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BILL



ANALYSIS

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Senate Bill 596 (as introduced 9-28-17)  
Sponsor: Senator Goeff Hansen  
Committee: Outdoor Recreation and Tourism

Date Completed: 10-31-17

## **CONTENT**

**The bill would amend Part 721 (Michigan Trailways) of the Natural Resources and Environmental Protection Act to do the following:**

- **Allow a Pure Michigan Trail to include amenities related to trail usage such as connectors and access to rest areas, lodging, and eating facilities, as well as park benches and signage.**
- **Allow the Department of Natural Resources (DNR) to develop recommendations for local trail managers on researching and providing historical, cultural, or natural resource information related to the area that a trail traversed.**
- **Allow an agreement executed to provide for the operation and maintenance of a trail on State-owned land to include provisions for construction, maintenance, and operation of amenities related to trail usage.**
- **Allow a trail management council established under the Urban Cooperation Act to review and consider permitted uses of a trail and establish protocols for the development and management of a trail under an interlocal agreement.**

The bill would take effect 90 days after its enactment.

### Pure Michigan Trail; Amenities

Part 721 allows the Director of the DNR to designate a trail in the State as a "Pure Michigan Trail". The Director may not designate a trail as a Pure Michigan Trail unless it meets, or will meet when completed, certain criteria. Among these is a requirement that the trail, where feasible, offer adequate support facilities for the public, including parking, sanitary facilities, and emergency telephones, that are accessible to individuals with disabilities and are at reasonable frequency along the trail. Under the bill, the trail could include amenities related to trail usage such as connectors and access to rest areas, lodging, and eating facilities, as well as park benches and signage. Support facilities and trail amenities described in these provisions would be public goods.

### Trail Manager Recommendations

The bill would allow the DNR to develop recommendations for local trail managers on researching and providing historical or cultural information related to the area that a trail traversed using interpretive signage, online materials, or other appropriate means.

### Trail Operation & Maintenance Agreement; Amenities

Under Part 721, the Department of Natural Resources may operate and maintain a trail that

is located on State-owned land or enter into an agreement with a council or one or more governmental agencies to provide for the operation and maintenance of the trail. An agreement for those purposes may include provisions for construction, maintenance, and operation of the trail. Under the bill, provisions for construction, maintenance, and operation could include amenities related to trail usage such as connectors and access to rest areas, lodging, and eating facilities, as well as park benches and signage.

### Interlocal Agreement for Trails

Two or more governmental agencies may establish a trail management council for the development and management of a trail under the Urban Cooperation Act. A trail management council may do one or more of the following as authorized in an interlocal agreement entered into under the Act:

- Operate and maintain the portion of one or more trails that are owned or under the control of the governmental agencies that established the council.
- Operate and maintain the portion of one or more trails that are located on State-owned land under an agreement entered into for that purpose.
- Coordinate the enforcement of trail rules and regulations and other applicable laws and ordinances, including permitted uses on trails owned or under the control of the governmental agencies establishing the council or trails located on State-owned land.
- Receive any grant made from the Pure Michigan Trails Fund or other funding related to that portion of a trail within its jurisdiction.
- Acquire or hold real property for the purpose of operating a trail.
- Perform other functions consistent with Part 721.

Under the bill, a council also could do the following as authorized under an interlocal agreement:

- Review and consider current and potential permitted uses of each trail and trail segment and provide an easily understood plan for trail users.
- Establish protocols for the development and management of a trail, which could include any of the following: a) signage, b) a historical and cultural interpretive plan; c) a formula for sharing costs of maintenance; and d) a plan for linking the trail to nearby water trails, where appropriate.

A council could hold one or more public hearings to receive input and provide information on the development and management of a trail.

(The Urban Cooperation Act allows the joint exercise of power between a public agency of this State and another public agency of this State, or a public agency of another state, Canada, or the Federal government, and requires any joint exercise of power under the Act to be made by an interlocal agreement.)

MCL 324.72103 et al.

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

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.