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Senate Bill 873 (Substitute S-1 as reported)
Senate Bill 874 (Substitute S-1 as reported)
Senate Bill 875 (as reported without amendment)
Senate Bill 876 (Substitute S-1 as reported)
Senate Bill 877 (Substitute S-2 as reported)
Sponsor: Senator John Moolenaar (S.B. 873)
 Senator Arlan Meekhof (S.B. 874)
 Senator Dave Hildenbrand (S.B. 875)
 Senator Goeff Hansen (S.B. 876)
 Senator Tom Casperson (S.B. 877)
Committee: Outdoor Recreation and Tourism

CONTENT

The bills would amend Part 721 (Michigan Trailways) of the Natural Resources and Environmental Protection Act 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.

All of the bills are tie-barred to each other.

Senate Bill 873 (S-1) would do the following:

- Delete provisions authorizing the Natural Resources Commission (NRC) to designate trails meeting specific criteria as "Michigan trailways".
- Authorize the Director of the Department of Natural Resources (DNR) to designate "Pure Michigan" trails and water trails, after receiving the NRC's recommendation.
- Revise the criteria for designation that would apply to a Pure Michigan trail or water trail.
- Delete provisions allowing the NRC to designate "Michigan railway connectors" that do not meet the requirements for a Michigan railway designation.
- Authorize the DNR Director to designate a city, village, or township meeting certain criteria as a "Pure Michigan trail town".
- Transfer from the NRC to the DNR the authority to promulgate rules considered necessary to implement Part 721.
- Require the DNR to work in cooperation with interested parties to develop an online database of Michigan trail maps that users could download and print, as well as a mobile software application of trail maps and other information related to specific trails.

The bill also would repeal a section providing for a Michigan Heritage Water Trail Program.

Senate Bill 874 (S-1) would amend Part 13 (Permits) as well as Part 721 to do the following:

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

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

Senate Bill 875 would do the following:

- Delete 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).
- Include a water trail in the definition of "trail" (which means a right-of-way adapted to foot, horseback, motorized, or other nonmotorized travel).
- Define "water trail" as a designated route on a body of water.

Senate Bill 876 (S-1) would do the following:

- Refer 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.
- Include trail enhancement among the activities an adopt-a-trail volunteer group may choose.
- Require the DNR to coordinate other volunteer programs operated in the vicinity of an adopted trail.

Senate Bill 877 (S-2) would do the following:

- Refer to the Michigan Trails Advisory Council, rather than the Michigan Snowmobile and Trailways Advisory Council.
- Include water trails among the types of trails on which the Advisory Council must advise the DNR and the Governor.
- Require at least two members, rather than one member, of the Advisory Council to be Upper Peninsula residents.
- Require the Advisory Council to consult with organizations involved with expanding trail access for people with disabilities.
- Require the Advisory Council to make certain recommendations to the DNR Director, rather than to the NRC and the Department.
- Refer to Pure Michigan trails and water trails rather than Michigan trailways in provisions regarding the Advisory Council's recommendations.
- Refer to trails rather than trailways in a number of provisions regarding the Equine Trailways Subcommittee and pack and saddle trailways.
- Require 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.
- Eliminate a requirement that the Michigan Horse Council be invited to attend the meeting.

MCL 324.72103 et al. (S.B. 873)
 324.1301 et al. (S.B. 874)
 324.72101 & 324.72102 (S.B. 875)
 324.72105-324.72106 (S.B. 876)
 324.72110 et al. (S.B. 877)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bills would 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 would be established by the bills does not appear to require the DNR to engage in activities that would be substantially different from those undertaken for the creation and maintenance of nonmotorized trails currently. Senate Bill 874 (S-1) would make changes to the Michigan Trailways Fund by eliminating the provision allowing the Fund to receive revenue derived from fees charged to users of trailways. This change would have no practical fiscal impact on the DNR as no such fees are currently charged and subsequently credited to the Fund. Senate Bill 873 (S-1) would allow for the erection of signs indicating that a municipality was a Pure Michigan Trail Town, but only after the municipality had demonstrated sufficient private funds to pay for the signs. The overall fiscal impact of these bills could vary based on available revenue at both the State and local levels. At the State level, funds for the program would depend on appropriations from the Legislature.

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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.