a council has entered into an agreement with the department under section 72105, the agreement shall specify how the council may be dissolved.

[Enacting section 1. This amendatory act takes effect upon the expiration of 90 days after the date it is enacted into law.]

Enacting section [2]. This amendatory act does not take effect unless all of the following bills of the 97th Legislature are enacted into law:

(a) Senate Bill No. 873.

(b) Senate Bill No. 875.

(c) Senate Bill No. 877.

(d) House Bill No. 5553.

(e) House Bill No. 5559.