NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

PART 359
ADOPT-A-RIVER PROGRAM

324.35901 Adopt-a-river program; "department" defined; administration; purpose; rules; agreements with volunteer groups to implement program.

Sec. 35901. (1) As used in this part, "department" means the department of natural resources.

(2) The department shall administer an adopt-a-river program to remove litter from rivers and riverbanks within state parks and state recreation areas. The program shall include public informational activities, but shall be directed primarily toward encouraging and facilitating the involvement of volunteer groups in litter cleanup work and assisting volunteer groups in selecting specific river or stream segments for cleanup activities.

(3) The department may promulgate rules as necessary to implement the adopt-a-river program.

(4) The department may enter into agreements with volunteer groups to implement the adopt-a-river program. Agreements with volunteer groups shall include, but are not limited to, all of the following:

(a) Identification of the designated river or stream segment. The volunteer group may request a specific segment of the river or stream it wishes to adopt, subject to the approval of the state park or recreation area manager or supervisor. The department shall assist volunteer groups to select sections of a river or stream and to identify any necessary permits or other authorizations, in cooperation with affected federal, state, and local management agencies, nonprofit organizations, and private landowners.

(b) Specification of the duties of the volunteer group, which shall include both of the following:

(*i*) Removal of litter along the designated river or stream segment at least once each year.

(*ii*) Compliance with any rules related to the program that are adopted by the department.

History: Add. 1996, Act 88, Imd. Eff. Feb. 27, 1996;—Am. 2018, Act 78, Eff. June 17, 2018.

Compiler's note: In separate opinions, the Michigan Supreme Court held that Section 45(8), (9), (10), and (12) and the second sentence of Section 46(1) ("An agency shall not file a rule ... until at least 10 days after the date of the certificate of approval by the committee or after the legislature adopts a concurrent resolution approving the rule.") of the Administrative Procedures Act of 1969, in providing for the Legislature's reservation of authority to approve or disapprove rules proposed by executive branch agencies, did not comply with the enactment and presentment requirements of Const 1963, Art 4, and violated the separation of powers provision of Const 1963, Art 3, and, therefore, were unconstitutional. These specified portions were declared to be severable with the remaining portions remaining effective. Blank v Department of Corrections, 462 Mich 103 (2000).

Popular name: Act 451

Popular name: NREPA

324.35902 Adopt-a-river program; duties of department.

Sec. 35902. In implementing this part and the adopt-a-river program, the department shall do all of the following:

(a) Create a recognition program that acknowledges the efforts of volunteer groups and the members of the groups that participate in the adopt-a-river program.

(b) Provide safety information and assistance to the volunteer groups.

(c) Provide volunteer groups with natural resource information and educational materials.

History: Add. 1996, Act 88, Imd. Eff. Feb. 27, 1996.

Popular name: Act 451

Popular name: NREPA

324.35903 Cleanup effort conducted on state land; part or agreement construed.

Sec. 35903. This part or an agreement under this part shall not be construed to prohibit a cleanup effort from being conducted on any state land.

History: Add. 1996, Act 88, Imd. Eff. Feb. 27, 1996;—Am. 2018, Act 78, Eff. June 17, 2018.

Popular name: Act 451

Popular name: NREPA

324.35904 Repealed. 2018, Act 78, Eff. June 17, 2018.

Compiler's note: The repealed section pertained to report on implementation and progress of adopt-a-river program.

Popular name: Act 451

Popular name: NREPA