

HOUSE BILL No. 4610

March 18, 2009, Introduced by Reps. Moore, Sheltroun, Kurtz, Polidori, Elsenheimer, Stamas, Hildenbrand and Genetski and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72101 (MCL 324.72101), as amended by 1997 PA 129, and by adding section 72114.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 72101. As used in this part:

2 (a) "Advisory council" means the Michigan trailways advisory
3 council created in section 72110.

4 (b) "Council" means a Michigan trailway management council
5 established pursuant to section 72106.

6 (c) "Fund" means the Michigan trailways fund created in
7 section 72109.

8 (d) "Governmental agency" means the federal government, a

1 county, city, village, or township, or a combination of any of
2 these entities.

3 (e) "Michigan trailway" means a trailway designated by the
4 commission pursuant to section 72103.

5 (f) "Rail-trail" means a former railroad bed that is in public
6 ownership and used as a trailway.

7 (g) "Trailway" means a land corridor that features a broad
8 trail capable of accommodating a variety of public recreation uses.

9 (H) "TRAILWAYS AND OTHER AREAS" INCLUDES TRAILWAYS, OPEN
10 ACCESS ROADS, MANAGEMENT ROADS, FORESTRY ACCESS ROADS, AND
11 ESTABLISHED 2-TRACK AND SINGLE-TRACK TRAILS.

12 SEC. 72114. (1) THE DEPARTMENT SHALL PRESERVE AND FACILITATE
13 THE CONTINUED USE AND ACCESS OF PACK AND SADDLE ANIMALS ON ALL
14 STATE OWNED LAND WHERE THERE IS A HISTORICAL TRADITION OF USE OF
15 PACK AND SADDLE ANIMALS. ALL TRAILWAYS AND OTHER AREAS ON STATE
16 OWNED LAND THAT WERE OPEN ON MAY 7, 2008 AND AVAILABLE FOR USE BY
17 PACK AND SADDLE ANIMALS SHALL REMAIN OPEN AND ACCESSIBLE FOR USE BY
18 PACK AND SADDLE ANIMALS. ADDITIONALLY, ALL TRAILWAYS AND OTHER
19 AREAS ON STATE OWNED LAND THAT, PRIOR TO THIS DATE, WERE AVAILABLE
20 FOR USE BY PACK AND SADDLE ANIMALS SHALL BE REOPENED AND MADE
21 ACCESSIBLE FOR USE BY PACK AND SADDLE ANIMALS.

22 (2) NOT LATER THAN JULY 31, 2009, THE COMMISSION SHALL
23 ESTABLISH A NETWORK OF TRAILWAYS ON STATE OWNED LANDS THAT MAY BE
24 USED BY PACK AND SADDLE ANIMALS. IN ESTABLISHING THE NETWORK OF
25 PACK AND SADDLE TRAILWAYS UNDER THIS SECTION, THE COMMISSION SHALL
26 INCLUDE THOSE TRAILWAYS AND OTHER AREAS OF STATE LAND IN WHICH
27 THERE IS A HISTORICAL TRADITION OF USE OF PACK AND SADDLE ANIMALS.

1 (3) THE DESIGNATION OF A TRAILWAY FOR PACK AND SADDLE ANIMALS
2 UNDER SUBSECTION (2) DOES NOT PRECLUDE THE USE OF THE TRAILWAY FOR
3 OTHER USES AS DESIGNATED BY THE COMMISSION.

4 (4) THE COMMISSION SHALL FACILITATE THE INCLUSION OF OTHER
5 PUBLIC AND PRIVATE LANDS WITHIN A STATEWIDE NETWORK OF PACK AND
6 SADDLE TRAILWAYS TO PROVIDE FOR A COMPREHENSIVE NETWORK OF PACK AND
7 SADDLE TRAILWAYS THROUGHOUT THE STATE.