

PREPARE BOOKLET OF ENVIRONMENTAL LAWS APPLICABLE TO FARMS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4685

Sponsor: Rep. Terry Brown

Committee: Agriculture

Complete to 6-25-07

A SUMMARY OF HOUSE BILL 4685 AS INTRODUCED 5-1-07

The bill would add a new Part 29 to the Natural Resources and Environmental Protection Act requiring the departments of Environmental Quality and Agriculture to work together to identify environmental statutes and rules applicable to farm and farm operations, and to prepare a booklet describing the laws and rules. By September 30, 2008, both departments would have to post the booklet on their websites, and also distribute copies free of charge, upon request.

The definitions of "**farm**" and "**farm operation**" would be derived from Section 2 of the Michigan Right to Farm Act. Section 2 defines "farm" as:

"Farm" means the land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products."

Section 2 defines "farm operation" as:

"Farm operation" means the operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, and includes, but is not limited to:

- (i) Marketing produce at roadside stands or farm markets.
- (ii) The generation of noise, odors, dust, fumes, and other associated conditions.
- (iii) The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of vehicles, machinery, equipment, and farm products and associated inputs necessary for farm operations on the roadway as authorized by the Michigan Vehicle Code.
- (iv) Field preparation and ground and aerial seeding and spraying.

(v) The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides.

(vi) The use of alternative pest management techniques.

(vii) The fencing, feeding, watering, sheltering, transportation, treatment, use, handling and care of farm animals.

(viii) The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.

(ix) The conversion from a farm operation activity to other farm operation activities.

(x) The employment and use of labor.

The bill is tie-barred to five other bills that have not yet been introduced.

FISCAL IMPACT:

There would be a cost to the two departments for the preparation, printing, and distribution of the required booklet. The amount of the increased cost would depend on the number of pages in the brochure, the number of copies produced, and the means used to distribute brochures to farm operators and the interested public. The amount required has not been estimated at this time. The bill does not provide a method of funding the additional costs; the additional costs would presumably be borne through existing department appropriations.

Legislative Analyst: Shannan Kane
Fiscal Analyst: William Hamilton
Kirk Lindquist

■ 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.