

Act No. 46
Public Acts of 2005
Approved by the Governor
June 16, 2005
Filed with the Secretary of State
June 16, 2005
EFFECTIVE DATE: June 16, 2005

STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005

Introduced by Senators Brown, Van Woerkom, Gilbert, Birkholz, Sanborn, Cropsey, Goschka, Allen, Stamas, Hardiman, Garcia, Jelinek and Barcia

ENROLLED SENATE BILL No. 225

AN ACT 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:

Sec. 1. As used in this act:

(a) "Agricultural tourism" means the practice of visiting an agribusiness, horticultural, or agricultural operation, including, but not limited to, a farm, orchard, or winery or a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

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

(c) "Department" means the department of agriculture.

(d) "Director" means the director of the department.

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

(2) The commission shall consist of the following members appointed by the director:

(a) Four individuals representing agricultural tourism enterprises.

(b) Two individuals representing, or from an association representing, local units of government.

(c) One individual representing the travel Michigan division of the Michigan economic development corporation.

(d) One individual representing a convention bureau, visitors bureau, or chamber of commerce in a rural area.

(e) One individual representing the department.

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

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

(5) If a vacancy occurs on the commission, the director shall make an appointment to fill the vacancy.

(6) A member of the commission may be removed by the director, for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

Sec. 3. (1) The first meeting of the commission shall be called by the director. At the first meeting, the commission shall elect from among its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the commission shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by 3 or more members.

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

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

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

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

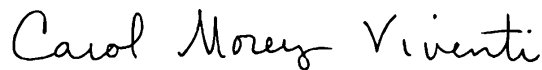
Sec. 4. The commission shall do all of the following:

(a) Not more than 2 years after the effective date of this act, submit to the governor and the committees of the senate and house of representatives with primary responsibility for agriculture issues, tourism issues, and local zoning issues a report that includes all of the following:

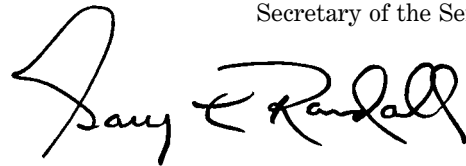
- (i) A discussion of the effects of local zoning on agricultural tourism.
 - (ii) Model local zoning ordinance provisions to promote agricultural tourism.
 - (iii) Recommendations concerning the use of logo signage to promote agricultural tourism.
 - (iv) Recommendations for other measures to promote and enhance agricultural tourism.
 - (v) Other recommendations concerning agricultural tourism.
- (b) Undertake studies for the purposes of the report required under subdivision (a).

Sec. 5. This act is repealed effective 2 years after the effective date of this act.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor