

# SENATE BILL No. 496

April 30, 2009, Introduced by Senator VAN WOERKOM 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 sections 72121, 72122, and 72123.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 72121. (1) THE DEPARTMENT SHALL ESTABLISH A NETWORK OF  
2 TRAILWAYS IN THE STATE THAT MAY BE USED FOR HORSEBACK RIDING.

3           (2) A PERSON WHO IS 18 YEARS OF AGE OR OLDER SHALL NOT USE A  
4 HORSE ON A TRAILWAY THAT IS DESIGNATED BY THE DEPARTMENT FOR  
5 HORSEBACK RIDING UNLESS THE PERSON IS IN POSSESSION OF A BRIDLE TAG  
6 AS PROVIDED FOR IN THIS SECTION.

7           (3) THE DEPARTMENT SHALL PREPARE AND SELL BRIDLE TAGS AS  
8 FOLLOWS:

1 (A) \$25.00 FOR AN ANNUAL BRIDLE TAG.

2 (B) \$60.00 FOR A 3-YEAR BRIDLE TAG.

3 (C) \$5.00 FOR A 1-DAY BRIDLE TAG.

4 (4) THE DEPARTMENT SHALL MAKE BRIDLE TAGS AVAILABLE AT STATE  
5 PARK OFFICES, THROUGH THE DEPARTMENT'S WEBSITE, AND AT OTHER  
6 LOCATIONS DETERMINED APPROPRIATE BY THE DEPARTMENT.

7 (5) MONEY COLLECTED BY THE DEPARTMENT FROM THE SALE OF BRIDLE  
8 TAGS SHALL BE TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT INTO  
9 THE EQUINE TRAILWAYS FUND CREATED IN SECTION 72122.

10 SEC. 72122. (1) THE EQUINE TRAILWAYS FUND IS CREATED WITHIN  
11 THE STATE TREASURY.

12 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM  
13 ANY SOURCE FOR DEPOSIT INTO THE EQUINE TRAILWAYS FUND. THE STATE  
14 TREASURER SHALL DIRECT THE INVESTMENT OF THE EQUINE TRAILWAYS FUND.  
15 THE STATE TREASURER SHALL CREDIT TO THE EQUINE TRAILWAYS FUND  
16 INTEREST AND EARNINGS FROM FUND INVESTMENTS.

17 (3) MONEY IN THE EQUINE TRAILWAYS FUND AT THE CLOSE OF THE  
18 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE  
19 GENERAL FUND.

20 (4) THE DEPARTMENT SHALL BE THE ADMINISTRATOR OF THE EQUINE  
21 TRAILWAYS FUND FOR AUDITING PURPOSES.

22 (5) THE DEPARTMENT SHALL EXPEND MONEY FROM THE EQUINE  
23 TRAILWAYS FUND, UPON APPROPRIATION, ONLY TO MAINTAIN TRAILWAYS USED  
24 FOR HORSEBACK RIDING, TO IMPROVE VISITOR SERVICES FOR TRAILWAYS  
25 USED FOR HORSEBACK RIDING, AND TO ENHANCE TRAILHEAD AREAS FOR  
26 TRAILWAYS USED FOR HORSEBACK RIDING.

27 SEC. 72123. (1) THE EQUINE TRAILWAYS COMMISSION IS CREATED

1 WITHIN THE DEPARTMENT.

2 (2) THE EQUINE TRAILWAYS COMMISSION SHALL CONSIST OF THE  
3 FOLLOWING MEMBERS, APPOINTED JOINTLY BY THE GOVERNOR, THE SENATE  
4 MAJORITY LEADER, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

5 (A) ONE INDIVIDUAL REPRESENTING THE STATE'S TOURISM INDUSTRY.

6 (B) ONE INDIVIDUAL REPRESENTING BUSINESSES THAT SUPPORT THE  
7 EQUINE INDUSTRY.

8 (C) FIVE INDIVIDUALS REPRESENTING THE EQUINE INDUSTRY AS  
9 FOLLOWS:

10 (i) ONE INDIVIDUAL FROM THE UPPER PENINSULA.

11 (ii) ONE INDIVIDUAL FROM THE NORTHERN LOWER PENINSULA.

12 (iii) ONE INDIVIDUAL FROM THE CENTRAL LOWER PENINSULA.

13 (iv) ONE INDIVIDUAL FROM THE SOUTHEASTERN LOWER PENINSULA.

14 (v) ONE INDIVIDUAL FROM THE SOUTHWESTERN LOWER PENINSULA.

15 (3) THE MEMBERS FIRST APPOINTED TO THE EQUINE TRAILWAYS  
16 COMMISSION SHALL BE APPOINTED WITHIN 90 DAYS AFTER THE EFFECTIVE  
17 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.

18 (4) MEMBERS OF THE EQUINE TRAILWAYS COMMISSION SHALL SERVE FOR  
19 TERMS OF 3 YEARS OR UNTIL A SUCCESSOR IS APPOINTED, WHICHEVER IS  
20 LATER, EXCEPT THAT OF THE MEMBERS FIRST APPOINTED 2 SHALL SERVE FOR  
21 1 YEAR, 2 SHALL SERVE FOR 2 YEARS, AND 3 SHALL SERVE FOR 3 YEARS.

22 (5) IF A VACANCY OCCURS ON THE EQUINE TRAILWAYS COMMISSION, AN  
23 APPOINTMENT FOR THE UNEXPIRED TERM SHALL BE MADE IN THE SAME MANNER  
24 AS THE ORIGINAL APPOINTMENT.

25 (6) A MEMBER OF THE EQUINE TRAILWAYS COMMISSION MAY BE REMOVED  
26 FOR INCOMPETENCY, DERELICTION OF DUTY, MALFEASANCE, MISFEASANCE, OR  
27 NONFEASANCE IN OFFICE, OR ANY OTHER GOOD CAUSE.

1           (7) THE FIRST MEETING OF THE EQUINE TRAILWAYS COMMISSION SHALL  
2 BE CALLED BY THE DIRECTOR. AT THE FIRST MEETING, THE EQUINE  
3 TRAILWAYS COMMISSION SHALL ELECT FROM AMONG ITS MEMBERS A  
4 CHAIRPERSON AND OTHER OFFICERS AS IT CONSIDERS NECESSARY OR  
5 APPROPRIATE. AFTER THE FIRST MEETING, THE EQUINE TRAILWAYS  
6 COMMISSION SHALL MEET AT LEAST QUARTERLY, OR MORE FREQUENTLY AT THE  
7 CALL OF THE CHAIRPERSON OR IF REQUESTED BY 3 OR MORE MEMBERS.

8           (8) A MAJORITY OF THE MEMBERS OF THE EQUINE TRAILWAYS  
9 COMMISSION CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS AT A  
10 MEETING OF THE EQUINE TRAILWAYS COMMISSION. A MAJORITY OF THE  
11 MEMBERS PRESENT AND SERVING ARE REQUIRED FOR OFFICIAL ACTION OF THE  
12 EQUINE TRAILWAYS COMMISSION.

13           (9) THE BUSINESS THAT THE EQUINE TRAILWAYS COMMISSION MAY  
14 PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING OF THE EQUINE  
15 TRAILWAYS COMMISSION HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT,  
16 1976 PA 267, MCL 15.261 TO 15.275.

17           (10) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR  
18 RETAINED BY THE EQUINE TRAILWAYS COMMISSION IN THE PERFORMANCE OF  
19 AN OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT,  
20 1976 PA 442, MCL 15.231 TO 15.246.

21           (11) MEMBERS OF THE EQUINE TRAILWAYS COMMISSION SHALL SERVE  
22 WITHOUT COMPENSATION. HOWEVER, MEMBERS OF THE EQUINE TRAILWAYS  
23 COMMISSION MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY  
24 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS  
25 MEMBERS OF THE EQUINE TRAILWAYS COMMISSION.

26           (12) THE EQUINE TRAILWAYS COMMISSION SHALL DO ALL OF THE  
27 FOLLOWING:

1           (A) ADVISE THE DEPARTMENT ON THE STATE'S NETWORK OF TRAILWAYS  
2 USED FOR HORSEBACK RIDING.

3           (B) ADVISE THE DEPARTMENT ON EXPENDITURES FROM THE EQUINE  
4 TRAILWAYS FUND ESTABLISHED IN SECTION 72122.

5           (C) ADVISE THE DEPARTMENT ON OTHER MATTERS RELATED TO THE  
6 PROMOTION OF THE STATE'S EQUINE INDUSTRY.