



Senate Fiscal Agency  
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## BILL ANALYSIS

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Senate Bill 502 (as introduced 5-15-07)  
Sponsor: Senator Patricia L. Birkholz  
Committee: Agriculture

Date Completed: 5-16-07

**CONTENT**

**The bill would add Part 86 (Agriculture) to the Natural Resources and Environmental Protection Act (NREPA) to require a complainant against a farm or farm operation to identify himself or herself, and permit the Department of Environmental Quality (DEQ) Director to order a complainant who brought more than three unverified complaints to pay the cost of investigating any subsequent unverified complaints.**

The bill would take effect 180 days after it was enacted.

Specifically, the DEQ could not act on a complaint against a farm or farm operation under NREPA unless the complainant provided the Department with his or her name and address.

If a complainant brought more than three unverified complaints under NREPA against the same farm or farm operation within three years, the DEQ Director could order the complainant to pay the DEQ the full cost of investigating any subsequent unverified complaint against the same farm or farm operation.

"Farm" and "farm operation" would mean those terms as defined in Section 2 of the Right to Farm Act.

(Under that Act, "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.

"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. The term includes marketing produce at roadside stands or farm markets; the generation of noise, odors, dust, fumes, or other associated conditions; the operation of necessary machinery and equipment; field preparation, seeding, and spraying; the application of chemical fertilizers or other substances; the use of alternative pest management techniques; the fencing, feeding, watering, sheltering, transportation, treatment, use, handling, and care of farm animals; the management, storage, transport, use, and application of farm byproducts, including manure or agricultural wastes; the conversion from one farm operation activity to another; and the employment and use of labor.)

Proposed MCL 324.8601-324.8605

Legislative Analyst: Curtis Walker

## **FISCAL IMPACT**

The bill would result in indeterminate administrative savings to the DEQ dependent upon the extent to which complaints were reduced and the number of unverified complaints for which the investigation costs would be reimbursed.

Fiscal Analyst: Bill Bowerman

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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.