

HORSE RACING LAW OF 1995 (EXCERPT)
Act 279 of 1995

431.306a Horse racing advisory commission; creation; membership; appointment; terms; removal; chairperson; meetings; business at public meetings; writings subject to MCL 15.231 to 15.246.

Sec. 6a. (1) The horse racing advisory commission is created within the department of agriculture and rural development.

(2) The advisory commission consists of the following members, appointed by the governor:

(a) An individual who has knowledge about and expertise in horse racing in this state, who shall serve as chairperson of the advisory commission.

(b) The director of the department of agriculture and rural development or his or her designee.

(c) A veterinarian.

(d) Two individuals from 2 different statewide horse racing associations.

(e) Two individuals who are owners or operators, or designees of owners or operators, of 2 different horse racetracks in this state.

(3) The governor shall appoint the members first appointed to the advisory commission within 90 days after the effective date of this section.

(4) Members of the advisory commission under subsection (2)(c), (d), and (e) shall serve for terms of 4 years or until a successor is appointed, whichever is later.

(5) If a vacancy occurs on the advisory commission, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.

(6) The governor may remove a member of the advisory commission for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(7) The chairperson of the advisory commission appointed under subsection (2)(a) shall call the first meeting of the advisory commission. At the first meeting, the advisory commission shall elect from among its members other officers as it considers necessary or appropriate. After the first meeting, the advisory commission shall meet at the call of the chairperson or if requested by 3 or more members.

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

(9) The advisory commission shall conduct its business at public meetings held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(10) A writing prepared, owned, used, in the possession of, or retained by the advisory 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.

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

(12) The advisory commission shall do all of the following:

(a) Establish for the commissioner procedures governing the operation and promotion of horse racing in this state.

(b) Make recommendations to the legislature on amendments to this act that would improve the regulatory structure of horse racing in this state with a goal of maintaining the long-term viability of horse racing in this state.

(c) Annually submit a report to the legislature detailing its recommendations under subdivisions (a) and (b).

(13) The racing commissioner shall take under consideration the procedures established by the advisory commission under subsection (12)(a) in performing his or her duties under this act.

History: Add. 2016, Act 271, Imd. Eff. July 1, 2016.