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BILL ANALYSIS

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Senate Bill 225 (as introduced 2-17-05)
Sponsor: Senator Cameron S. Brown
Committee: Agriculture, Forestry and Tourism

Date Completed: 4-12-05

CONTENT

The bill would create a new act to establish the "Agricultural Tourism Zoning Advisory Commission" and require it to report to the Governor and the Legislature on issues concerning agricultural tourism. The bill would be repealed one year and 90 days after its effective date.

The bill would define "agricultural tourism" as the practice of visiting an agribusiness, horticultural, or agricultural operation, including a farm or winery, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

Commission Appointment

The Commission would be created within the Michigan Department of Agriculture (MDA) and would consist of the following members:

- Three individuals representing agricultural tourism enterprises, of whom two would be appointed by the Senate Majority Leader and one by the Speaker of the House of Representatives.
- Two individuals representing local government, of whom one would be appointed by the Senate Majority Leader and one by the Speaker of the House.
- One individual representing the Travel Michigan division of the Michigan Economic Development Corporation, who would be appointed by the Speaker of the House.
- One individual representing the MDA, appointed by the Senate Majority Leader.

The members would have to be appointed within 60 days after the bill's effective date, and would serve for the life of the Commission. If a vacancy occurred, an appointment to fill it would have to be made in the same manner as the original appointment. The Senate Majority Leader or the Speaker of the House could remove a member he or she appointed for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

Commission members would have to serve without compensation but could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

The MDA Director would have to call the first meeting of the Commission, at which it would elect a chairperson and other officers it considered necessary or appropriate. After the first meeting, the Commission would have to meet at least quarterly, or more frequently at the call of the chairperson or if requested by three or more members.

The Commission would be subject to the Open Meetings Act and the Freedom of Information Act.

Report

Within one year and 60 days after the bill's effective date, the Commission would have to submit a report to the Governor and the legislative committees with primary responsibility for agriculture issues, tourism issues, and local zoning issues. The report would have to include all of the following:

- A discussion of the effects of local zoning on agricultural tourism.
- Model local zoning ordinance provisions to promote agricultural tourism.
- Recommendations concerning the use of logo signage to promote agricultural tourism.
- Other recommendations concerning agricultural tourism.

The Commission would have to undertake studies for the purposes of the report.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would result in increased State costs associated with the provision requiring reimbursement of Commission members' expenses. These costs would be covered by existing appropriations.

Fiscal Analyst: Craig Thiel

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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.