

# Legislative Analysis

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## HORSEBACK RIDING ON STATE LAND

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### Senate Bill 578 (Proposed Floor Substitute H-2)

**Sponsor:** Sen. Cameron S. Brown

**House Committee:** Tourism, Outdoor Recreation and Natural Resources

**1st Senate Committee:** Natural Resources and Environmental Affairs

**2nd Senate Committee:** Agriculture and Bioeconomy

**Complete to 3-25-10**

*(Enacted as Public Act 45 of 2010)*

### A SUMMARY OF SENATE BILL 578 (Proposed Floor Substitute H-2)

Senate Bill 578 (H-2) would amend Part 721 (Michigan Trailways) of the Natural Resources and Environmental Protection Act regarding the use of pack and saddle animals (primarily horses) on public land managed by the Department of Natural Resources and Environment (DNRE). The bill is tie-barred to House Bill 4610,<sup>1</sup> meaning that it will not take effect unless that bill is also enacted into law.

Among other things, the current version of the bill would do the following things:

- Require the DNRE to adopt a plan for a statewide trail network within one year after it received recommendations from the Michigan Snowmobile and Trails Advisory Council.
- Require the Advisory Council to make its recommendations to the DNRE within one year after it received recommendations from its Equine Trailways Subcommittee.
- In general, allow the use of pack and saddle animals on public land managed by the DNRE as follows:
  - State forests — Allow unless restricted by a statute, deed restriction, land use order, or other legal mechanism in effect on the date the bill took effect.
  - State parks or state game areas — prohibit unless authorized by a land use order or other legal mechanism in effect on the date the bill took effect.
  - Other DNRE-managed land — Allow or restrict according to applicable authorizations or restrictions.
- Require any new restrictions to be adopted in accordance with specified procedures.
- Require a review of existing restrictions by specified dates:
  - Pigeon River Country State Forest, by June 15, 2010.
  - Lapeer State Game Area and Gladwin Field Trial area, by January 1, 2011.

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<sup>1</sup>HB 4610 (Substitute S-4), was passed by the Senate with immediate effect ordered, and returned to the House on March 23, 2010.

- Lost Nation State Game Area and Blueberry Ridge Pathway, by January 1, 2012.
- Prohibit the use of pack and saddle animals on state-owned land except on pack and saddle trailways that are open for access by pack and saddle animals.

### **FISCAL IMPACT:**

Senate Bill 578 (H-2) would increase costs to the Department of Natural Resources and Environment (DNRE or Department) by an indeterminate amount due to additional administrative workload and expenditures under the provisions of the bill.

Additional costs would be incurred from the following requirements of the bill. The bill requires the development of a plan for a statewide trailway network by the DNRE. The plan is to be posted on the department website. The bill also requires the Department to review testimony given at public meetings and provide specific rationale for any determination to restrict access to land by pack and saddle animals. The DNRE must also post closure statements at all trailheads that the Department restricts access to. In addition, the DNRE is required to conduct a review of all trail closures to pack and saddle animals that have been imposed in five specific state land areas.

Michigan receives \$24.8 million annually in federal funding for wildlife-related programs. Funding is contingent upon compliance with certain federal laws and regulations. This federal funding comes through the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act for these programs. These federal acts prohibit hunting and fishing license fees (including land bought with the revenue) and land bought with federal assistance funds from being used for purposes that would interfere with game and fish activities — which is the purpose for which the land was acquired or developed. In previous versions of Senate Bill 578, it was unclear whether the provisions would jeopardize Michigan's receipt of this federal funding. However, according to the DNRE, the revised language in Senate Bill 578 (H-2) no longer would put these funds in jeopardy.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.