

Act No. 212
Public Acts of 2014
Approved by the Governor
June 26, 2014
Filed with the Secretary of State
June 26, 2014
EFFECTIVE DATE: September 25, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014**

Introduced by Senators Hansen, Moolenaar, Casperson, Meekhof, Kowall, Green and Booher

ENROLLED SENATE BILL No. 876

AN ACT to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people’s right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” 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:

Sec. 72105. The department may operate and maintain a trail that is located on state owned land or may enter into an agreement with a council or 1 or more governmental agencies to provide for the operation and maintenance of the trail. An agreement entered into under this subsection may include provisions for any of the following:

- (a) Construction, maintenance, and operation of the trail.
- (b) Enforcement of trail rules and regulations including permitted uses of the trail.
- (c) Other provisions consistent with this part.

Sec. 72105a. (1) The department shall establish an “adopt-a-trail” program that will allow volunteer groups to assist in maintaining and enhancing trails on state owned land.

(2) Subject to subsection (3), volunteer groups in the adopt-a-trail program may adopt any available trail or trail segment and may choose any 1 or more of the following volunteer activities:

- (a) Spring cleanups.
- (b) Environmental activities.
- (c) Accessibility projects.
- (d) Special events.

- (e) Trail maintenance, enhancement, and development.
- (f) Public information and assistance.
- (g) Training.

(3) The department shall designate the activities to be performed by a volunteer group in the adopt-a-trail program. The department may provide for more than 1 volunteer group to adopt an eligible trail or trail segment. If the department operates other programs in the vicinity of the trail that allows volunteers to adopt a park or other resource, the department shall coordinate these programs to provide for efficient and effective volunteer programs in the area.

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

- (a) Volunteer groups shall participate in the program for at least a 2-year period.
- (b) Volunteer groups shall consist of at least 6 people who are 18 years of age or older, unless the volunteer group is a school or scout organization, in which case the volunteers may be under 18 years of age.
- (c) Volunteer groups shall contribute a total of at least 400 service hours over a 2-year period.
- (d) Volunteer groups shall comply with other reasonable requirements of the department.
- (5) A state park manager or a district forest manager may issue to volunteers who are actively working on adopt-a-trail projects that last more than 1 day free camping permits if campsites are available. A state park manager or a district forest manager may waive state park entry fees for volunteers entering state parks to work on adopt-a-trail projects.

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

(7) The department shall design and erect near the entrance of each 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 trail management council for the development and management of a trail pursuant to the urban cooperation act of 1967, 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 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 trails that 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 trails that are located on state owned land.
- (c) Coordinate the enforcement of trail rules and regulations and other applicable laws and ordinances, including permitted uses of the trail on trails owned or under the control of the governmental agencies establishing the council or, pursuant to an agreement under section 72105, 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 trail within its jurisdiction.
- (e) Acquire or hold real property for the purpose of operating a 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.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved

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Governor