

# SENATE BILL No. 225

February 17, 2005, Introduced by Senators BROWN, VAN WOERKOM, GILBERT, BIRKHOLZ, SANBORN, CROPSEY, GOSCHKA, ALLEN, STAMAS, HARDIMAN, GARCIA, JELINEK and BARCIA and referred to the Committee on Agriculture, Forestry and Tourism.

A bill to create an agricultural tourism advisory commission; to provide for its powers and duties; and to repeal acts and parts of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. As used in this act:

2       (a) "Agricultural tourism" means the practice of visiting an  
3       agribusiness, horticultural, or agricultural operation, including,  
4       but not limited to, a farm or winery, for the purpose of  
5       recreation, education, or active involvement in the operation,  
6       other than as a contractor or employee of the operation.

7       (b) "Commission" means the agricultural tourism zoning  
8       advisory commission created in section 2.

1       Sec. 2. (1) The agricultural tourism zoning advisory  
2 commission is created within the department of agriculture.

3       (2) The commission shall consist of the following members:

4       (a) Three individuals representing agricultural tourism  
5 enterprises, 2 of whom shall be appointed by the senate majority  
6 leader and 1 of whom shall be appointed by the speaker of the house  
7 of representatives.

8       (b) Two individuals representing local government, 1 of whom  
9 shall be appointed by the senate majority leader and 1 of whom  
10 shall be appointed by the speaker of the house of representatives.

11       (c) One individual representing the travel Michigan division  
12 of the Michigan economic development corporation, who shall be  
13 appointed by the speaker of the house of representatives.

14       (d) One individual representing the department of agriculture,  
15 who shall be appointed by the senate majority leader.

16       (3) The members first appointed to the commission shall be  
17 appointed within 60 days after the effective date of this act.

18       (4) Members of the commission shall serve for the life of the  
19 commission.

20       (5) If a vacancy occurs on the commission, an appointment to  
21 fill the vacancy shall be made in the same manner as the original  
22 appointment.

23       (6) A member of the commission may be removed, by the officer  
24 who appointed the member, for incompetency, dereliction of duty,  
25 malfeasance, misfeasance, or nonfeasance in office, or any other  
26 good cause.

27       Sec. 3. (1) The first meeting of the commission shall be

1 called by the director of the department of agriculture. At the  
2 first meeting, the commission shall elect from among its members a  
3 chairperson and other officers as it considers necessary or  
4 appropriate. After the first meeting, the commission shall meet at  
5 least quarterly, or more frequently at the call of the chairperson  
6 or if requested by 3 or more members.

7 (2) A majority of the members of the commission constitute a  
8 quorum for the transaction of business at a meeting of the  
9 commission. A majority of the members present and serving are  
10 required for official action of the commission.

11 (3) The business that the commission may perform shall be  
12 conducted at a public meeting of the commission held in compliance  
13 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

14 (4) A writing prepared, owned, used, in the possession of, or  
15 retained by the commission in the performance of an official  
16 function is subject to the freedom of information act, 1976 PA 442,  
17 MCL 15.231 to 15.246.

18 (5) Members of the commission shall serve without  
19 compensation. However, members of the commission may be reimbursed  
20 for their actual and necessary expenses incurred in the performance  
21 of their official duties as members of the commission.

22 Sec. 4. The commission shall do all of the following:

23 (a) Not more than 1 year and 60 days after the effective date  
24 of this act, submit to the governor and the committees of the  
25 senate and house of representatives with primary responsibility for  
26 agriculture issues, tourism issues, and local zoning issues a  
27 report that includes all of the following:

1           (i) A discussion of the effects of local zoning on agricultural  
2 tourism.

3           (ii) Model local zoning ordinance provisions to promote  
4 agricultural tourism.

5           (iii) Recommendations concerning the use of logo signage to  
6 promote agricultural tourism.

7           (iv) Recommendations for other measures to promote agricultural  
8 tourism.

9           (v) Other recommendations concerning agricultural tourism.

10          (b) Undertake studies for the purposes of the report required  
11 under subdivision (a).

12          Sec. 5. This act is repealed effective 1 year and 90 days  
13 after the effective date of this act.