

# SENATE BILL No. 166

February 3, 2005, Introduced by Senators McMANUS, LELAND, JELINEK, GARCIA, GOSCHKA, ALLEN, TOY, JOHNSON, VAN WOERKOM, BISHOP, KUIPERS and BIRKHOLZ and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 360.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 360

ADOPT-A-FOREST PROGRAM

SEC. 36001. AS USED IN THIS PART:

(A) "PARTICIPANT" MEANS A VOLUNTEER GROUP OR INDIVIDUAL PARTICIPATING IN THE ADOPT-A-FOREST PROGRAM.

(B) "WASTES" INCLUDES SOLID WASTE AS DEFINED IN PART 115, HAZARDOUS WASTE AS DEFINED IN PART 111, AND OTHER RECYCLABLE MATERIALS.

SEC. 36002. (1) THE DEPARTMENT SHALL ADMINISTER A PROGRAM ENTITLED THE ADOPT-A-FOREST PROGRAM, WHICH SHALL BE DESIGNED TO

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1 REMOVE ILLEGALLY DUMPED WASTE FROM PUBLIC FORESTLANDS. THE PROGRAM  
2 SHALL INCLUDE PUBLIC INFORMATIONAL ACTIVITIES BUT SHALL BE DIRECTED  
3 PRIMARILY TOWARD ENCOURAGING THE PARTICIPATION OF VOLUNTEERS IN  
4 CLEANING UP PUBLIC FORESTLANDS IN THE STATE.

5 (2) THE DEPARTMENT MAY ENTER INTO AGREEMENTS WITH PARTICIPANTS  
6 TO IMPLEMENT THE ADOPT-A-FOREST PROGRAM. THE TERM OF THE AGREEMENT  
7 SHALL BE NOT MORE THAN 3 YEARS, AFTER WHICH THE DEPARTMENT MAY  
8 ENTER INTO A NEW AGREEMENT WITH THE PARTICIPANTS. THE AGREEMENTS  
9 WITH PARTICIPANTS SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, BOTH  
10 OF THE FOLLOWING:

11 (A) IDENTIFICATION OF A PARCEL OF PUBLIC FORESTLAND. A  
12 PARTICIPANT MAY REQUEST A SPECIFIC PARCEL OF FORESTLAND IT WISHES  
13 TO ADOPT. IN ASSISTING PARTICIPANTS IN SELECTING A PARCEL OF  
14 FORESTLAND, THE DEPARTMENT SHALL COOPERATE WITH AFFECTED FEDERAL,  
15 STATE, AND LOCAL MANAGEMENT AGENCIES AND NONPROFIT ORGANIZATIONS.

16 (B) SPECIFICATION OF THE RESPONSIBILITIES OF THE PARTICIPANT  
17 AS FOLLOWS:

18 (i) THE RESPONSIBILITIES SHALL INCLUDE THE REMOVAL OF WASTES  
19 FROM THE DESIGNATED PARCEL AT LEAST ONCE PER YEAR. THE PARTICIPANT  
20 SHALL COOPERATE WITH THE DEPARTMENT TO PROMOTE RECYCLING OR PROPER  
21 DISPOSAL OF RECOVERED RECYCLABLE MATERIALS, SCRAP TIRES, AND  
22 HAZARDOUS WASTE.

23 (ii) THE RESPONSIBILITIES SHALL INCLUDE THE PARTICIPANT'S  
24 AGREEMENT TO ABIDE BY GUIDELINES RELATED TO THE PROGRAM THAT ARE  
25 ADOPTED BY THE DEPARTMENT UNDER SECTION 36003.

26 (iii) THE RESPONSIBILITIES MAY INCLUDE OTHER ACTIVITIES APPROVED  
27 BY THE DEPARTMENT THAT ARE ENVIRONMENTALLY SOUND.

1           SEC. 36003. IN IMPLEMENTING THIS PART AND THE ADOPT-A-FOREST  
2 PROGRAM, THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING:

3           (A) ADOPT GUIDELINES RELATED TO THE OPERATION OF THE ADOPT-A-  
4 FOREST PROGRAM.

5           (B) CREATE A RECOGNITION PROGRAM THAT ACKNOWLEDGES THE EFFORTS  
6 OF PARTICIPANTS. ANY RECOGNITION THAT INCLUDES SIGNAGE SHALL COMPLY  
7 WITH THE FOLLOWING:

8           (i) NOT MORE THAN 1 SIGN SHALL BE PLACED TO RECOGNIZE A  
9 PARTICIPANT ADOPTING A PARTICULAR FOREST.

10          (ii) THE SIGN SHALL NOT BE LARGER THAN 3 FEET BY 3 FEET IN  
11 AREA.

12          (iii) THE SIGN SHALL BE LOCATED ONLY AT A PARKING LOT,  
13 TRAILHEAD, OR ROADSIDE.

14          (C) PROVIDE SAFETY INFORMATION AND ASSISTANCE TO PARTICIPANTS.

15          (D) PROVIDE PARTICIPANTS WITH NATURAL RESOURCE INFORMATION AND  
16 EDUCATIONAL MATERIALS.

17          (E) ASSIST IN COORDINATING CLEANUPS AND IDENTIFYING LOCATIONS  
18 OF WASTES ON PUBLIC FORESTLANDS FOR RECOVERY BY PARTICIPANTS.

19          (F) DEVELOP, AS PART OF THE GUIDELINES UNDER SUBDIVISION (A),  
20 A DATA TRACKING SYSTEM RELATED TO CLEANUP ACTIVITIES.

21           SEC. 36004. (1) THE DEPARTMENT MAY PROVIDE UP TO 100% OF  
22 PREAPPROVED WASTE DISPOSAL FEES UPON REQUEST BY A PARTICIPANT IN  
23 ANY FISCAL YEAR AS LONG AS FUNDS ARE AVAILABLE AND THE PARTICIPANT  
24 PROVIDES IN-KIND SERVICES EQUALING OR EXCEEDING 25% OF THE AMOUNT  
25 OF THE FEES.

26           (2) THE DEPARTMENT SHALL COMPILE INFORMATION GATHERED FROM THE  
27 DATA TRACKING SYSTEM UNDER SECTION 36003 (F) FOR INCLUSION IN THE

1 ANNUAL REPORT PREPARED UNDER SECTION 36005.

2 (3) ANY MONEY RECEIVED BY A PARTICIPANT FROM THE SALE OF  
3 RECYCLABLE MATERIALS MAY BE RETAINED BY THE PARTICIPANT TO BE USED  
4 FOR MISCELLANEOUS EXPENSES RELATED TO THE CLEANUP ACTIVITIES.

5 SEC. 36005. THE DEPARTMENT SHALL PREPARE AND SUBMIT AN ANNUAL  
6 REPORT TO THE STANDING COMMITTEES OF THE LEGISLATURE THAT PRIMARILY  
7 CONSIDER ISSUES PERTAINING TO THE PROTECTION OF NATURAL RESOURCES  
8 AND THE ENVIRONMENT AND TO THE SENATE AND HOUSE APPROPRIATIONS  
9 SUBCOMMITTEES ON NATURAL RESOURCES. THIS ANNUAL REPORT SHALL  
10 INCLUDE THE NUMBER OF ACRES FROM WHICH WASTES WERE REMOVED, THE  
11 NUMBER OF TONS OF WASTES REMOVED, AND THE AMOUNT OF WASTES THAT  
12 WERE RECYCLED.