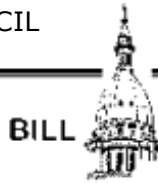




Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 226 (as introduced 2-17-05)
Sponsor: Senator Jud Gilbert, II
Committee: Agriculture, Forestry and Tourism

Date Completed: 3-22-05

CONTENT

The bill would create Part 23 (Agriculture and the Environment) in the Natural Resources and Environmental Protection Act to establish the "Agriculture and Rural Communities Advisory Council" within the Department of Environmental Quality (DEQ).

Duties

The Council would have to evaluate how laws, rules, and policies administered by the Department affected farmers, food processors, agribusiness, and rural communities. The Council would have to provide, to the DEQ and to the legislative standing committees with jurisdiction over natural resources, environmental, and agricultural issues, advice and recommendations on the laws, rules, and policies administered by the DEQ that affected farmers, food processors, agribusiness, and rural communities.

The DEQ would have to provide staff and assistance to the Council as necessary or useful for it to carry out its responsibilities.

Membership

The Senate Majority Leader and the Speaker of the House would have to appoint a total of seven members to the Council. The Speaker would appoint three individuals, one to represent each of the following: farmers, food processors, and agribusiness. The Majority Leader would appoint three members to represent the same interests, and one additional member to represent local units of government in rural areas.

Members would have to serve for three-year terms, or until a successor was appointed, whichever was later, except as follows: The member first appointed by the Majority Leader to represent farmers and the member first appointed by the Speaker to represent food processors would have to serve for one-year terms. The member first appointed by the Speaker to represent agribusiness and the member first appointed by the Majority Leader to represent local units of government would serve two-year terms.

The members first appointed to the Council would have to be appointed within 60 days after the bill's effective date.

If a vacancy occurred on the Council, the Governor would have to make an appointment for the unexpired term in the same manner as the original appointment.

A member of the Council could be removed, by the officer who appointed that member, for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

Members would have to serve without compensation; however, they could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

Procedures

The Senate Majority Leader would have to call the first meeting of the Council, at which the Council would have to elect from among its members a chairperson and other officers it considered necessary or appropriate. After the first meeting, the Council would have to meet at least two times per year, or more frequently at the call of the chair, or if requested by three or more members.

A majority of the members would constitute a quorum for the transaction of business at a Council meeting. A majority of the members present and serving would be required for official action of the Council.

The Council would be subject to the Open Meetings Act and the Freedom of Information Act.

Proposed MCL 324.2301-324.2304

Legislative Analyst: Claire Layman

FISCAL IMPACT

The bill would result in indeterminate costs for the State for the reimbursement of travel expenses of Council members and for Department staff and resources dedicated to assisting the Council.

Fiscal Analyst: Jessica Runnels

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.