



Romney Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

SOIL CONSERVATION DISTRICTS; GENERAL AMENDMENTS

House Bill 5793

Sponsor: Rep. John Llewellyn

Committee: Agriculture

Complete to 5-13-98

A SUMMARY OF HOUSE BILL 5793 AS INTRODUCED 4-28-98

The bill would amend the Natural Resources and Environmental Protection Act to make several amendments to the provisions governing soil conservation districts, as follows:

- Currently, the soil conservation provisions of the act specify that it is the policy of the legislature to provide for "the conservation of the soil and water" of the state, and for the control and prevention of soil erosion. To this end, the law provides for the formation of county soil conservation districts. Under the bill, these districts would be renamed as "conservation districts", and the policy statement would be broadened to include "the conservation of the farmland and natural resources of the state, including soil, water, and other natural resources". Likewise, the bill would broaden the powers of conservation districts from actions related to the conservation of soil and prevention of soil erosion to actions related to the conservation of farmland and natural resources.

- The bill would authorize conservation districts to engage in plant rescue operations and to propagate, harvest, and sell conservation species (as defined by the U.S. Department of Agriculture) for conservation purposes.

- The bill would delete language in the act that establishes the state soil conservation committee, which is charged with serving as an advisory body to the Department of Agriculture in performing the department's duties under the act.

- The bill would delete language that allows any 25 "occupiers of land" to file a petition with the department proposing to organize a soil conservation district. It would also change the definition of "land occupier" or "occupier of land" from a person "possessing" (whether as owner, renter, or otherwise) three or more acres within a district to a person of voting age who can demonstrate residency in the district. Further, the bill would delete language describing the process for setting initial boundaries of a district, holding a hearing on the question, holding a referendum, the appointment of directors, filing of an application to form a district with the secretary of state, and procedures for adding territory or changing the boundaries of a district. Two sections that provide for the nomination and election of directors by land occupiers, and for a referendum on the discontinuance of a district, would be repealed. The bill would allow a district to petition the department for a change in boundaries, including a merger, consolidation, or separation of districts. Such a change would have to be approved by a majority of the directors of each affected district and by a majority of the county board of commissioners of each affected county.

House Bill 5793 (5-13-98)

- Terms of office for district directors would be increased from three years to four years. The bill would specify that directors could be compensated on a per diem basis.

- The bill would require a conservation district to obtain the consent of the owner of lands or the necessary rights or interest in lands to disseminate information obtained in research relating to the conservation of farmland and natural resources.

- The bill would allow conservation districts to provide technical assistance to other conservation districts, and to share with them machinery and equipment, fertilizer, seeds and seedlings, and other materials.

- The bill would allow a conservation district to borrow money for facilities or equipment for conservation purposes, and to pledge the assets of the district as collateral against loans.

- A conservation district could act as a compliance assistance agent (providing technical assistance to individuals, organizations, agencies, and others to aid them in complying with federal, state, and local conservation laws and ordinances), if approved and designated by a district board.

MCL 324.9301 et al.

Analyst: D. Martens

■ 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.