

MICHIGAN FARM BUREAU



2010

Policy Book

**Adopted by the Delegates to the
90th Annual Meeting**

Dec. 1-4, 2009 • Grand Rapids, Mich.



MICHIGAN FARM BUREAU

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MICHIGAN FARM BUREAU

Michigan Farm Bureau policy is based on resolutions:

- Developed through a program featuring individual member participation.
- Discussed in over 100 community Farm Bureaus.
- Drafted by 67 county or regional Farm Bureau Resolutions Committees, representing 79 counties.
- Approved by members in 67 county or regional Farm Bureau annual meetings.
- Reviewed by a 20-member state Policy Development Committee, composed of one member from each of the 11 districts, three from the Michigan Farm Bureau Young Farmers, three from the MFB Board, and three members at-large.
- Determined at the state annual convention by voting delegates from county and regional Farm Bureaus – one delegate for each 100 members.

Recommendations on National and International Affairs

The recommendations on national and international affairs adopted by the voting delegates have been forwarded to the American Farm Bureau Federation for use by the national resolutions committee, which is made up of representatives of every state Farm Bureau. Michigan's recommendations will also serve as a guide for our voting delegates to the annual convention of the American Farm Bureau Federation.

The national and international policies adopted at our national convention will serve as the policy for all state Farm Bureaus.

This is essential in order that there may be effective harmony and unanimity among Farm Bureau organizations throughout the nation.

Michigan's recommendations on national and international affairs are available to county Farm Bureaus and others upon request.

FARM BUREAU PURPOSE

Farm Bureau is an independent, non-governmental, voluntary organization governed by and representing farm and ranch families united for the purpose of analyzing their problems and formulating action to achieve educational improvement, economic opportunity and social advancement and, thereby, to promote the national well-being. Farm Bureau is local, county, state, national and international in its scope and influence and is non-partisan, non-sectarian and non-secret in character. Farm Bureau is the voice of agricultural producers at all levels.



Go to the
Table of Contents

3

Go to the
Index

FOREWORD

You have in your hand the policies adopted by the voting delegate body of the 90th Michigan Farm Bureau Annual Meeting. These statements are devised yearly through an open and authentically democratic process starting at the county level, where individual farm producers articulated their foremost concerns with their industry and the world their industry nourishes.

These concerns were worked through a process of evaluation, refinement, consolidation, and approval by members across the state in their individual county-based annual meetings, and by over 470 delegates to the 2009 MFB Annual Meeting. The freedom to exercise this somewhat strenuous approach to voicing our concerns, and the validity of the process itself, is as important to us as the policies contained herein. We believe steadfastly in the value of participatory democracy at all levels and understand the importance of representing our collective policy positions in a manner that is clear, reasonable, and responsible.

Much of what you will find here reflects a much broader perspective than opinions on routine industry issues. Resonating throughout these resolutions are values revealing adherence to community-based decision-making, inclination toward the best available scientific evidence, an ingrained conservation and environmental ethic, dedication to the well-being of successor generations, and a powerful inclination toward pragmatic problem solving. Our members and the Committee did think “broad, unselfishly, and long-term” as we worked to help redefine Michigan’s structural process. Working together as an industry, we have gained incredible accomplishments brought about by collective will, intelligent determination, and certainty that a positive outcome can be achieved.

Joshua Wunsch, Chair
Michigan Farm Bureau
Policy Development Committee
January 2010

POLICY DEVELOPMENT

Representing Membership Districts

District 1	Rob Richardson (Kalamazoo County)
District 2	Tom Betz (Jackson County)
District 3	Walter Rochowiak (Wayne County)
District 4	Merle Langeland (Ottawa County)
District 5	Jeff Wadell (Clinton County)
District 6	Brian Williams (Sanilac County)
District 7	Doug Chapin (Mecosta County)
District 8	Russ Varner (Midland County)
District 9	Frank Vanderwal (Missaukee County)
District 10	Jeff Kala (Cheboygan County)
District 11.....	Warren Suchovsky (Menominee County)

Representing Young Farmers

Andrea Boughton (Calhoun County)
Tim Kruithoff (Kent County)
Stephanie Schafer (Clinton County)

Serving At-Large

Mark Huggett (Sanilac County)
Tina Love (Chippewa County)

MFB Board Members

Pat McGuire (Antrim County)
Carl Bednarski (Tuscola County)
Joshua Wunsch (NW Michigan)

TABLE OF CONTENTS

POL #	POLICY	PG #
1....	Appreciation.....	9
AGRICULTURE		
2....	Abandoned & Neglected Orchards and Vineyards	10
3....	Accessory Use Of Agricultural Properties.....	10
4....	Agricultural Commodity Commissions.....	11
5....	Agricultural Innovation & Value-Added Initiatives	11
6....	Agricultural Representation	12
7....	Animal Care.....	13
8....	Animal Resource Management	16
9....	Aquaculture & Commercial Fishing	16
10..	Biomass/Renewable Products.....	18
11..	Biotechnology.....	20
12..	Commission System Of Government	22
13..	Commodity Marketing & Vending	22
14..	Cranberry Industry.....	22
15..	Diagnostic Center For Population & Animal Health	23
16..	Direct Farm Marketing & Agri-Tourism.....	23
17..	Fairs & Exhibitions.....	24
18..	Food Production Medicine.....	25
19..	Forestry	26
20..	Fruit & Vegetable Grade Quality Standards	27
21..	Intellectual Property Rights.....	27
22..	Labeling.....	28
23..	Livestock & Poultry Health.....	28
24..	Marketing & Bargaining Legislation	30
25..	Michigan Ag Council	31
26..	Michigan Bee Industry	32
27..	Michigan Department of Agriculture	32
28..	Michigan Dry Bean Industry	35
29..	Michigan Equine Industry	36
30..	Michigan Nursery, Floriculture, Sod and Greenhouse Industry.....	38
31..	Michigan Sheep Industry	38
32..	Michigan Sugar Cooperative	38
33..	Payment Protection & Security for Growers	39
34..	Plant Pests & Diseases	40
35..	Power Quality & Electrical Pollution	41
36..	Privately-Owned Cervidae.....	42
37..	Production Contracts	43
38..	Right To Farm	43
39..	Soybean 2010	45
40..	State Energy Policy	46
41..	Streamlining Michigan Government	47
42..	TB – Mycobacterium Bovis Tuberculosis.....	49
43..	USDA National Agricultural Statistics Service (NASS) Michigan Field Office.....	51
44..	Wheat 20/20	52

TABLE OF CONTENTS

POL #	POLICY	PG #
-------	--------	------

EDUCATION

45...	Agriscience, Food & Natural Resources Education and the FFA Organization.....	53
46...	Educational Reforms	54
47...	Great Lakes Leadership Academy	55
48...	Michigan FFA & Glassbrook FFA Endowment.....	55
49...	Michigan State University	56

INSURANCE

50...	Insurance Assessments & Fines	60
51...	No-Fault Automobile Insurance	60

LABOR

52...	Agricultural Labor Relations	62
53...	Employer Provided Housing	63
54...	Farmworker Legal Services	65
55...	Labor Housing Zoning	66
56...	MI-OSHA	66
57...	Migrant & Seasonal Worker Transportation.....	66
58...	Wages & Compensation	67
59...	Worker Protection Standards.....	67

LAW

60...	Ag Security	68
61...	Anhydrous Ammonia – NH ₃	68
62...	Anti-Trust	69
63...	Elections	69
64...	Fire Fighting Training Costs.....	71
65...	Health	71
66...	Law Enforcement.....	72
67...	Local Government	74
68...	Redress for Unsubstantiated Claims	74
69...	Regulatory Reform & Reduction.....	74
70...	Tort Liability Reform.....	75
71...	Utility Placement.....	75

NATURAL RESOURCES

72...	Agricultural Drainage	77
73...	Air Quality	78
74...	Climate Change	79
75...	Environmental Protection & Authority	80
76...	Farmland Protection	84
77...	Game Farms & Hunting Preserves.....	88
78...	Invasive Species.....	89
79...	Land Acquisitions for Public Projects.....	90
80...	Land Use	91
81...	Michigan Conservation Districts	93
82...	Nonpoint Source Pollution & Watershed Management....	95
83...	Oil, Gas & Mineral Rights	97
84...	Private Property Rights.....	99
85...	Resource Recovery	100

TABLE OF CONTENTS

POL #	POLICY	PG #
86...	Water Use in the Great Lakes Basin	101
87...	Wetlands Protection Act.....	104
88...	Wildlife Management	107
TAXATION		
89...	Fees.....	112
90...	Mobile Home Taxation	112
91...	Taxation	113
TRANSPORTATION		
92...	Abandoned Railroads	116
93...	County Road Commissions	116
94...	Farm & Commercial Vehicles	117
95...	Highway Improvements & Maintenance	117
96...	Highways	119
97...	Implements of Husbandry.....	121
98...	Railroads	121
99...	Safety on Roadways.....	122
FARM BUREAU		
100	Citizenship	124
101	Community Action Groups.....	124
102	Legal Defense Fund	124
103	Membership.....	125
104	Political Action Program.....	126
105	Promotion & Education Committees.....	127
106	Scholarship.....	128
107	Young Farmers	129
108	Young People's Citizenship Seminar.....	130
	Acronyms Used in the Policies	131
	Index.....	132
	Public Policy & Commodity Division	140

APPRECIATION

APPRECIATION

1

During the first year of the 95th legislative session, more than 1,600 bills have been introduced, with over 100 bills signed into law by the Governor. Issues of importance to agriculture considered during the first year include:

- Supplemental funds approved and transferred to the Michigan Department of Agriculture (MDA) to support the Right to Farm (RTF) program and the Michigan Agriculture Environmental Assurance Program (MAEAP) through the end of the 2008-09 Fiscal Year. This action prevented an official layoff of the MDA staff in the RTF and MAEAP areas.
- Resolution adopted by the Michigan Senate expressing support for the continuation of the MDA as a distinct department within state government.
- Wetlands reform signed into law that addressed Michigan Farm Bureau policy items including:
 - A clear definition of wetlands and prudent and feasible alternatives that is not more restrictive than the federal standard.
 - Understandable, transparent pathways to exemptions and permitting.
 - Meaningful, proactive tools for wetland crop species development.
 - A standardized wetland determination.
 - No fee increases.
- Legislative changes to permit the on-road use of truck/trailer/mobile self-loader (slasher) combination units.

The State's continued economic challenges have forced more cuts in agricultural funding and threatened elimination of fundamental agricultural programs for plant and animal health, consumer protection, environmental stewardship, and statistical analysis. MFB remains concerned about the future existence of critical programs that support the \$ \$71.3 billion agriculture and food industry in Michigan.

We appreciate the interest and support of the "Friends of Agriculture" during these challenging times.

AGRICULTURE

ABANDONED AND NEGLECTED ORCHARDS AND VINEYARDS

2

Abandoned and/or neglected fruit orchards, vineyards, blueberry and bramble plantations harbor diseases and insects. We support the removal of such orchards and vineyards before the growing season starts, in the year they are abandoned and/or neglected, through the Department of Agriculture Removal Program, upon the request of a commercial grower. We urge the strict enforcement by the Michigan Department of Agriculture as mandated by law and the development of rules to strengthen enforcement provisions.

In order to accomplish this and enable farmers to utilize integrated pest management, we support necessary funding and the exploration of alternative funding sources for MDA to remove trees, vines and problematic perennials from abandoned and/or neglected sites. We recommend the cost of removal be placed as a state lien against the property if the owner refuses to comply. All monies owed through this lien must be collected and returned to the program. We urge the Michigan Legislature and Governor to fund the Department of Agriculture Removal Program, to find the necessary seed money, and support the subsequent development of a workable self-funding mechanism.

We support an amendment to extend program benefits to include abandoned and/or neglected nurseries, Christmas tree farms, and asparagus fields.

ACCESSORY USE OF AGRICULTURAL PROPERTIES

3

We support legislation to allow alternative uses of farm buildings which do not conflict with or change the nature of the farming operation.

This should permit “accessory uses” in agricultural zoning districts in farm buildings or land enrolled in PA 116. Such uses must occur in existing buildings or structures on the farm, must not create any nuisance or hazard, and must comply with the provisions for permitted uses under PA 116. The accessory use should not:

- Adversely affect the productivity of the farmland or the character of open space land.
- Materially alter or negatively affect the existing conditions or use of the land.
- Substantially alter the agricultural use of farmland subject to a development rights agreement or the natural character of open space land subject to an open space easement.
- Result in a material alteration of an existing structure to a non-agricultural use.

AGRICULTURE

AGRICULTURAL COMMODITY COMMISSIONS 4

We support the Michigan Agricultural Commodities Marketing Act (PA 232 of 1965), which provides uniform procedures permitting producers of any commodity to establish a program for product promotion, market development, information, research, product standards and inspection, determination of surpluses and producer assessments. The producers of a variety of commodities have adopted programs using one or more of the permitted provisions.

We will defend PA 232 against efforts to weaken the law, especially the majority rule and mandatory assessment concepts.

Michigan Farm Bureau will consider actively supporting commodity groups' PA 232 proposals that meet existing policy and will be beneficial to producers.

AGRICULTURAL INNOVATION AND VALUE-ADDED INITIATIVES

5

We strongly support individual and cooperative efforts by producers to improve income with processing and marketing methods which add value to raw farm products while maintaining food safety.

Continuing structural changes in the agricultural processing industry have adversely affected many traditional supply/demand relationships between producers and their buyers. Value-added initiatives allow for opportunities to deal with these changes and keep the agricultural industry profitable.

We support the Michigan State University (MSU) Product Center, their objectives and ongoing efforts. Objectives of the MSU Product Center are:

- Act as facilitators and an information resource for any individual or group of producers interested in pursuing a value-added project.
- Pursue state and federal grants to support value-added activities in Michigan.
- Encourage federal, state and local governments to actively promote this concept as had been done elsewhere in the country (e.g., incentives for biofuels, agricultural renaissance zones, tax abatements and grants).
- Act as a liaison to expedite the expansion of existing operations or the start-up of value-added projects in the beginning phase.
- Provide additional support to expand opportunities in the bio-economy.

Michigan Farm Bureau shall encourage support and, where possible and prudent, coordinate the formation of producer alliances and cooperatives.

We support efforts to maintain and build a strong agricultural processing industry in the State. To achieve this goal,

AGRICULTURE

we recommend existing and prospective processors be given more incentives to stay or build in Michigan, including industrial facility exemption options, tax breaks and regulatory reform/relief, and ample access to necessary inputs such as investment capital, labor, energy and raw products.

We support increased funding for, and agricultural representation on, the Michigan Economic Development Corporation (MEDC) to better serve the needs of agriculture and the food industry. We support Michigan Department of Agriculture authority and/or oversight over the granting of MEDC funds for agricultural development activity.

We support the use of Michigan MarketMaker (<http://mi.marketmaker.uiuc.edu>), an Internet marketplace for farmers to feature Michigan-based commodities and value-added products. We support a coordinated effort between the agriculture industry and controllers of publicly owned lands (e.g., county parks, rest areas, car pool lots, parking lots) to facilitate farmers' marketing of Michigan-grown products to consumers at these locations.

Value-added farm ventures, such as processing and agritourism, are growing segments of Michigan agriculture. These ventures are legitimate farm enterprises and should be entitled to all farm-related advantages and protection provided by the State, regardless of the level of product sales from the operation, and have legal protection modeled after Right to Farm legislation.

We support the availability of agricultural renaissance zones to the entire agricultural industry and that each industry be evaluated separately as to their qualifications.

We support additional funding of the Julian-Stille Value-Added Development Act and the development of a permanent funding source.

We encourage the use of grant programs for industry segments that typically find it difficult to secure loans due to being perceived as high risk ventures.

We support the establishment of a State of Michigan low interest loan program to fund qualified value-added ventures.

We support a review of regulations to ensure viability of the agricultural processing industry in Michigan.

AGRICULTURAL REPRESENTATION

6

Agricultural interests are represented as members of many councils, commissions, and boards created by the Governor, state legislators, and the Michigan Department of Agriculture.

Individuals appointed to these positions shall be directly involved in the growing, raising, or production of agricultural products. Section 2(c)(i) of MCL 324.36204 of Public Act 451 of 1994 as amended (Agricultural Preservation Fund Board) and other state councils, commissions, and boards that require agricultural interest representation, shall be amended to reflect

this requirement to properly represent the agricultural interest of Michigan.

ANIMAL CARE

7

Livestock production and the way farm animals are raised has changed significantly in the last 20 years. No one has greater concern for the care and welfare of farm animals than the farmers who raise them.

The concept of animal welfare/animal rights has become one of the most challenging issues facing the livestock industry. The advancement of organizations such as the Humane Society of the United States (HSUS), People for the Ethical Treatment of Animals (PETA), Animal Liberation Front (ALF), and Farm Sanctuary have led to additional restrictions being placed upon the livestock industry.

Ballot initiatives in other states to eliminate the use of modern production practices have the livestock industry concerned about possible future actions in Michigan. Veal calf production, the practice of castration, dehorning, cage utilization and livestock confinement have all been the target of activist groups. We are opposed to the utilization of ballot initiatives as a way to control modern livestock production and management practices.

We support the utilization of the Care of Farm Animals Generally Accepted Agricultural Management Practices (GAAMP) as the standard for animal welfare in Michigan. We urge producer representation on the Care of Farm Animals GAAMPs Committee. We strongly support proper animal care and encourage livestock farmers to be in compliance with the Right to Farm and GAAMPs. We encourage producers to educate and have guidelines for employees on proper animal care.

A form titled “Employee Code of Animal and Environmental Care” has been created to protect farmers. This form should be made available on Michigan Farm Bureau’s Web site and farmers are encouraged to use it on the farm.

We recommend that MFB provide leadership in the development and implementation of a consortium of all participants in the food production chain, including consumers. Actions of the consortium should include, but not be limited to:

- Legislative solutions.
- Member and consumer education.
- Producer education.
- Full implementation of the Care of Farm Animals GAAMPs.
- 4-H and youth livestock exhibitor education.

We urge Farm Bureau members to respond knowledgeably to misleading information on animal care. We urge members to understand the difference between organizations

AGRICULTURE

that support sound science and animal care versus those that are promoting animal rights and attempting to eliminate or greatly restrict livestock production in the United States. Members should continue to tell the success story of modern animal agriculture wherever the opportunity is found. MFB should coordinate action on animal care issues with animal industry and related groups. We encourage MFB to work with Michigan State University and Michigan Department of Agriculture (MDA) to provide proper education to law enforcement, county officials and animal control officers about the current laws that regulate animal care and livestock production practices in Michigan. We urge the county Farm Bureaus to be proactive in educating the controlling authorities and local humane societies about current animal care and production practices, so as to build a partnership between Farm Bureau and local animal care organizations. We oppose legislation banning or restricting small animal production, such as poultry and rabbits, in more residential areas.

We urge our land grant colleges and USDA to continue to research and develop programs which will realistically and economically enable farmers to continue to enhance the care and management of livestock and poultry.

A number of laws now exist for safeguarding the proper care of animals and, if properly enforced, will provide the necessary protection animals need.

Livestock owners have been increasingly subject to extreme scrutiny. People not familiar with standard animal care do not have the right, because they think the animal is being abused, to have another person's livestock confiscated from the owner's property without a judicial review and determination prior to seizure of animals.

We support a sensible approach to the substantiation of animal abuse accusations including:

- Governing municipalities be held financially and civilly liable for inaccurate and unjustified actions of those officers and departments.
- Requiring reported abuse cases to follow uniform administrative procedures to confirm abuse before any legal action is taken.
- Contacting the local law enforcement agency or animal control authority.
- Local law enforcement agencies obtaining the opinion of two unbiased local livestock professionals and a large animal veterinarian.
- All costs associated with the resulting investigation be paid for by the accuser if no abuse is found.
- Cruelty cases of farm livestock be handled through the MDA.

AGRICULTURE

- Mandatory education for convicted cruelty offenders to help them understand proper animal care including, but not limited to, the GAAMPs for the Care of Farm Animals developed under the Right to Farm Act.

We are opposed to the concept of animal “rights” and the expenditure of public funds to promote the concept of animal rights. We oppose any attempt, legal or otherwise, that would grant “legal standing” to any animals. We further object to regulatory and legislative actions that would restrict the farmer’s ability to produce at an economically feasible level.

In the event that animal care guidelines are required by food industry officials in order to market products, we urge the involvement of livestock industry experts in the development of those guidelines to ensure that sound animal science protocols are used.

Animal research is necessary to ensure more effective human and veterinary medical practices. Therefore, we oppose legislation which prohibits or unduly restricts the use of animals in research. If this practice were to be forbidden, research into prevention and treatment of many diseases, including cancer, would be greatly hindered. We are concerned about the potential elimination of “real” animals in the teaching and training process at our educational institutions and oppose any attempts to eliminate them.

We support legislation that makes it a felony to destroy or release animals lawfully confined for science, research and production, and provide for strong punishment and required restitution for losses or damages.

We support the MDA taking the lead role in the development of Michigan Animal Health Emergency Management guidelines.

We support the establishment of an animal care advisory board with the responsibility for over-seeing animal care guidelines and regulations that coincide with current industry standards and practices as they relate to animal care and management. This board should be comprised of livestock, scientific and food industry representatives.

The utilization of dogs on farm operations is a normal part of an agricultural enterprise. We support amendments to the Dog Law to more clearly define a “farm dog.” We encourage county Farm Bureaus to work with local animal control offices in an attempt to educate them about current agricultural production practices and standards. We urge MFB to work to change operating procedures that govern all county animal control departments to mirror the same procedures as state law enforcement, which requires establishment of probable cause and obtaining either a search warrant or consent of the owner before entering the property.

AGRICULTURE

ANIMAL RESOURCE MANAGEMENT

8

Animal agriculture is an important contributor to Michigan's economy. The livestock industry has the potential to make an even larger contribution.

With the increase of livestock numbers, the potential for problems with urban neighbors resulting from odors, noise and dust expands. We support research for better methods to manage and utilize livestock manure.

The agriculture industry and land grant colleges need to recognize and treat animal manure as a primary source of plant nutrients. We recommend livestock producers test manure for an accurate assessment of its nutrient levels. Fertilizer recommendations should be based on sound agronomic principles and take into account any livestock manure used.

Odors are a normal part of agricultural operations and can be influenced by many factors, including management, weather, type of system and species of animals. An aggressive research effort must be conducted to assist farmers in minimizing odor. Construction standards for manure storage, lagoons and storage ponds from the Natural Resources Conservation Service (NRCS) must recognize economic considerations while protecting the environment. The standards should take into consideration costs so farmers can afford to implement these manure-handling systems. The Farm Service Agency and NRCS should provide cost-sharing, when available, to assist all farmers in improving manure handling systems. NRCS should provide technical assistance to producers on a more timely basis. In order to ease the problem of producers chasing ever-changing standards throughout the design and construction of a project, producers should be able to "lock in" the rules and standards that exist at the beginning of the project.

We will continue to work with the Department of Agriculture, Department of Natural Resources and Environment, NRCS and Michigan State University to develop and promote voluntary, incentive-driven management practices.

We support the continued use of manure-management practices developed under the Right to Farm Act and urge all livestock, equine and poultry producers to adopt these practices.

The manure management practices will assist a farmer when dealing with complaints lodged against the farm. We encourage all producers to seek additional education as related to animal resource management.

AQUACULTURE AND COMMERCIAL FISHING

9

Aquaculture and commercial fishing are major contributors to our Michigan food basket and should be recognized as a part of agriculture.

The passage of the Michigan Aquaculture Development

AGRICULTURE

Act provides a foundation for expansion of the industry. We urge the Michigan Department of Agriculture (MDA), Department of Natural Resources and Environment (DNRE), state universities, and the aquaculture industry continue to work cooperatively to address the regulatory needs of the State, while at the same time facilitating the continued growth of aquaculture in Michigan. The current memorandum of understanding between MDA and DNRE must be adhered to.

We support the implementation of industry developed herd health plans that will help to codify and simplify testing and movement requirements for aquaculture operations. It is imperative the MDA be the lead agency on this issue and the plans meet the needs of producers and the goals of aquaculture health. Plans should include the option for slaughter surveillance testing, where feasible, and be implemented on a voluntary basis.

We reiterate the position of MDA authority over the aquaculture industry as authorized in the Aquaculture Development Act. We encourage Michigan Farm Bureau to work with the university system to establish an Aquaculture Specialist position. We support a review and revision of aquaculture Generally Accepted Agricultural and Management Practices (GAAMP) to assure they address efficient production standards, aquaculture health, fish handling, water use standards and others as necessary.

We call for the development of informed and fair science-based Viral Hemorrhagic Septicemia (VHS) control policies. Federal and state VHS control policy and standards must take into account the potential impacts of policies on aquaculture producers within the affected states and must include funding for control, as well as indemnification of losses to producers.

We support the rights of commercial fishermen to pursue fishing operations in a reasonable and responsible manner. We encourage the DNRE Fisheries Division to adopt commercial fishing regulations that are no more restrictive than those applied to tribal fisheries under the current consent decree unless there is a specific and clear scientific justification. We believe MDA should have authority over the commercial fishing industry when the fish leave the net. We support the allocation of funds for research and updating of fish population surveys to more effectively manage and utilize this natural resource. We support the efforts of the commercial fishing industry to establish a program under PA 232.

We oppose:

- Any ban on the use of biotechnology in aquaculture without specific evidence or demonstration of harm by the particular technology.
- Individual identification for aquaculture in the event

AGRICULTURE

animal identification is mandated.

- Restrictions on the stocking of rainbow trout based on “genetic strain.”
- Immediate implementation of new U.S. EPA effluent standards if operational viability is jeopardized.
- Increasing National Pollution Discharge Elimination System permit restrictions or compliance requirements without sound scientific justification.

We support:

- The concept of group or lot identification.
- MDA registration of out-of-state producers who market aquaculture products in Michigan.
- Enforcement of current regulations related to importation of aquaculture products into Michigan.
- A gradual and economically feasible phase-in of new U.S. EPA effluent standards.
- The MDA and the DNRE to review the aquaculture approved species list and update where appropriate. The review of this list should include industry involvement.
- Funding, research development, and approval of live fish tests so as to eliminate the need to sacrifice fish, as is the current requirement.
- If an individual farm has an established herd health plan and a disease status that declares it to be free of VHS and other regulated diseases, that farm should have the ability to ship product inter-state.
- MDA cooperating with other states and establishing agreements that allow for shipment of fish from Michigan into other states that follow similar protocol.
- MFB being involved in Michigan Aquaculture Association’s strategic plan development.

BIOMASS/RENEWABLE PRODUCTS

10

Ethanol and biodiesel are biomass fuels which have proven to be excellent sources of renewable energy. Ethanol fuels and biodiesel contribute to a clean and safe environment through major reductions in vehicle exhaust emissions. We support requirements for the use of biomass fuels and fuel additives in areas that exceed the 1990 federal Clean Air Act standards.

We strongly support the continued production of biomass products such as corn-based cleaners, solvents and motor oils. We support efforts to encourage biomass fuel production facilities in Michigan in areas of available feedstock production and co-product utilization. We applaud the popular increase in the interest level of ethanol and biodiesel and realize the positive impact to Michigan’s grain farmers. At the same time, we caution the entire agricultural industry to fully understand the economic impact to our livestock production. We urge that balanced economic decisions be made as we

AGRICULTURE

work to expand alternative energy options. A level playing field is important if all segments of agriculture are to succeed and prosper. Research and development should be encouraged through tax and cost-share incentives to find ways to reduce the cost of production of biomass products, expand feedstocks, co-product utilization (including those from food processors), and expand the application of technologies such as anaerobic digestion, fermentation, distillation, burning of organic materials (pyrolysis) and hydrogasification. We support research on the use of 100 percent biomass fuels for some vehicles, as well as blending biomass fuels with petroleum-based fuels.

We commend the State of Michigan for including biomass-fueled vehicles in the state motor pool fleet and we encourage expansion of this program. We strongly urge all state-owned diesel and E-85 (85 percent ethanol, 15 percent gasoline) flexible fueled vehicles be stationed within a reasonable distance of a renewable fuel source (ethanol or biodiesel) and use that fuel.

We support efforts to encourage expanded production and use of biomass fuels in Michigan. Such actions could include:

- Expanding the biomass fuel distribution infrastructure, including blending capability at the retail level.
- Encouraging manufacturers to expand offerings of renewable fueled vehicles.
- Research, development and use of renewable energy sources for on-farm production applications.
- Establishing economic incentives and streamlining the permitting and licensing process to encourage biomass fuel production, and broaden the use and distribution with incentives targeted to producers, blenders, distributors and end-users.
- Requiring new biofuels or renewable energy commercial production facilities that utilize public funding, tax deferments or grants to offer an investment opportunity to Michigan citizens to keep gains realized in rural America.
- Encouraging Michigan schools and all municipal governmental units to use ethanol and/or biodiesel fuels in their bus fleets and other government-owned vehicles and equipment.
- Educating consumers about the positive influence and benefits of biomass fuels and renewable sources for heating.
- Utilizing only the latest science-based information to promote biomass/renewable products.
- Requiring all diesel fuel sold in the State of Michigan to contain at least 2% biodiesel. Development of a Renewable Fuels Standard (RFS) for Michigan motor fuel with implementation upon certification that the annual capac-

AGRICULTURE

ity for renewable fuel production in Michigan is greater than 50 percent of the RFS requirement.

- Requiring all gasoline for highway usage sold in the state of Michigan to contain a minimum of 10 percent ethanol.
- Supporting research and demonstration programs that use ethanol as a fuel for fuel cell engine development.
- Supporting research and demonstration programs to expand the use of ethanol and biodiesel as a fuel alternative. Including identifying fuel stations that offer E-85 and biodiesel with interstate highway signs.
- Supporting the scientific measurement and rating of fuels and alternative fuels with regard to CO2 levels. The utilization of any and all silvicultural (forest) products and other biomass material for the production of renewable energy. To ensure that outdoor wood burning furnaces do not infringe on the community, we support the Outdoor Wood Furnace Best Burn Practices as developed by the Hearth, Patio and Barbeque Association.
- Exemptions from the normal Department of Natural Resources and Environment permitting process to encourage the development of renewable biomass energy production and utilization on farms.

Michigan Farm Bureau endorses the “25 x 25” project, developing a “blueprint for action,” which will allow the United States to meet 25 percent of its total energy needs from agricultural sources by 2025 without harming food production.

BIOTECHNOLOGY

11

We support the development of research and testing that will enhance the adoption of biotechnology products and processes, and address consumer safety and environmental concerns. Biotechnology offers tremendous benefits to society, including being able to increase production while preserving scarce natural resources to ease world hunger, and to tailor-design agricultural products for specific health, nutritional and industrial purposes. We support more funding from companies that develop this technology to educate the public on the safety and benefits of biotechnology. We support the development of a positive national strategy for the further development of biotechnology research and favor the swift dissemination of accurate information to consumers concerning biotechnology products. We urge:

- U.S. government agencies, particularly the USDA and the Food and Drug Administration, continue to serve their respective roles in providing unbiased, scientifically-based evaluations concerning human and animal safety and wholesomeness, as well as the environmental impacts, of biotechnology-enhanced commodities. U.S. government agencies should evaluate whether there are

AGRICULTURE

improvements in the regulatory approval process that could be made to further enhance consumer confidence.

- The development of standardized testing procedures to ensure accurate, timely and cost-effective analysis of biotech products throughout the entire production and marketing chain.
- The U.S. government to use all available means to improve international understanding of the science-based process used by U.S. agencies when approving biotechnology-enhanced commodities.
- Initiatives that assist in the research, development and regulatory clearance of specialty crop biotechnology products.
- Michigan Farm Bureau take a proactive approach to educating members and consumers about the advantages and potential of biotechnology.

We recognize the need for strong patent protection to encourage these new technologies. The U.S. producer should not have to pay for this technology, development, and marketing cost alone. All purchasers should share in the cost of this research. We support the concept of allowing farmers to use their own crop as seed as long as they pay the technology fee for the seed they use. We encourage public and private efforts to conduct more research on non-biotech seed. We support communication with end users to identify specific needs to promote value-added trait development.

Food products utilizing biotechnology that have been scientifically proven safe should not be discriminated against by unfair labeling requirements. No biotech products should be released for commercial production until approved for both human and animal utilization. We support the voluntary approach taken by the biotech industry that allows for further development of agriceuticals and research while still protecting our commercial production. Seed purity (identity preservation) is critical in maintaining both consumer and processor confidence in agricultural products. Therefore, we support the common practice followed by the seed industry (as well as outlined under the USDA organic practices) that the burden of maintaining genetic purity falls solely upon the producer of the identity-preserved crop as far as needed buffer strips and other cultural practices. Users of biotech seeds should follow planting restrictions and requirements.

We support active involvement by the U.S. in the development of a uniform scientifically-based international approval process for biotechnology.

We oppose all attempts to limit the production or use of genetically modified crops or animals, based upon unproven statements and unsubstantiated fears.

AGRICULTURE

We are concerned about the potential loss of current technology, production and management tools that have fostered advancements in agriculture, and will oppose all attempts which limit the utilization of approved use of biotechnology in the production of agricultural products.

We recognize the free choice of farmers to grow what they want, whether it be biotech products or non-biotech products.

COMMISSION SYSTEM OF GOVERNMENT 12

The Michigan Department of Agriculture and the Department of Natural Resources have historically been controlled by bipartisan commission systems. The commissions are appointed by the Governor and approved by the Legislature.

We strongly support the commission system of government. Commissions should provide oversight and set policy for the department, conduct appeals, and employ the director. The present commission system has allowed for continuity, transparency and accountability of programs.

Future appointees to the Department of Natural Resources Commission should be balanced, not only in their passion for outdoor recreation, but also with regard to the ecological and business environments of the State.

Furthermore, we insist the Michigan Legislature or Governor create a commission for the Department of Environmental Quality. We urge appointments to include agricultural representation in proportion to other interests and follow guidelines similar to those listed above.

COMMODITY MARKETING AND VENDING 13

The investment of commodity, industry and private research and promotion funds has led to the development of more healthy, convenient and attractive products which increase the marketing opportunities for agricultural products.

We support the ongoing development and promotion of new marketing opportunities for agriculture and encourage Farm Bureau members to actively seek and support new markets.

In an effort to increase consumption of ag products, offer a more nutritious and healthy choice, and assist in the promotion of ag products, we support the placement of beverage and food vending machines that offer choices, such as dairy, fruit and vegetable products, in Michigan schools and businesses.

CRANBERRY INDUSTRY 14

We support efforts through legislation and/or regulations to promote the expansion of the cranberry industry in Michigan.

Michigan Farm Bureau urges the Department of Natural Resources and Environment (DNRE), Department of Agriculture (MDA) and the Michigan Legislature to develop proactive policies and legislation that help promote and grow the cranberry industry in Michigan. In a time when the State is

AGRICULTURE

seeking diversity of industries and job growth, many policies are overly restrictive compared to surrounding states and have seriously restricted the growth of the cranberry industry in Michigan.

We urge the DNRE to fully implement their commitments to accommodate the expansion of cranberry production in Michigan, including recent commitments made under PA 120 of 2009.

DIAGNOSTIC CENTER FOR POPULATION AND ANIMAL HEALTH 15

The Diagnostic Center for Population and Animal Health is a key safety link for the people of Michigan as we see more occurrences of diseases that threaten our health. The facility must be capable of quick and reliable diagnostic response so decisive action can be taken to protect both humans and animals.

With new and improved technology and the need for increased bio-security, we strongly support full funding for the operation of the lab. We will support additional funding when unexpected incidents occur which require immediate response.

DIRECT FARM MARKETING AND AGRI-TOURISM 16

We oppose discriminatory regulation, licensing and inspection by regulatory agencies on farm markets, roadside stands and agri-tourism operations which restrict their ability to remain competitive. Markets should not be subject to duplicate inspection by the Michigan Department of Agriculture (MDA), Department of Community Health and local units of government.

We support reasonable local zoning ordinances that recognize the benefits and allow for the operation of farm markets, roadside stands, agri-tourism destinations and farmers markets. We do not believe a city, township or other local agency can restrict or mandate the size of what a farm market/roadside stand is.

We support Michigan townships adopting the farmer friendly “Agricultural Tourism Model Zoning Ordinance Provisions” as developed by the Michigan Agricultural Tourism Advisory Commission.

We encourage industry to work with the Commission of Agriculture to develop farm market, roadside stand and agri-tourism Generally Accepted Agricultural and Management Practices (GAAMP). We support the development of the farm market GAAMP currently underway by MDA. Michigan Farm Bureau should pursue the enactment of limited liability legislation for agri-tourism activities. Such legislation could be modeled after statutes that have already been enacted in other states.

AGRICULTURE

To further promote agriculture and agri-tourism, we propose certain roads and highways across the State be designated as “Scenic Agricultural Byways.” These routes would be designated to showcase Michigan’s agricultural diversity, unique agricultural features, farm markets, roadside stands and related agricultural businesses. We support the opportunity for farm operations to have their businesses designated as tourism destination points. We encourage changes to MDOT rules that allow for the use of seasonal information signage for agri-tourism and farm markets.

We support a change in the Michigan Construction Code Act to clarify the definition of retail trade as it pertains to agriculture exemptions under the Act.

We commend MFB, MDA, Michigan State University and other stakeholders for creating the Michigan Farm Marketing and Agri-Tourism Association to provide guidance on issues surrounding direct marketing, agricultural tourism and value-added products. The entity will help Michigan farmers be at the forefront of this growth opportunity and proactively address issues that may arise with local and state government. We encourage membership in this organization.

We commend the creation of the Michigan Farmers’ Market Association (MIFMA) and encourage MFB members who use farmers markets to be involved in the organization. MFB should encourage MIFMA, along with grower vendors, to establish guidelines for agriculture procedures of farmers markets and to assist them if requested.

We encourage farmers markets and farm marketers to promote and provide education on food safety to consumers.

FAIRS AND EXHIBITIONS

17

Michigan Farm Bureau and Farm Bureau members have a long history of supporting agricultural exhibitions and livestock shows that promote agriculture. Agriculture has long realized the importance of these events as a forum for competition among individuals involved in our industry and an opportunity to improve the next generation of agricultural products. These activities also provide an excellent opportunity to enhance the leadership skills and increase the agricultural knowledge of our youth, while promoting agriculture with the general public.

The success of state and county fairs and exhibitions is reliant upon leadership and volunteers from the agricultural community. We urge Farm Bureau members to take an active role in providing oversight and taking ownership of these activities to ensure the original intent of fairs and exhibitions continues. Activities such as birthing and other agricultural education exhibits, livestock competitions, agricultural showcases and youth agricultural activities should be the corner-

AGRICULTURE

stone of state and county fairs and exhibitions.

Financial resources are a critical component to the continued viability of state and county fairs and exhibitions. We urge the State of Michigan and individual county fair boards to implement a long-range plan that addresses the financial needs of these events, including, but not limited to, premiums and infrastructure.

As our industry has changed and we adapt to those changes, we must look at new and alternative venues for these events that provide opportunities for expanded involvement with the non-farm population.

We urge MFB to evaluate and make the necessary recommendations to ensure the long-term viability of our agricultural heritage through participation at exhibitions, shows, or other public events, in addition to the existing state and county fairs.

FOOD PRODUCTION MEDICINE

18

We are concerned about the lack of large animal practitioners in the area of veterinary medicine.

The changing structure of the livestock industry will require veterinary professionals who have a practical, scientific, and professional approach to achieving and protecting animal health. It is imperative there be talented, diligent, and qualified animal health professionals to protect the State's livestock industry. In support of Homeland Security and the threat of terrorism, veterinarians are the first line of defense in dealing with existing and emerging infectious and contagious diseases impacting human and animal health.

We support the Production Medicine Scholars Program at Michigan State University. The goal of the program is to encourage interested students to pursue food-animal medicine careers.

The National Veterinary Medical Services Act (NVMSA) provides veterinary school graduates student-loan repayment if they agree to work in under-served areas. We encourage Congress to fund the NVMSA and for the USDA to work with the livestock industry to develop guidelines for participation.

We encourage Michigan Farm Bureau to lead the development of an animal health education fund designed to assist and attract future food animal practitioners.

County Farm Bureaus are encouraged to work with local communities to assist in the recruitment of future veterinary professionals and the establishment of food animal practitioner businesses.

FORESTRY

19

Forestry should be treated and defined as an integral part of Michigan agriculture. The production of forest products requires inputs and management, which are similar to those necessary for the production of other commodities. Michigan forests contribute much to the Michigan economy with new industrial uses of forest products such as the construction of bridges, guard rails, sign posts and other uses on roads and highways. We urge the Michigan Department of Transportation and county road commissions to use these Michigan-grown and processed forest products.

We support:

- Efforts to clarify forest industry activities as agricultural for things such as truck licenses, tax on equipment, insurance, supply purchases, real estate taxation and agriculture classification.
- The multiple use management philosophy of our public forests with emphasis on sustainable management and harvest of state-owned forestlands. We urge the Department of Natural Resources and Environment (DNRE) to base timber sales from public lands on reasonable aggregate economic, biological and social impacts.
- Requiring a market-value bid on purchase offers of Michigan state-owned forests. All sales should be based on a total value bid rather than on sales of species/products estimates.
- Timber management with techniques best suited for public lands along roads and highways.
- Legislation that protects timber operations from liability involving individuals using the land for recreational purposes.
- Tax reverted lands acquired by the state be maintained or improved through reforestation or other approved soil and water conservation practices.
- An ongoing Michigan forest inventory and analysis with joint funding by industry, state and federal sources.
- The American Forest and Paper Association Sustainable Forestry Initiative.
- Changes in current programs and/or the development of new initiatives that provide landowners with incentives to improve forest resources, encourage proper management, promote sustainability of forestlands, and benefit the forest products industry.
- Cooperation with allied industry groups to review and recommend improvements to the Qualified Forestland Program.
- Efforts by the DNRE Forest, Mineral and Fire Division Service Foresters to provide education and outreach for private forest landowners.

AGRICULTURE

We oppose:

- Mandating forest practice rules unless compensation is provided to landowners.
- The closing of existing roads on state forest lands.
- Any legislation restricting the sale of forest products for non-traditional use.

We will support efforts by the timber industry on the development of a common scale for hardwood saw logs.

We encourage Michigan State University (MSU) to conduct an economic study comparing the economic returns of the Michigan forestry industry to the economic returns from Michigan's other major commodities.

Regeneration of new seedlings, ensuring future crops of trees in our woodlots and forests, is being seriously depleted by deer populations that are too high. We will work with the DNRE, conservation organizations, hunting groups and other interested groups to bring the deer population down to acceptable levels.

We urge the creation of an industry-driven initiative funded by State of Michigan appropriations for forest management, research, education and outreach at MSU, University of Michigan, and Michigan Technological University. Michigan Farm Bureau should provide assistance and expertise to such an initiative.

We encourage county Farm Bureaus to work with their local school districts to retain the ownership and use of school forests. The retention of school forests will help preserve educational opportunities for students, help conserve forest resources, and provide both short- and long-term income for school districts.

FRUIT & VEGETABLE GRADE QUALITY STANDARDS

20

Michigan Farm Bureau will cooperate with industry groups to research and implement Michigan minimum grade quality standards for fresh fruits and vegetables that will improve product quality, meet consumer expectations and enhance Michigan's competitive position.

INTELLECTUAL PROPERTY RIGHTS

21

Research institutions, especially land grant universities, are scaling back on their agricultural research and are requiring agricultural commodity groups and associations participate financially, both in the research areas and in staff funding.

Because the licensing policies of Michigan State University (MSU) Technologies directly or indirectly affect cost, profitability, and marketing of Michigan agricultural commodities, it is necessary for the affected parties within the State to have input into the licensing system.

AGRICULTURE

Therefore we support:

- A standing committee from Michigan Farm Bureau, Michigan Department of Agriculture and producer representatives of affected commodities be included in the process of MSU Technologies in licensing any product or material that would affect the profitability or marketing of any agricultural commodity.
- A portion of the revenue derived from the licensing of intellectual property rights flow back to the funding groups and organization.
- Licensing and commercialization opportunities remain with Michigan-based companies when appropriate.
- The right of commodity groups and organizations to have first and last right of refusal in the licensing of intellectual property rights that were at least partially funded by grower investment and developed at public institutions.

LABELING

22

We support consumer friendly, science-based labeling of agricultural products which provides consumers with useful information concerning the ingredients and nutritional value of foods sold in the United States. We oppose false, misleading or deceptive marketing, promotion and/or label claims. Agricultural products that are produced using government approved technologies should not be required to designate individual inputs or specific technologies on the product label.

LIVESTOCK AND POULTRY HEALTH

23

As the world becomes more open to international trade, the potential for transmission of communicable diseases among the agricultural community increases. The uncontrolled spread of diseases through intentional or unintentional means can result in economic devastation to the entire agricultural system.

We recommend the Michigan Department of Natural Resources and Environment (DNRE), the Michigan Department of Agriculture (MDA), the United States Department of Agriculture (USDA) and the United States Fish and Wildlife Service work cooperatively to identify and develop potential regulations to control the spread of diseases. These regulations should include, but not be limited to, developing a system to monitor live and dead domestic and game animals and birds coming into Michigan.

It is imperative we protect the health of the livestock, dairy, equine, poultry and aquaculture operations in Michigan and across the United States. A healthy animal population is critical to our overall agricultural economy. However, there are times when restrictions are put in place that limit or prohibit marketing opportunities which reach far beyond the intended

AGRICULTURE

consequences, or simply have not been well thought out by the entity imposing the restriction. We are strongly opposed to restrictions that limit or eliminate the marketing opportunities for the livestock, dairy, equine, poultry and aquaculture industries and their products without sound scientific justification.

When marketing channels are limited or eliminated by the government for any portion of a particular industry, for the protection of the whole, we strongly support indemnification for the impacted industry.

We urge MDA to provide adequate staffing to ensure proper monitoring of the State's swine herd to maintain our achieved pseudorabies status. We support elimination of the testing requirement for swine intended for exhibition.

We urge continued research on health-related issues that impact our livestock industry.

We urge all equine owners to consult with their veterinarian and have their horses, ponies and mules vaccinated for infectious and contagious diseases.

All fairs, racing events, sale barns, riding stables and other occasions where equine are co-mingled should require a yearly Equine Infectious Anemia (EIA)\Coggins test and have the papers inspected before entry into the grounds or facilities.

We encourage the MDA to work with animal health officials in other states to develop a standardized set of EIA\Coggins testing guidelines that allow for a more uniform set of testing and movement procedures.

We recognize the need for feed additives and medication in livestock feeds. We favor careful use and withdrawal restrictions of feed additives. We oppose the banning of such additives without sound scientific evidence that these additives pose a threat to animal and human health. We support the use of rendered ruminant and other species protein as feed additives to rations for swine and poultry. Strict safeguards, however, need to be in place to prevent cross contamination of ruminant feeds with ruminant by-product during the formulation of the feed additives.

We urge Michigan Farm Bureau, Michigan State University (MSU), MDA and USDA to:

- Provide sufficient funding and programs for animal health education, disease monitoring, border inspections and disease eradication that protect the United States livestock industry and ensure continued market access.
- Increase efforts on the development of a genetic or live animal diagnostic test for Scrapie and BSE.

We oppose importation of livestock that does not meet import testing requirements as deemed appropriate by the Director of Agriculture, have appropriate quarantine protocols in place, and have an animal I.D. system to track the move-

AGRICULTURE

ment of livestock to prevent the possible spread of disease.

We recommend that a board of animal health be appointed and convened to coordinate activities, programs, and regulations to expedite the control and eradication of animal diseases. The board should consist of producers and industry representatives, MDA, DNRE, Public Health, MSU Veterinary Medicine and USDA.

In order to better monitor Chronic Wasting Disease (CWD) in the State's wild deer herd and to prevent CWD infected material from entering the State, all out-of-state hunter-harvested deer should be tested for CWD at the state of origin.

We urge Michigan to institute an aggressive cost-effective Johne's detection and control program. We encourage Johne's vaccine to be available for dairy farmers. We encourage the acceptance and inclusion of new technologies, such as milk screening and rapid fecal testing, in this program. We encourage the MSU Animal Science Department, MSU College of Veterinary Medicine, MSU Large Animal Clinical Sciences Department, Animal Health Diagnostic Laboratory, MSU Extension and MDA to work cooperatively to develop control and prevention guidelines to assist producers in managing Johne's disease. We urge these groups to make available educational programs and accurate, economical diagnostic testing necessary for an effective Johne's disease certification program.

We support the swift implementation of a mandatory identification system for Michigan's livestock industry and encourage the continued utilization of producer input into the development and implementation. We support cost-share where feasible.

Producer information shall remain proprietary, not subject to the Freedom of Information Act or any other public use.

We support the timely development and implementation of an electronic database for Michigan cattle and allow availability of movement certificates at no charge on-line in real time, 24 hours, seven days a week. We urge slaughter facilities to update technology in order to provide timely and accurate response on individual cattle information.

We oppose mandatory rabies vaccination for farm cats. We encourage livestock producers to consider rabies vaccination for all pets and become educated about the disease. We encourage the development and availability of bait vaccines.

MARKETING AND BARGAINING LEGISLATION 24

The Michigan Agricultural Marketing and Bargaining Act (PA 344, as amended) has proven to be a fair and equitable procedure through which marketing and bargaining associations and processors negotiate fruit and vegetable prices and other terms of trade. We will support legislation or legal actions that

AGRICULTURE

strengthen the operation and effectiveness of PA 344, including, but not limited to, returning the definition of the “opt out clause” to its original intent and meaning.

We support the efforts of producers under PA 344 to further enhance their position in the marketplace and secure the sale of their product through the provisions of the marketing and bargaining legislation.

We will work with the Department of Agriculture to ensure aggressive enforcement of this program.

MICHIGAN AG COUNCIL

25

The Michigan Ag Council, currently comprised of Michigan Farm Bureau, GreenStone Farm Credit Services, Corn Marketing Program of Michigan, Michigan Soybean Promotion Committee, Michigan Pork Producers Association, Michigan Milk Producers Association, Dairy Farmers of America, Michigan Allied Poultry, Michigan Apple Committee, West Michigan Ag Council, United Dairy Industry of Michigan, and Michigan Cattlemen’s Association has taken the lead in developing a collaborative effort which promotes a positive image for agriculture and takes an assertive, proactive approach in telling the story of modern agriculture practices and advancements.

The efforts of the Michigan Ag Council are needed because if farmers do nothing, other groups will define who we are and what we do. Many animal rights and environmental groups are engaging in a misinformation campaign. This information often gets printed or broadcast by the media with very little scrutiny of factual accuracy. They are attempting to redefine what a farm is and distorting the environmental record of farmers.

Therefore, we would like to see the efforts of the Michigan Ag Council expanded and encourage MFB to cooperate on a national level with American Farm Bureau Federation and other state Farm Bureaus, organizations and agricultural businesses to share expertise and reduce the cost of surveys and production of television, video, film, radio and print promotions that can be customized to a localized audience.

Funding for the Michigan Ag Council is critical. In order to be successful, it needs to come from a variety of sources focused on Michigan including commodity groups, financial institutions, food processors and retailers. We encourage county Farm Bureaus and individual members to financially support the Council. A broad mix of financing for this joint effort will not only allow the Council to do more positive education and promotion about agriculture, but it will multiply the ability to reach the consumer at all levels of the food system.

AGRICULTURE

MICHIGAN BEE INDUSTRY

26

Honeybees are an important resource to Michigan agriculture, both for the honey they produce and the pollination of crops. Some pesticides used on crops can harm honeybees and may even destroy whole colonies. We urge beekeepers, farmers and commercial pesticide applicators to cooperate to reduce the loss of honeybees in Michigan from pesticides.

We support research efforts to find practical, effective methods to control or reduce the infection of varroa mites, tracheal mites, small hive beetles in honeybees and colony collapse disorder.

Beekeeping (apiary) is a specialized form of agriculture and should be recognized as such by local, state and national regulatory bodies.

Imported honey must meet U.S. standards and follow the Country of Origin Labeling (COOL) system.

MICHIGAN DEPARTMENT OF AGRICULTURE 27

In 1921, the Michigan Department of Agriculture (MDA) was created with the primary responsibilities of implementing laws pertaining to the production, handling, distribution and marketing of agricultural products. While the department still performs these fundamental roles, MDA has changed to meet the demand of the increasingly complex and technologically advanced food, land and farming systems. Many of its current day functions directly impact food safety, human health, our environment, animal and plant health, as well as weights and measures of products purchased everyday such as gasoline and fertilizers.

In the face of a restructuring manufacturing sector, Michigan agriculture has been a mainstay for the economy of this state, continuing to provide safe and wholesome food, as well as jobs and investment into Michigan's first green economy. Land based industries such as agriculture, forestry and tourism hold great promise for Michigan's economic future, a fact recognized by other Midwest states that have made agriculture a focus of economic development. Michigan's current administration has ignored agriculture and our natural resources as a center for economic development, treating Michigan agriculture as a tired industry; placing the industry at a competitive disadvantage. In support of Michigan's 2nd leading and growing industry, we urge the Legislature and the executive office to bolster the department to better harness the opportunities of the land based industries of this state.

We support the continued individual existence of the MDA within State government. We oppose any attempt to dilute the effectiveness of the MDA by merging it with any other government agency or department. Program areas of a

AGRICULTURE

new, stronger, more encompassing MDA might include, but would not be limited to: consumer protection, environmental protection, resource-based economic development programs, aquaculture, privately owned cervidae, commercial fishing and forestry programs. We challenge MDA to continue to be proactive, focus on core programs and eliminate redundancies where possible. MDA should continue to strengthen its role in advocacy for Michigan's farm products. We support MDA actively facilitating growth of agriculture in the state and a competitive economic spirit for Michigan farmers and agri-business. We support funding entrepreneurial programs and economic development efforts that recognize agriculture as a vital and vibrant component of both Michigan's economy and economic development efforts. As government involvement in farming continues to grow, we have concerns with the lack of expertise and understanding of farming in other state departments. Therefore, we want MDA to be the primary representative of government on our farms.

The recent and continued budget cuts have left MDA without adequate funding or personnel to carry out its mission at a time when more emphasis is being placed on food traceability and more plant and animal diseases are being identified and diagnosed. We strongly support the restoration of funding to MDA to provide an adequate number of properly trained personnel, laboratory and technological support to respond to program needs and statutory directives for the necessary regulation, oversight and support of Michigan agriculture.

In response to the ongoing cuts to MDA, Michigan Farm Bureau formed an ad hoc committee on agricultural funding in 2008. The committee recommendations included, in order of priority:

- Oversight of industry regulation.
- Safety of food supplies.
- Ag security/disease protection.
- Protection/integrity of ag products.
- Market access inspections.
- Statistics and information.
- Promotion/advocate for industry.

We encourage the MDA to follow these recommendations when prioritizing their current budget. Regulatory or enforcement program funding should be taken from the General Fund with a limited portion of the cost to be generated from industry fees. We support restoration of the consumer/producer protection programs in seed, feed and fertilizer through increased efficiencies and reforms, and, as a last option, fees.

We support:

- Protection of animal health through testing, quarantine and depopulation, if necessary.

AGRICULTURE

- Plant inspection, testing and quarantine to control disease.
- Reviews and specific expirations for quarantines or movement restrictions.
- Indemnification for losses of farm income when agricultural commodities or products are impounded, farms are quarantined, or movement or sales are restricted in the public interest.
- Investigating the feasibility of a livestock insurance fund that might compliment existing state and/or federal indemnification programs. The feasibility study should consider loss of livestock and production due to disease outbreak, depredation, funding options, specie participation and producer control of the fund.
- A mechanism for loans or direct compensation for loss of income due to depopulation, quarantine or condemnation of agricultural products.
- Certifying the accuracy of weights and measures, including moisture testing equipment.
- Revisions in state and federal tax laws to exempt producers from income and capital gains tax on payments received for indemnity or other compensation as a result of disease control or eradication.
- Review of the point system for Pesticide Applicators Certification to increase efficiency.
- Adoption of one inclusive definition of agriculture for use in the regulatory functions by various state departments modeled after the current Right to Farm definition as follows:

'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.

- Moving all regulatory authority of agricultural issues, along with program funding, to the MDA, including environmental.
- MDA considering the utilization of state certified third-party privatized contracting for inspections, review and oversight for some programs.

We support the formation of an industry committee to advise the MDA director regarding the inclusion of injurious plants on the nuisance plant list. Consideration should be given for a phase-in for any commercial plant species added to the nuisance plant list.

We urge state government to support the coordination of mosquito control at the local level and in conjunction with neighboring states.

AGRICULTURE

We are opposed to multiple inspections by a variety of jurisdictions.

We support efforts of the Michigan Food Policy Council and their goal of improving the State's economy through increasing economic development opportunities in Michigan's food sector.

We support aggressive promotion and the labeling of Michigan-grown products and commend the efforts of the MDA for its leadership in highlighting the importance of the agricultural industry to the State of Michigan.

We recommend that any block grant funds received under the Federal Specialty Crops Competitiveness Act be distributed to Michigan specialty crop commodity sectors on a pro-rata basis similar to the distribution system utilized by the MDA in distributing block grants in 2002. All specialty crop sectors, including the nursery and greenhouse sector, should have the opportunity to receive an equitable portion of block grant funds.

We encourage further development of meat processing and marketing opportunities through joint cooperation between the industry, MDA, Michigan State University and the Michigan Meat Association.

We support the State returning to a USDA equivalent state meat inspection for local custom processors as soon as possible to support value-added opportunities. We will support adequate funding for this program.

We support funding to create and implement the Michigan Voluntary Johne's Disease Status and Management Program, which should cover the costs of testing and education to control and eradicate the disease.

Milk is required to be pasteurized to protect consumers from a variety of illnesses that could possibly be transmitted through raw, unpasteurized milk. We support the continued pasteurization of milk, provided that on-farm families and their immediate family still be allowed to consume unpasteurized milk produced on their farm. MFB would consider supporting retail raw milk sales after MDA develops standards and regulations that would meet grade A fluid milk standards for both production and processing facilities.

MICHIGAN DRY BEAN INDUSTRY

28

We support the Michigan Bean Commission.

Due to the decline in overall dry bean acreage in Michigan and the increased plantings of colored varieties, we strongly recommend continuation, staffing and adequate funding of the dry bean variety development program at Michigan State University. The bean-breeding program must include the development of new varieties to better meet the demands

AGRICULTURE

of domestic and world markets. We encourage the dry bean industry to consider the application of advanced technology and support publicly funded research for specialty crops to enhance agronomic returns, as well as end user attributes. Resistance to diseases such as anthracnose and white mold should be bred into all varieties of dry beans.

The continued consolidation of dry bean processors and end users has led to increased interest in production contracts. These contracts can be viable and important marketing tools for growers, elevators and canners. We recommend that for the credibility and future availability of these contracts, all parties must abide by the provisions of these agreements and the interaction between all parties must be closer to ensure compliance at all levels. We also urge the option of “Act of God” clauses be available in these contracts. The farmer shall be identified as a grower in that contract.

We support funding to establish a national dry bean stocks report to be released up to twice per year covering all primary growing regions, with information delineated by major dry bean varieties.

MICHIGAN EQUINE INDUSTRY

29

The Michigan equine industry is an integral part of the overall agricultural economy of the State.

The Michigan horse racing industry, in addition to providing over 40,000 jobs in the state, purchases large amounts of Michigan grown and manufactured inputs. To ensure a horse racing industry that is viable for many years, Michigan legislative changes are necessary. The Michigan horse racing industry, as in neighboring states and provinces, faces stiff competition from other gaming options.

As neighboring states change and improve, their purses will exceed those of Michigan, leading to a drain of our best racehorses. This will cause a migration of training stables and breeding farms, which will lead to a general reduction in the viability of a great agricultural industry in Michigan.

In an effort to keep Michigan’s horse racing industry competitive and on a level playing field with competition, we support efforts by the industry to develop better marketing and improve their facilities and public image.

We support the combined efforts of the Michigan horse racing industry to enact legislation, which has been successful in other states and provinces, that will benefit Michigan horse men and women and allow racing to continue as a strong contributor to Michigan agriculture. We are concerned over the loss of revenue to Michigan’s horse racing industry due to illegal internet wagering. We support efforts to strengthen enforcement provisions regarding internet wagering. When

AGRICULTURE

the casino tax expires, it will lead to a funding shortage for Michigan's equine industry. We support an extension and expansion of the casino tax to fund the Michigan Equine Enhancement Program.

We are concerned about funding from the Equine Industry Development Fund being used to fund the Bovine Tuberculosis eradication effort. We encourage legislative clarification of the Equine Industry Development Fund as to the intent of its use.

We support oversight of the horse racing industry by the Michigan Department of Agriculture (MDA). We support a review of Michigan's current horse racing laws and recommend changes that would allow for future industry growth and sustainability. We believe it is important to understand the Michigan horse racing industry and encourage continued education of our members regarding the importance of horse racing to Michigan's agricultural economy.

We support changes to the Michigan Horse Racing Act to improve the compliance and enforcement regarding the use of illegal drugs in racehorses.

We oppose all attempts to classify equine as companion animals and encourage the MDA to work with local units of government to continue to classify equine operations as agricultural for zoning purposes.

We support marketing opportunities for the equine industry and will oppose any attempts to limit them. We encourage Michigan Farm Bureau to work to re-establish additional harvest options for the equine industry.

We support reinstatement of funding for the USDA Food Safety and Inspection Service for inspectors in facilities that slaughter horses.

We are encouraged by the recent activities of the Michigan equine industry to unify and collaborate on issues of mutual interest. We will support the continued expansion of these unified interests as the equine industry plays an increasing role in Michigan's economy.

We support revisions to the Equine Liability Act that strengthens liability protection measures for the equine industry.

In an attempt to encourage the equine industry to be more proactive in environmental protection, we encourage MFB to develop an equine specific industry strategy that focuses on Michigan Agriculture Environmental Assurance Program (MAEAP) verification, manure management and environmental protection for the equine industry.

AGRICULTURE

MICHIGAN NURSERY, FLORICULTURE, SOD AND GREENHOUSE INDUSTRY **30**

The nursery, landscape, floriculture, sod and greenhouse sector is one of the fastest growing components of Michigan agriculture.

The nursery, greenhouse, sod and Christmas tree industries have experienced a number of inequitable trade practices with Canada, including phytosanitary inspection standards and procedures. We request Michigan Farm Bureau work with allied industry organizations and the Michigan Department of Agriculture to identify areas of concern and formulate appropriate solutions.

Ornamental horticulture, nursery, landscape, floriculture, sod, Christmas trees and greenhouse productions are unique forms of agriculture and should be recognized as such by local, state and national regulatory bodies.

We support an initiative to increase research for hydroponics, computer environmentally controlled agriculture, and zero runoff technologies as they pertain to the nursery, sod, floriculture and greenhouse industry.

We support changes to the Plant Industry Act (PA 189) so that mandatory inspections of nursery stock for in-state sales will no longer be required. This change will allow for the reallocation of resources to provide for improved inspections of interstate and international shipments, and to allow for voluntary in-state inspections as requested by the industry.

MICHIGAN SHEEP INDUSTRY **31**

We believe with proper leadership and research the sheep industry will provide a substantial source of income for Michigan farmers. We strongly support the sheep industry in Michigan. We urge:

- Increased development of new uses of wool and new consumer convenient lamb products.
- Research into lethal and non-lethal methods of predator control as they can be applied in Michigan.
- All owners of sheep participate in the Federal Scrapie Eradication Program.
- Continuation of a wolf, and the reinstating of a coyote, indemnification program by the Michigan Department of Agriculture.
- Adoption of a “toxic collar” program for use in controlling predator damage.

MICHIGAN SUGAR COOPERATIVE **32**

Michigan Sugar Company is the largest beet sugar processor east of the Mississippi River and fourth largest in the United States. The Company is a cooperative owned by approximately 1,200 sugar beet growers, employing 450 year-round

employees and 1,750 seasonal employees. It generates nearly \$300 million in direct economic activity annually in the local communities in which it operates. Michigan Sugar Company became a cooperative in 2002 and the Monitor Sugar Beet Growers and Monitor's Bay City factory joined the Cooperative on October 1, 2004. Beginning with the 2004 crop, the single grower-owned cooperative now processes all of the sugar produced in the State of Michigan. Michigan Sugar Company annually produces nearly one billion pounds of sugar under the Pioneer and Big Chief brand names.

Michigan Farm Bureau supports continued efforts to minimize negative impacts to the U.S. sugar industry from any trade agreement.

MFB supports extending the extension of the original maturity date of the State of Michigan zero interest loan made in 2001 to the Michigan Sugar Cooperative with conversion to a grant at a later date.

We oppose the designation by the Michigan Department of Natural Resources and Environment of lime derived from sugar beet processing as a processor waste.

PAYMENT PROTECTION AND SECURITY FOR GROWERS

33

Farmers need maximum assurance of payment for commodities delivered. When a buyer becomes insolvent or declares bankruptcy, many people suffer. The impact on farmers is more significant because of the perishable and seasonal nature of many commodities.

We support legislation to assure growers receive secured position and full payment for commodities delivered. Successful examples of payment protection mechanisms used by the dairy, grain and livestock industries include licensing, bonding, and producer insurance funds.

We recommend exploring all possible options, including amending the Uniform Commercial Code, to assure full secured position payment for commodities delivered. Michigan Farm Bureau supports the Farm Produce Insurance Authority (FPIA) that protects the interest of producers when selling their products.

We encourage the FPIA Board study the opportunity of purchasing insurance to increase the protection level because of commodity price increases.

We encourage MFB to support an industry coalition to evaluate the recommendations from the FPIA Board, including but not limited to:

- Options for improving Michigan Department of Agriculture security positions.
- Raising the funding cap above \$5 million.

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- Feasibility for establishing a priority lien.
- The definition of a “participant”.

PLANT PESTS AND DISEASES

34

Plant agriculture is being severely impacted by infestations of pests and diseases. Plant pests and diseases create quarantine situations which can or will restrict both intra and interstate marketing opportunities.

We support research to do the following:

- Industry-led efforts to control and prevent crop losses due to plant pests and diseases.
- The development of regulatory protocol, inspection procedures and pest control methods to allow for the shipment of quarantined commodities.
- Develop new chemical and biological controls for disease detection, control and eradication, including emerald ash borer.
- Enhance the use of natural plant pest predator species or bio-controls after thoroughly reviewing the potential consequences to the environment.
- Determine the impact of emerald ash borer on healthy natural forest stands that includes an evaluation of methods to control or suppress emerald ash borer to manageable levels.
- Address viable control methods for phytophthora capsici, downy mildew, and armarillia root fungus.
- Address replant issues in the asparagus industry.

Additionally, we support:

- Indemnification for losses of farm income when agricultural commodities or products are impounded, farms are quarantined or sales are restricted in the public interest.
- Direct and/or indirect compensation to producers for sudden market loss due to invasive species, including, but not limited to, emerald ash borer.
- The concept of a zero interest/fixed loan program to assist producers in the event of a sudden market loss due to invasive species.
- Testing for vomitoxin in seed corn field trials and we encourage ethanol plant operators to spot-check for vomitoxin in corn entering the plant and DDGs leaving the plant.
- An industry-driven comprehensive rewrite of Michigan’s Plant Pest Protection Act.
- Educational efforts to help producers and consumers understand the importance of their roles in preventing the spread of plant pests and diseases (i.e., don’t move firewood as an effort to control Emerald Ash Borer).
- Exceptions from Rule 310 to allow the limited burning

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of unusable and untreated wood fruit bins to reduce overwintering habitat for fruit pests.

We request a report from the Michigan Department of Agriculture on the state administered emerald ash borer program. The evaluation should include an accounting of how state and federal funds have been allocated and projections for future funding needs. Special attention should be given to maintaining control barriers at critical transmission gateways, such as the Mackinaw Bridge.

POWER QUALITY & ELECTRICAL POLLUTION 35

Power quality and electrical pollution are problems affecting farms and farm families. Power quality and electrical pollution can be attributed to a number of potential sources.

We urge all utility companies, including cable television, to improve maintenance of their equipment and of utility rights-of-way to decrease the possibility of neutral to ground electrical pollution. That electrical pollution should include, but not be limited to, transients, harmonics of 60 cycle, other frequencies and electric magnetic fields (EMF).

We will work with electric suppliers and the Public Service Commission (PSC) to resolve the problems surrounding power quality and electrical pollution issues on farms to ensure that this problem is resolved in a fair and equitable manner for the electrical users.

The stray voltage/electrical pollution standards that have been approved by the PSC should continue to be monitored. The standards were developed with input from the livestock industry and the Michigan Agriculture Electric Council.

More research is needed to determine specifically where and how poor power quality and electrical pollution affects animals and people. There is considerable documentation to support severe levels of damage to animals beginning at 1 milliamp. We support the PSC rule that requires mitigation of 1 milliamp.

To protect the health of livestock and humans, electric utilities must only use approved and proven engineering practices that reduce or eliminate levels of stray voltage/electrical pollution neutral to earth voltage.

We will support the development of realistic standards and investigations, when necessary, by a third party to promote an unbiased result.

We urge utility companies to become more efficient by upgrading their electrical distributions system to meet the demands of current electrical utilization and safety standards.

Permits for a farmer to make emergency electrical repairs on farmer-owned property shall be available on a 24/7 basis. Some townships require all electrical work be accomplished by a licensed electrical contractor.

Testing is time consuming and three years is not enough time for most farmers to diagnose the problem and begin to take action with the utility company. The statute of limitations for stray current should be changed from three years to seven years.

PRIVATELY-OWNED CERVIDAE

36

We urge the privately-owned cervidae production industry, Michigan Farm Bureau, Michigan Department of Agriculture (MDA), Michigan Department of Natural Resources and Environment, and Michigan State University (MSU) continue to work cooperatively to address the marketing, regulatory, and research needs of the industry and the State to facilitate the growth of the industry.

We support the designation of privately-owned cervidae as minor species at the federal level so research data can be used to approve animal health products for use in these species.

We support legislation recognizing privately-owned cervidae production as an agricultural industry with full benefits of traditional agriculture extended to this industry, such as tax status, production insurance, health certification, loan guarantees and expedited approval. We oppose any permanent jurisdictional transfer of the privately-owned cervidae program out of the MDA.

We oppose any federal regulatory agency that would duplicate, supersede, or conflict with state regulations which would control the privately-owned cervidae production industry at the state level.

Federal activities affecting the privately-owned cervidae production industry should be under USDA control, including facility inspection programs.

We support:

- A scientific study of the beneficial environmental and economic effects of raising cervidae on marginal land in Michigan.
- Requiring individual animal identification.
- Premise registration.
- Owner accountability for their entire captive deer population.
- Educating the public on deer issues.
- The strict enforcement of current laws and penalties in cases of harassment, theft, and/or willful destruction of privately-owned cervidae operations.
- A MSU livestock academic program in the Animal Science Department to focus on privately-owned cervidae.

We oppose mandatory double-fencing at producer cost.

PRODUCTION CONTRACTS

37

With the growing number of farmers who produce commodities under production contract with large contractor companies, there is a need to assure the contracts are fair and equitable. We support legislation that would:

- Require contracts be in plain language and contain disclosure of material risks (i.e., beneficial interests, price, basis, payment date and terms, quality, deductions, and discounts).
- Provide contract producers with a three-day right to review production contracts.
- Prohibit confidentiality clauses in contracts except as it relates to proprietary information and trade secrets. This provision will help maintain the market transparency that historically has been available to farmers through auctions, terminal and futures markets.
- Provide producers with a first-priority lien for payments due under a contract in case the contractor company should go out of business.
- Protect producers from having contracts terminated capriciously or as a form of retribution if farmers already have made a sizeable capital investment required by the contract.
- Make it an unfair practice for processors to retaliate or discriminate against producers who exercise rights, including the right to join producer organizations.

We support efforts by Michigan Farm Bureau to provide informational and educational programs to producers about production contracts.

We support legislation that would require processors and handlers who purchase perishable farm commodities from producers to make full payment within 30 days of date of purchase unless other provisions are made by written contract. We urge producers to be aware of their rights and responsibilities and use the Federal Perishable Agricultural Commodities Act. Failure of processors and handlers to pay within contract terms will result in a progressive level of penalties levied under the authority of the appropriate state agency.

RIGHT TO FARM

38

We believe Michigan's Right to Farm Act is the model for our country. The Act has allowed all sectors of Michigan agriculture to move forward utilizing existing and new technologies through generally accepted management practices on a voluntary basis while enhancing the environment.

The integrity of Michigan's Right to Farm Act and science-based Generally Accepted Agricultural and Management Practices (GAAMP) should not be weakened or jeopardized

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by including practices that are not integral or directly related to farming. We support the continued use of GAAMPs to define acceptable farm management practices in the State of Michigan.

The Michigan Right to Farm Act should allow for and protect users of existing and new technology, including energy production for on-farm use.

GAAMPs should be viewed as guidelines rather than statutory law, as they are reviewed and updated annually to reflect current agricultural practices. Consideration should first be given to amending existing GAAMPs to address those areas of concern, followed by investigation into creating new GAAMPs if deemed necessary.

We urge members to become involved in developing realistic progressive plans for land use, which will allow agriculture to change and incorporate technology and produce commodities based on market demands. We encourage producers to utilize “common sense” approaches in their daily management practices and farm business planning. We urge greater producer participation on all GAAMP Committees, especially representation on the Care of Farm Animals GAAMP Committee.

We recognize the fundamental difference between farm operations in terms of size, soil types and location. We urge all producers to be aware of applicable GAAMPs and encourage all producers to employ the Michigan Agriculture Environmental Assurance Program (MAEAP) and provisions of the farm bill as management tools in the production and expansion of their operations.

We urge Michigan Department of Agriculture (MDA) to notify all complainants of the law which allows the Department to levy a penalty for unverified complaints. We strongly support the Department’s ability to recoup the costs of investigating unverified complaints, as provided for in the Right to Farm Act.

All non-farm residences built in traditional agricultural areas after the site selection guidelines were established in June 2000 should not be counted when determining an existing livestock farm’s setback requirements.

Management decisions may alter the scope or nature of an agricultural use; therefore, agricultural operations should not be restricted to only operating under their historical use.

Further, agricultural acreage should not be classified as a non-conforming use if zoning for the area is changed at a time when the land is enrolled in a federal set-aside program, a federal conservation program, a wetland reserve program, or left fallow as part of a cropping rotation.

We support research regarding manure storage, manure processing, building design, and types of livestock feed that

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could help with odor problems. An odor estimation model needs to be developed for Michigan's climatic conditions.

Small spillage of agricultural products, including feeds and fertilizers, which does not impede traffic or result in pollution, should not result in legal suits.

We support a cherry industry initiative to develop a GAAMP to cover cherry cooling pad water runoff. We strongly recommend the Cherry Marketing Institute start working on these GAAMPs as soon as possible.

We support the updating and utilization of the Care of Farm Animals GAAMPs to:

- Address animal harvesting/euthanization methods.
- Ensure the fish section reflects current production practices.
- Become the standard for farm animal welfare in Michigan.

We strongly oppose ballot initiatives that seek to control generally accepted livestock production and management practices.

We urge Michigan Farm Bureau to study and make recommendations for amendment to the Right to Farm Act that would provide additional protection to agricultural producers enrolled in either PA 116 or a permanent farmland preservation program.

We support changes to the Agricultural Disclosure Statement (ADS) that would include:

- Seller notification to the potential buyer.
- A separate document at the time of closing.
- Updating the ADS to include additional agricultural practices.

We will work with the MDA and Michigan State University to inform farmers, local units of government and other interested individuals of the positive benefits of the Right to Farm Act and GAAMPs. We encourage all farmers to follow the recommendations to demonstrate positive concerns for our neighbors and the environment. We encourage the State of Michigan and local units of government to structure their programs, ordinances and community development plans in a manner consistent with the Right to Farm Act.

SOYBEAN 2010

39

There are about two million acres of soybeans grown in Michigan. The state average yield in 2007 was 39 bushels per acre. With today's soybean prices, this means soybeans will add over \$600 million in farmgate value, which increases to \$1 billion when input suppliers are taken into account.

Over the years, soybean yields have not kept pace with yield advances of other competing crops. Through Project

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GREEN funding and support from the Michigan Soybean Promotion Committee, Michigan State University Extension (MSUE) established the Soybean 2010 initiative to improve soybean profitability through greater communication between producers, university representatives, processors and end users.

We support Soybean 2010 and encourage soybean growers to actively participate in this program. We support communication to growers of existing and new research data and MSUE's efforts to address producer identified new research needs.

STATE ENERGY POLICY

40

Michigan must implement a state energy policy that will encourage renewable energies and reduce dependence on petroleum based products and foreign nations for energy needs. We recognize agriculture's vulnerability to energy interruptions and the economic hardships that result. We support immediate and long-term solutions including:

- Public policy and programs to increase the utilization of "green energy" which minimizes adverse environmental impacts.
- Legislation and zoning that will allow alternative energy production and marketing on farms.
- A Renewable Energy Portfolio Standard emphasizing in-state production and ownership.
- Incentives for additional refineries.
- Incentives to upgrade our current electrical generating systems and grid.
- The development of a state energy policy which gives high priority to agricultural enterprises, such as production, processing and storage facilities, allowing them the same power quality as other commercial industries.
- Net-metering legislation or regulation that enables producers to sell excess power generated on farms back to utilities at an equitable rate.
- Incentives for "green energy" production for sale or use on farms. Examples include, but are not limited to, co-generation, silvicultural material, methane digestion, wind, hydro and solar power.
- Increasing incentives that would broaden the use of biomass-blended fuels.
- Education and policy programs to promote sound energy conservation.
- Options which include support for expanding domestic exploration, incentives to accelerate expansion of liquid natural gas import facilities and implementation of technology to utilize domestic coal reserves, and the development of fuel cell technology.

This policy should ensure agriculture has consistent, reliable and affordable energy sources.

STREAMLINING MICHIGAN GOVERNMENT 41

Reform is critically needed within Michigan's state and local government. While a proposal to reduce the number of state government departments from 19 to 8 is being discussed, the number of departments is not a driver of Michigan's economic condition. Instead, we believe the following are:

- Spending 86% of general funds on human services, corrections and education.
- Spending that is based on income from a manufacturing economy that no longer exists (400,000 manufacturing job losses in 8 years).
- Term limits for legislators

These issues are overarching and have broad impact to all Michigan citizens and industries. Agriculture must participate in broad coalitions to ensure effective change to causes of Michigan's economic difficulties while minimizing impacts on positive economic drivers such as agriculture.

Addressing Michigan's economic condition must begin with changes to spending on human services, corrections and education. We support the following:

- A more balanced approach to management of human service programs. Michigan must provide service to those in need while applying appropriate resources to policing programs like Medicaid which are open to abuse.
- All Michigan I.D. cards, driver's licenses or any other identification needs to have fingerprints.
- A lifetime ban from all assistance programs for any person convicted of any form of welfare fraud.
- Changing Michigan's corrections system. Corrections programming currently represents 20% of the general fund/general purpose budget and over 1/3 of state employees. The Department of Corrections employs 20,000 people to manage a prison population of 50,000. For every \$1 spent on education, Michigan spends \$1.19 on corrections; second highest in the nation after Vermont. Beyond need for general reform, we recommend that Michigan review and potentially change sentencing guidelines for non-violent crimes in order to reduce prison populations and therefore reduce corrections employment.
- Seeking increased efficiencies within Michigan's education system. An educated, well-trained citizenry is critical to Michigan's future. Duplication of services in education, such as business administration, should be eliminated at the K-12 level, as well as in higher education, with roles for private partners being considered. Consolidation of school districts and services provided must continue to be explored. Competition for secondary

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education funds should be eliminated. More resources should be sent to vocational, practically applied coursework. Duplicative research efforts performed by multiple state funded universities should be eliminated.

In addition to critically necessary changes in human services, corrections and education, we suggest the following:

- Michigan's regulatory structure must change as it is not conducive to growing business in Michigan. Policy makers should have a clear understanding of the impact of regulations on business before voting to support new or more stringent regulations of any type. Regulatory agencies should maintain constitutional roles and reasonable environmental protection without creating undue regulatory burdens.
- Legislative term limits should be changed. Michigan needs legislators who can provide a balanced budget based on long-term priorities and make other timely and difficult decisions that are in the best interest of Michigan. Constant turnover of the Legislature erodes knowledgebase of both the Legislature and legislative staff, including loss of historical support for agriculture. Term limits will present a significant impact in 2010. In 2009, 45 of 110 house members were new. In 2010, 29 of 38 Senate seats will turnover, as well as at least 34 House members. This represents a 72% changeover in the Legislature in these two years. In addition, 2010 will mark the first time in history that Michigan will have completely new leadership - Governor, Lieutenant Governor, Attorney General, Secretary of State, Speaker of the House and Senate Majority Leader. Unless term limits are changed, like scenarios will be repeated.
- Michigan should continue to look for increased efficiencies in government by prioritizing cuts, reforming where possible, and increasing taxes/fees as a last option. When prioritizing programs, departments should be given a budget and latitude to adjust programming to meet budget and core needs. Duplicative services provided by federal, state and/or local government should be eliminated.
- Michigan should look to private partners to gain efficiencies. A role for state government is effective regulatory oversight of privatized services. For example, private options for road plowing, grading, mowing and construction should be included in decisions made by county road commissions through restructuring efforts.
- Increased efficiency in state government and actual reform should be evaluated and implemented prior to levying new taxes. If faced with a new tax, any tax proposals must be broad-based and not favoring/harming

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any one segment of the economy, business type or particular demographic. If individuals are required to pay a fee for service from state government, the amount of the fee should be reasonable and not exceed the administrative cost of providing the service.

TB – MYCOBACTERIUM BOVIS TUBERCULOSIS 42

We urge the Michigan Department of Agriculture (MDA) and Michigan Department of Natural Resources and Environment (DNRE) to be more assertive in their efforts to eradicate Bovine Tuberculosis and move the State to TB free status. We strongly encourage producer and hunter cooperation in all segments of our eradication efforts and support the utilization of the latest technological advancements by the Departments and the industry.

Controlling and totally eradicating diseases, such as *Mycobacterium bovis tuberculosis* (*M.bovis*), may require that some or all of the animals be removed and sacrificed for examination. To expedite the eradication of this contagious and infectious disease, we will support:

- MDA, United States Department of Agriculture (USDA), DNRE and other state and federal agencies involving producers from all of the affected areas of the State in decision-making processes regarding the Bovine TB eradication program.
- Continued producer assistance for livestock required to be whole-herd tested for the eradication of bovine TB.
- Producer assistance in the form of cost-share programs to improve animal handling facilities.
- Producer implementation of a Wildlife Risk Mitigation Plan (WRMP).
- Producers in an area of the state not determined as TB-free, with a completed WRMP, should be able to manage deer on their own property, and liberal disease control permits made available to operations while developing a WRMP.
- Establishment and utilization of a science-based zoning approach and testing process to address disease risk. (e.g., a 10-mile radius zone around new TB positive domestic livestock herds.)
- Elimination of the current lottery testing system.
- Changes to the national TB testing requirements that eliminate the need for an individual test for an animal moving from a lower disease prevalence zone to a higher disease prevalence zone.
- Tying indemnity payments to the development and implementation of a WRMP on each farm in the modified accredited TB zone.
- State and/or federal funding for all required testing.

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- Producer compensation for all livestock injured or ordered removed during mandatory testing.
- The use of state-owned equipment free of charge to producers who are required to perform state-mandated TB tests.
- Continued cooperative efforts between MDA and USDA to return Michigan to TB-free status by advancing the status in areas of the State where TB has not been found or has proven to be free through science-based testing protocols.
- State and federal funding necessary for comprehensive and concerted research initiatives to further understand the transmission, persistence, detection and eradication of animal diseases.
- Science-based and specie-specific testing protocols.
- USDA and MDA reclassifying a portion of the Modified Accredited Zone (MAZ) to the Modified Accredited Advanced Zone (MAAZ). This includes, but is not limited to, Antrim, Charlevoix, Cheboygan, Emmet and Otsego Counties.
- Development of an exit strategy for the entire state to upgrade the MAZ to MAAZ and eventually MAAZ to TB-free status.
- Continuous 24-hour surveillance of livestock movement across the Mackinac Bridge provided by the State of Michigan.
- Research into a buyout program for cattle producers in Deer Management Unit (DMU) 452.

When herds are quarantined for disease control purposes, we strongly urge MDA/USDA remove and test suspect animals as soon as possible. Upon confirmation of infection, we support:

- Depopulation, or test and remove, within 60 days when the disease has been confirmed; indemnity payments must be issued within 60 days after indemnification agreement has been accepted by all parties.
- If a farm is depopulated because of bovine TB and the farm was operating under a WRMP with no intention of repopulation, indemnity should not be contingent on modifications to the plan.
- The DNRE be required to harvest and test deer on and around TB positive farms, including on state-owned land.

Significant hunting activity is necessary to effectively reduce the number of deer to a level that will alleviate overpopulation concerns. We support the following measures:

- A statewide ban on feeding and baiting of free-ranging deer.

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- In the absence of a statewide feeding and baiting ban, we support strengthening the fines and penalties for illegal feeding and baiting, similar to those for poaching violations, including heavy fines and seizures of guns and vehicles.
- Timely issuance of antlerless or special permits, when needed.
- Where TB is found, unlimited antlerless deer licenses should be offered to hunters on state, federal and privately-owned land.
- A free replacement hunting tag for hunters who turn in a deer that is suspect of TB and confiscated.
- Animal carcasses from car/deer accidents be tested for TB.

Continued state and federal funding is critical to complete eradication of the disease in the free-ranging wildlife and production livestock population.

To ensure that Michigan TB eradication efforts are not compromised, we encourage the Director of Agriculture to require reciprocal requirements for the importation of breeding, show, and sport cattle.

We request state and/or federal funds be made available to producers to implement their WRMP when large expenditures are needed. In the MAZ, we support the test and remove option for herd owners who have implemented a WRMP. Once the MAZ advances to MAAZ, then Michigan Farm Bureau would support the use of whole herd depopulation as the only option for infected herds. We request that USDA count herds positive only for the months in which the herd contains positive animals.

USDA NATIONAL AGRICULTURAL STATISTICS SERVICE (NASS) MICHIGAN FIELD OFFICE

43

The agricultural industry has developed many mechanisms for reporting the size and progress of crops and other agricultural commodities. The system that has been most widely adopted by the industry is the USDA NASS program. To ensure the accuracy of these reports, farmers should give NASS full cooperation. Michigan Farm Bureau will continue to work with NASS to find ways to improve and simplify the gathering of information, such as exploring the use of Farm Service Agency producer information already reported.

We recommend USDA and the Michigan Department of Agriculture (MDA) adequately fund their full portion of this cost-share service. Accurate and timely third-party statistics are essential to the further development of Michigan agriculture and finding new markets, as well as attracting new processing facilities. We support cooperative agreements with

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Michigan State University, MDA and private funding to fund state-specific statistical analysis.

We encourage producers to cooperate with the NASS in conducting the U.S. Census of Agriculture. We support distribution of the data in a timely and usable format to producers.

We support development of an accurate system to calculate county yields based on actual test results or scientific data considering irrigated vs. dry land yields.

WHEAT 20/20

44

Wheat plays an important role in Michigan's economy with annual planted acreage of over one-half million acres. The agribusiness community adds nearly \$1.5 billion in value to the wheat crop after it leaves Michigan's farms. Wheat 20/20 is a program through Michigan State University (MSU) designed to improve the profitability of producing wheat through greater communication between producers, university representatives, the milling industry and end-users. We support Wheat 20/20 and encourage wheat producers to actively participate in this program. We support research by MSU to address producer-identified research priorities and traits important to end users, along with disease resistance when selecting new varieties for release, with less emphasis on yield performance.

Due to significant risks which have led to reduced planted acreage, we support development of a food grade premium white wheat contract program that provides competitive economic incentives, approved variety selection and agronomic direction to encourage wheat production.

We encourage the continued coordination of industry-related needs with research priorities and processor requirements ultimately leading to profitability within the wheat industry. Michigan Farm Bureau should take the leadership role in re-energizing this effort.

We commend the establishment of the Eastern Soft White Wheat Council, which is made up of end users, millers, and elevators with a vested interest in white wheat with goals to advance research and breeding for the common good of growers, millers, and end users by creating an endowment for program activity of the MSU wheat breeder.

We support the Risk Management Agency (RMA) recognizing the falling number when determining quality loss adjustments for wheat. We also recommend RMA explore development of a new insurance policy that would allow for the differentiation between classes of wheat.

AGRISCIENCE, FOOD & NATURAL RESOURCES EDUCATION & THE FFA ORGANIZATION 45

We encourage the expansion of junior high/middle schools and high school Agriscience, Food and Natural Resources Education Programs (AFNRE) and FFA Chapters as vital tools for educating young people, providing career and technical training and development of leaders to work in careers related to Michigan's second largest industry.

Michigan Farm Bureau commends the Michigan Department of Education Office of Career and Technical Education on its support and recognition of agriculture as the second largest industry in the State through the adoption of the Agriculture, Food and Natural Resources Cluster. This cluster will enable the future leaders of agriculture to obtain foundational knowledge that will help shape their careers and ultimately promote the sustainability of the agriculture industry.

We strongly encourage agriscience and natural resources courses fulfill the criteria and be recognized as a science credit by all high schools, colleges and universities in Michigan.

Regional Educational School Districts, superintendents, principals and counselors should be provided information on curriculum requirements of agri-science careers so they can encourage student participation.

AFNRE and FFA Chapters in the State of Michigan have been supported for years by the local school district, added-cost funding administered by the Michigan Department of Education (MDE), and federal Perkins dollars. These appropriations are essential for public school districts to retain AFNRE and the FFA as program priorities, and as an incentive to expand these programs into other school districts.

Added-cost funding available to AFNRE programs has continued to decline with more than 50 percent of the programs receiving no funding. We encourage the MDE to adequately fund these programs, (e.g., FFA) so as to provide educational and career opportunities in agriculture and natural resources at the high school level.

We support the reporting of all information regarding graduates, or completers, from all Agriscience and Natural Resources programs within the State. This information should help increase the amount of added-cost funding for each student currently enrolled in the program. We also encourage all Agriscience and Natural Resources instructors to engage in an active role in the information gathering and reporting process.

Community support is vital to the survival of high school AFNRE programs and FFA Chapters. We encourage county Farm Bureaus and members to assist and become involved with their local FFA Chapters.

We encourage MFB and county Farm Bureaus to assist in

EDUCATION

state and local FFA alumni activities. We support the Michigan FFA alumni and national alumni associations in their efforts to strengthen agriscience and natural resource education across the state and nation.

Michigan's 110 AFNRE Programs and FFA programs are important to the future success of Michigan agriculture. These programs provide future leadership to the agricultural industry and many programmatic and leadership opportunities for non-farm students to learn about and understand agriculture, natural resources and the environment.

EDUCATIONAL REFORMS

46

We believe all Michigan children should have an equal opportunity for quality education. Education at all levels must meet the constantly changing needs of society. We support legislation that would:

- Create a tax credit for up to half the tuition cost of higher education.
- Allow parents who choose to send their K-12 student to a private school or home school to receive a State of Michigan tax credit that shall equal the cost of tuition up to 50 percent of the foundation grant per student per year.
- Require state foundation grant aid reimbursement be determined by June 1 of each year.
- Fund special education programs for teacher training, children with special needs and gifted children.
- Fully fund state mandated programs whether new or amended. Funding for state mandated programs should not decrease the basic pupil grant for other Michigan students.
- Eliminate teacher tenure.
- Ensure the per pupil foundation funding grant follows the student to the public school of their choice.
- Require state school aid funding to reflect current year enrollment based on average student attendance, and eliminate the official count day.

We further support:

- Charter schools and home schooling.
- Local school boards should have the responsibility to establish policies such as starting and ending dates, classroom hours, number of days in a school year, personnel management, student discipline, use of local facilities/resources and elections.

We encourage the Legislature to review the foundation funding grant for education. We support aid, limited to the rate of inflation, to districts operating under caps. School districts must exercise fiscal responsibility and look for effi-

ciencies that will maximize the use of financial resources.

The new Michigan Merit Curriculum (MMC) requires all students to take advanced classes. These required credits are intended to ensure skills and knowledge for 21st century jobs.

A well-rounded education containing basic core curriculum, including college-prep or vocational/technical courses, should be an attainable and achievable goal for all students. The vigorous set of statewide standards makes it more difficult for students to fit career and technical coursework into their schedule. Additionally, we believe more emphasis should be placed on studies in government, economics, and communications skills which are required for survival in today's world.

We recommend Michigan Farm Bureau work with the Legislature to revise the MMC immediately. This revision will provide more opportunities for students to enroll in vocational training programs.

GREAT LAKES LEADERSHIP ACADEMY 47

The Great Lakes Leadership Academy was developed by the Michigan State University College of Agriculture and Natural Resources, W.K. Kellogg Foundation, Michigan Farm Bureau and other partners to bring together a diverse group of stakeholders representing communities, agriculture, manufacturing, natural resources and the environment for the purpose of teaching leadership concepts in the context of current issues and to consider how leadership for the common good can influence Michigan's future.

The Great Lakes Leadership Academy's mission is to promote positive change, economic vitality and resource conservation, and to enhance the quality of life in Michigan by encouraging leadership for the common good of Michigan's natural resources.

We encourage MFB and Farm Bureau members to support and participate in the Great Lakes Leadership Academy.

MICHIGAN FFA AND GLASSBROOK FFA ENDOWMENT 48

The Michigan FFA and the Glassbrook FFA Endowment fund play a vital role in building leadership for the future of agriculture and expanding agricultural educational opportunities in Michigan.

We commend the support provided to these programs by Michigan Farm Bureau and county Farm Bureaus, along with other industry and individual supporters.

The FFA Foundation seeks donations to provide annual funding for awards, scholarships and leadership development experiences for youth seeking careers in agriculture.

The Glassbrook FFA Endowment grant program is a

EDUCATION

public/private partnership between MFB, Michigan State University and the State of Michigan to expand educational opportunities within agriscience, natural resources and environmental education K-12. The Endowment will help provide funding through grants and technical assistance.

We recommend that MFB continue to sponsor the cost of attendance to the Washington Leadership Conference for Michigan FFA students.

MICHIGAN STATE UNIVERSITY

49

In 1855, the Michigan Legislature passed Act 130 which provided for the establishment of the Agricultural College of the State of Michigan. Michigan Agricultural College was the first college in the world to offer agriculture courses for credit. Today, Michigan State University (MSU) is recognized as a leader in higher learning, agricultural research, extension and youth development. To maintain this status, we support state funding for MSU that places it in a comparable academic and financial status with other research universities. We encourage Michigan Farm Bureau to partner with other agriculture industry leaders in an effort to work with leadership at MSU in an evaluation of current agricultural programs, or other areas of studies, to determine which areas support and which are in conflict with the land grant mission that MSU was founded upon.

College of Agriculture and Natural Resources (CANR) and College of Veterinary Medicine (CVM):

We support the CANR and the CVM at MSU and their strong commitment to education, research, extension and international programs. We are concerned about the lack of large animal practitioners in the area of veterinary medicine. We encourage county Farm Bureaus to develop a scholarship fund for students enrolled in their last year of study in veterinary medicine for large animal care. We encourage the development of state and/or federal incentives such as, but not limited to, forgiving of all or part of student loans for large animal veterinary graduates who agree to work in Michigan for a specified period of time (e.g., 5-10 years) in areas where there is a lack of practicing agricultural large animal veterinarians.

We applaud MSU for the development of the Production Animal Scholars program and urge them to ensure the program is carefully managed. We strongly encourage MFB to continue working with the CVM at MSU to address the many challenges facing the livestock industry in Michigan as it relates to veterinary medicine.

We believe the two-year agricultural technology program provides a valuable service to Michigan agriculture. We support improvements to the MSU ag-tech program that better

EDUCATION

serve the needs of students, employers, businesses, industry and consumers. We are encouraged by the changes that allow ag-tech credits to fully transfer and provide a conduit for student entry into MSU. We encourage MSU to expand credit transfer opportunities from community colleges, junior colleges and two-year programs to promote interest in programs in the CANR.

We recommend the MFB Board of Directors continue to meet annually with the CANR Dean to receive an update on student enrollment, staffing, status of vacant positions and curriculum development.

Currently MSU requires a full year of student teaching experience while many other Michigan institutions only require one semester of student teaching. Teacher education programs requiring only one semester of student teaching have an advantage because of less tuition costs associated with student teaching. This has a direct impact on recruiting future agriscience instructors because MSU is the only institution in Michigan offering an agriscience teacher education program.

We encourage MSU to adjust the student teaching requirement from one full year to one semester to fairly compete with other teacher education programs in Michigan.

Recruitment and Admission:

Many universities, both in and outside of Michigan, allow students to apply directly to the college of their choice. MSU does not. We believe students should be able to apply directly to CANR and CVM receiving consideration for academic, leadership (4-H, FFA, etc.), community service and work experience related to the course of study.

We urge CANR and CVM to contact potential students through existing organizations/groups to promote educational and career opportunities. MSU recommends potential students apply in the spring of their junior year.

Michigan State University Extension (MSUE) and Agricultural Experiment Station (AES):

AES must work closely with production agriculture, agribusiness and other research entities so research efforts are focused on the most appropriate agricultural needs.

Research, in conjunction with the plant and animal initiatives, should be a priority.

Special attention must be given to the dissemination of research information from AES to the farm. We support a funding level that maintains an appropriate balance between research and dissemination of that research to MSUE field staff and to the farm.

The current condition of the State budget requires that MSUE make necessary adjustments to function in a changing

EDUCATION

economic environment.

The purpose of MSUE is to provide a linkage between University researchers and producers in the field. Over the years the dynamics of this relationship have changed. Administration should be streamlined to achieve maximum efficiencies with an emphasis on field services. When related, combining the efforts of MSUE and AES with Conservation Districts should be explored to reduce costs.

The MSUE decision to require a Master's degree as a minimum requirement for all educator positions has made it difficult, in some instances, to recruit top-tier applicants for MSUE educator positions. We urge MSUE to look at ways to address this problem.

MSUE should develop its structure in recognition of new technologies, and use these technologies to enhance the efficient and effective delivery of services from MSU field specialists to producers.

MFB supports MSUE funding for production agriculture and forestry programs. We believe:

- Field staff positions should be a priority and vacancies filled as soon as possible.
- MSUE must keep its work with farmers, processors, marketers and agribusiness as a high priority.
- Field staff must facilitate exchange of information between researchers and producers.
- There should be prompt filling of agriculture-related positions at MSU, such as breeder, plant pathologist and other positions crucial to maintaining industry competitiveness.
- County Farm Bureaus should be involved in Extension Advisory Councils. Farmers need to provide aggressive input to ensure agriculture's needs are being met.
- MFB should continue to communicate with MSUE administration to evaluate content and delivery of these services, which are critical to agriculture.
- We support adequate funding for programs critical to production agriculture.

4-H:

We strongly support Michigan 4-H youth programs. They provide valuable educational opportunities for rural and urban youth.

MFB and county Farm Bureaus support the "4-H Excellence in Agriculture" award. We encourage county Farm Bureaus to nominate volunteer 4-H leaders who exceptionally advance youth learning and leadership in agriculture.

Beef Cattle Endowment Fund:

MFB encourages its members and all cattle producers in

EDUCATION

the State to support funding the endowment. The purpose of the fund is to supply a sustained source of funding for MSU research and teaching facilities. It will also focus on providing support for the educational opportunities offered to students in the MSU beef cattle program.

Responding to Industry Needs:

We urge MSU to expedite the process to fill vacant positions and reinstate research and teaching activities. We also urge the members of the Animal Industry Initiative Advisory Committee be reconvened to provide ongoing industry input on the needs of animal agriculture in regard to research and educational partnering with MSU.

The construction of the meats lab was a result of the Animal Industry Initiative. Currently the meats lab is underutilized. Partnering with the Product Center for Agriculture and Natural Resources and exploring “custom processing contracts” will provide expanded research and teaching opportunities while strengthening the agriculture economy.

The agriculture industry realizes the need to support MSU, MSUE, AES and the CVM to ensure continued leadership in the areas of teaching, research and extension. Over the years agriculture has come to the forefront and led efforts to encourage the funding of projects like the Animal Industry Initiative and Project GREEN. It is due to the successful funding, building, curriculum development and workings of these efforts that agriculture, the University and associated partners are positioned for the future.

MSU has been a key partner for production agriculture which is recognized as contributing more than \$ \$70 billion and supplying one in four jobs in the Michigan economy. The original land grant mission remains an important element to seek solutions and, with a recommitment to production agriculture, develop new opportunities for the future.

INSURANCE

INSURANCE ASSESSMENTS AND FINES 50

State-mandated special assessments on insurance policies are being used to fund programs unrelated to the insurance being provided. This increases the cost of insurance and can make insurance unaffordable for some segments of society.

In addition, government is looking to these assessments and various regulatory fines on insurance policies as a means to fund regulatory agencies and departments that were previously, or are currently, funded through the State general fund. This further increases the cost of insurance and is a hidden means of taxation.

We oppose:

- Assessments on individual insurance policies for costs that are not directly related to the coverage being provided to the individual purchaser of that insurance.
- Governmental attempts to spread and/or shift funding of programs or other costs to individual insurance buyers through such assessments and/or fines.

NO-FAULT AUTOMOBILE INSURANCE 51

We support the general principles in Michigan's No-Fault Insurance law that allow people injured in automobile accidents to receive economic compensation more quickly and equitably. There remain aspects of the law which restrict rights and responsibilities of the individual, increase claims costs, and ultimately the insurance premiums paid by motorists.

The following improvements to No-Fault Insurance should be adopted:

- Optional limits of Personal Injury Protection (PIP) coverage (e.g., medical, wage loss, economic damages).
- Use a set schedule for medical and PIP benefits.
- Better define "injuries arising out of the ownership, maintenance or use of an automobile."
- Mandatory coordination of benefits.
- Require motorcycles to comply with same rules as auto and truck collision and liability.

We support legislation which improves Michigan's No-Fault Insurance and reduces the cost of auto insurance.

We oppose any legislation that attempts to equalize auto insurance rates throughout Michigan. Additionally, we will not support auto insurance rollbacks unless they are offset by reforms which reduce costs.

Michigan's No-Fault Insurance law provides that drivers having accidents or tickets can be charged more for automobile insurance. To ensure that proper insurance premiums are charged, we support improved accuracy of the Secretary of State's accident/violation records.

The Michigan Auto Insurance Placement Facility, which insures high-risk drivers, should be fully self-funded.

INSURANCE

Uninsured motorists increase costs to law-abiding citizens. We recommend increased law enforcement and an increase in fines for uninsured motorists and impoundment of the vehicle. We urge the exploration of methods and mechanisms to change the collections for the Michigan Catastrophic Claims Association Fund (MCCA) to ensure equity amongst Michigan motorists, such as including MCCA assessments with fees for license tabs.

AGRICULTURAL LABOR RELATIONS

52

Michigan Farm Bureau should continue to inform the public about agricultural employment and the economic contributions farm labor makes to the local and state economies, and correct widespread misconceptions about farm labor conditions.

Michigan does not have a labor relations law for farm workers that establishes the parameters for conducting union representation elections and labor contract negotiations. Farm workers have begun to use basic contract law as the basis for achieving successful labor agreements.

The lack of an agricultural labor relations law allows union organizers of farm workers an exceptional advantage by allowing consumer and secondary boycotts of perishable farm commodities. We are not opposed to removing the agricultural labor exemption from the National Labor Relations Act (NLRA) and prefer this action over enactment of a state agricultural labor relations act.

We call for legislation to protect the rights of the workers, farmers and consumers against the loss of crops during labor disputes. While we are opposed to a separate agricultural labor relations board, we believe a separate counsel and staff, cognizant and understanding of the challenges of agriculture, should be designated if the agriculture exemption to the NLRA is stricken. Such legislation should:

- Preserve the right of secret ballot elections for farm workers.
- Prohibit secondary boycotts.
- Include workable provisions on bargaining units.
- Prohibit strikes by workers during critical periods of growing and harvesting.
- Guarantee the right of agricultural employers to reduce labor needs through mechanization.
- Ensure that such legislation shall not include any requirement for a successor clause in a labor contract.
- Ensure the continuation of the piece rate of payment for workers.
- Ensure the equal opportunity to work without being forced to join a union or be required to finance or collect on behalf of a union.
- Ensure that organizing activities do not infringe on the safety of the workers' and employers' lives and property.
- Ensure union organizing activities do not interfere with normal agriculture production.
- Ensure if a union agreement is in effect, money from workers' dues could not be used for political issues, candidates or parties without the individual union member's authorization.

In lieu of such legislation, we support legislation to grant each state the option of being covered by the NLRA.

LABOR

The family farm exemption in the Migrant and Seasonal Agricultural Workers Protection Act is being eroded by the expansion of the terms “recruitment” and “transportation.” We oppose the inclusion of gratuitous referrals and transportation in the course of employment when the vehicle is not driven by a family member, in the determination of whether the family farm exemption applies.

We support the standardization of the definition of agriculture and farm work for all state/federal labor-related legislation to include the work activity described by the North American Industrial Classification System (NAICS), sector 111.

The NAICS code reflects modern agriculture practices and is now used by the agricultural census and the National Institute of Occupational Safety and Health as the description more accurately reflects current agricultural organizational structures.

We uphold the right of farm workers to join, not join, or resign from a union by their own convictions.

We oppose efforts by purchasers of farm commodities to force farmers to legally recognize and negotiate with specific labor organizations. We oppose purchasers of farm commodities enticing farm workers to join unions by paying the union dues for the workers.

We strongly oppose third party organization attempts to force organized labor negotiations between farmers and farm workers.

MFB will continue to investigate a fee-based service to obtain qualified interpreters for use during Department of Labor inspections and other purposes. MFB’s Agricultural Labor and Safety Services publishes a guide listing rights and responsibilities for employers and employees before and during these inspections.

MFB should continue participating in recruiting efforts to ensure an adequate and legal agricultural work force in Michigan. Recruiting methods and programs currently being used should be evaluated for effectiveness. Efforts should be ongoing to more effectively encourage workers to come to Michigan.

We urge the State Workforce Agency to use the Training and Employment Guideline No.11-2007, Change1 in its placement of workers to agricultural employers who use the H-2A program.

We support expanded opportunities for employment of young people in agricultural operations.

EMPLOYER PROVIDED HOUSING

53

State law does not address the relationship existing between an employer and an employee living in housing facilities provided rent-free by the employer. There are no guidelines defining rights, responsibilities or procedures to be observed

LABOR

when the occupant is no longer an employee.

We will seek and support legislation that addresses not more than a seven-day eviction process for employer provided housing. We support the Michigan Supreme Court decision, (DeBruyn vs. Romero #98727) which defines the rights and procedures to be observed when the occupant is no longer an employee.

We encourage agricultural employers to renovate or demolish their abandoned housing.

The Agricultural Labor Housing Inspection Program is vital to agricultural employers and Michigan's agricultural economy. The program verifies that agricultural employers have Michigan Department of Agriculture (MDA) acceptable housing for employees and provides licensing for employers whose housing meets that program's standards/requirements. This licensing provides protection for both employers and employees. Due to MDA budget cuts, the Agricultural Labor Housing Inspection Program has been defunded. This may cause great economic distress to Michigan's agricultural producers and, therefore, the whole State economy.

Michigan Farm Bureau supports MDA being the sole inspecting licensor of agricultural housing in Michigan. We accept that the Agricultural Labor Housing Inspection Program may not be revived in the form in which it existed prior to being defunded. However, we need a workable solution to labor housing inspection that verifies an employer's effort to maintain housing in good condition. Therefore, we support the Agricultural Labor Housing Inspection Program be a fully funded state program if achievable, and if not, supplemented by reasonable fees based on licensed occupancy or an hourly rate for inspection time. Until a form of the Agricultural Labor Housing Inspection Program is re-established, we encourage the State of Michigan and the MDA to provide labor housing licensing protection to all growers who show a good faith effort to maintain their labor housing to MDA standards.

The state Construction Grant Program was created to assist farmers in construction/renovation of farm labor housing. We will continue to seek higher appropriations for this program, as well as other sources of funding and support. All funds that become available for migrant housing should only be directed to applicants of the Construction Grant Program. We support the revision of the Construction Grant Program to make fund allocations based on the number of licensed housing units. We will oppose any changes in the construction grant laws that reduce the eligibility, application and distribution process. This program has the support of all affected parties (i.e., employees, employers, labor, migrant advocates and government regulating agencies).

The federally funded 514 program, administered through the Rural Development Agency, allows producers to build farm labor housing with low interest loans for domestic farm workers. We recommend the State Director of Rural Development allow foreign farm workers with a visa to occupy this housing as allowed under Section 154, E.1 of the 514 program contract.

Overlapping of administrative oversight and inspection of migrant housing requirements presents a fragmented format of migrant housing rules. MFB requests the Michigan Department of Agriculture (MDA) be the sole vendor of migrant housing law enforcement. We encourage MDA to publish and provide a publication explaining the complete licensing procedure for licensing migrant housing. The U.S. Department of Labor will recognize a current license issued by the MDA as proof the labor camp is acceptable for habitation. Federal and other state agencies should be in audit positions only.

We will work with the MDA to establish Generally Accepted Agricultural and Management Practices for agricultural labor housing.

We encourage legislation to lower the square footage housing requirements per person for H-2A guest workers to be more in line with U.S. Department of Labor Migrant Housing Guidelines.

FARMWORKER LEGAL SERVICES

54

The Legal Services Corporation was established to provide tax supported legal services for those people who cannot afford their own attorneys. The service was to be furnished in civil cases only.

We support any federal Legal Service Corporation reform legislation which would reduce many of the abuses presently experienced by farmers.

Experience in Michigan has shown that reform of the program and its policies is overdue. We support reform measures that include, but are not limited to, the following:

- Plaintiffs and plaintiff's legal counsel should be responsible for all legal fees of the defendant when such defendant is found to be not at fault.
- Farmworker Legal Services be banned from the recruitment and solicitation of possible legal suits from migrant workers.
- Farmworker Legal Services adopt an accounting method of cost on a case-by-case basis.
- Lawsuits brought against a producer for violations of labor regulations by an employee or an employee representative should be filed and heard in the jurisdiction the alleged violation occurred.

LABOR HOUSING ZONING

55

The producers' need for adequate housing for laborers is recognized and consistent with the Right to Farm Act.

Conflicts exist in state laws governing the construction of migrant labor housing. Laws such as Right to Farm, zoning ordinances, Michigan Public Health Code and the Michigan Construction Code are further complicated by court decisions which all tend to cloud the issue of authority and responsibility.

State approved and inspected housing is an essential component of agricultural production. We will seek legislation that will clearly establish the Michigan Department of Agriculture as having exclusive responsibility for siting, construction, inspection, and approval of occupancy for migrant housing in Michigan.

MI-OSHA

56

We encourage all farmers to become aware of any occupational hazards and voluntarily adopt safety programs. We support appropriate safety regulations. We oppose MI-OSHA regulations that exceed federal OSHA standards and enforcement action against a owner/operator resulting from a self-imposed accidental injury.

As MI-OSHA continues as a policy-making body, it is essential that representation be provided for agriculture on applicable agency commissions.

We support including construction standards and health standards in the agricultural exemption in MI-OSHA under agricultural operations as defined in MI. R325.50171.

We favor educational programs and no-penalty first-time inspections. We urge that a portion of the Consultation, Education and Training funding, derived from Workers' Compensation premiums, be used for agricultural safety training.

We support legislation allowing employers to provide employee safety information, such as material safety data sheets, in an electronic format.

MIGRANT AND SEASONAL WORKER TRANSPORTATION

57

Under the current Migrant and Seasonal Workers Protection Act (MSWPA), it is being interpreted that employers are responsible for employee's vehicles (safety, licensing, insurance and valid driver's license) if the vehicle is used to travel to and from the work sites during employment hours.

We support legislation or a rule change to take the language "or causes to be used" out of the vehicle safety obligations section of the MSWPA (Section 500.100a).

We also support clarification in the Michigan Motor Vehicle Code to recognize the license of a seasonal migrant worker, which was issued by their state of residence.

WAGES AND COMPENSATION

58

Although most farm workers are paid above the minimum wage level, it does serve as a floor for all wage rates. The state minimum wage and piecework rates should not exceed the federal minimum wage.

We recommend:

- Agriculture remain exempt from overtime wage payments.
- Agricultural piecework rates as a method of payment to allow for the many variable situations found in agricultural employment. Piecework rates enable skilled agricultural workers to earn income above the average and/or minimum hourly wage.
- Any increases in minimum wages be tied directly to increases of all wage-based employer thresholds, such as unemployment compensation insurance, frequency of withholdings, and frequency of deposits.

Economic development initiatives are important to the future of Michigan agriculture. We oppose any attempts to mandate union wage scales in economic development projects involving agriculture.

We oppose Workers' Compensation rules that mandate fringe benefits (e.g., housing, health insurance) being included in the base-rate premium. We support the continued full liability coverage for employers who exercise due diligence in employee verification.

We oppose all local units of government setting a minimum wage rate.

We oppose any additional tax on payroll wages for health care.

Recently more and more farms have added roadside markets and agri-tourism venues to their mix. We believe the Department of Labor should view any and all labor that is used for roadside markets and agri-tourism venues to be considered ag employees.

WORKER PROTECTION STANDARDS

59

We urge Michigan Farm Bureau to work with Michigan State University Extension and Michigan Department of Agriculture (MDA) to educate and implement the Worker Protection Standards (WPS) for farmers and farm employees.

We encourage the MDA to make the initial inspection and those should be educational rather than punitive.

We oppose the regulation of WPS by local units of government.

AG SECURITY**60**

The continued threat of terrorist attacks on America has resulted in an increased awareness and scrutiny being placed on the possibility of agricultural terrorism. There is a fine line between being over-reactive and creating unnecessary regulation versus being acutely aware of agriculture's vulnerability. In trying to determine this delicate balance, we support the following:

- Increased penalties for individuals who destroy or contaminate agricultural property with the intent to create terror.
- Increased communication between state departments and federal agencies in preparing for a response to an agricultural terrorist attack or threat.
- Continued testing and monitoring of food and feed produced and used by agriculture.
- Evaluating the security of food and animal feed storage facilities.
- A stronger effort to increase bio-security measures on farm operations and at the state and national level.

We encourage increased funding to protect the animal health population and ag industries at airports and ports of entry.

We strongly encourage a proactive approach from the farming community in preparedness measures including:

- Communication with local law enforcement and emergency services regarding any suspicious activity.
- Reporting any theft of fertilizer or diesel fuel.
- Verification of the validity of any requests for information about an agricultural facility.
- Controlled access to facilities.

We further encourage:

- Screening of employees.
- Increased scrutiny and screening of all imported agricultural goods.
- Giving preference to domestically produced agricultural goods.
- Changes to regulations established for the purpose of preventing agricultural terrorism which need to consider the importance of maintaining an adequate workforce for agriculture and related industries.

We oppose additional regulation without consultation with the agricultural community.

ANHYDROUS AMMONIA – NH₃**61**

Anhydrous ammonia is an important and economical plant nutrient, which requires considerable care during transport and application. Four Departments of State have responsibility for regulations regarding the sale, transportation and application of NH₃.

We support:

- The consolidation of responsibility for regulations to improve the efficiency and reduce possible confusion of regulatory responsibility.
- Designating the Michigan Department of Agriculture as the primary department responsible.
- Michigan Department of State Police maintaining jurisdiction for transportation issues.
- An educational effort for all individuals involved with the sale, transportation or application of NH_3 .
- Informational and educational programs to deter theft and vandalism of NH_3 .
- A cost-share program for anhydrous ammonia tank locks and GloTell™ or similar product application.
- Efforts to discourage stealing of anhydrous (such as GloTell™ or similar products or measures) and stronger enforcement of laws for people engaged in the theft of anhydrous.

We oppose proposed 2012 changes to reclassify NH_3 as a poison gas as opposed to the current classification as a non-flammable gas.

ANTI-TRUST

62

We request both the Michigan Attorney General and the Anti-Trust Division of the Federal Trade Commission remain vigilant in enforcing the Sherman Anti-Trust Law or state and federal restraint of trade legislation. Appropriate action should be taken whenever violations are discovered.

ELECTIONS

63

We believe Michigan Farm Bureau should encourage all members to register to vote. We also believe MFB should expand efforts to provide education and information on elections and supply candidate information to local newspapers.

Campaign reform is overdue and should be established at all levels of government and address all elements of campaigning. We recommend:

- Election projections on Election Day not be released to the public until all polls are closed in the continental United States.
- The Michigan Constitution be amended to increase the percentage of voter signatures required to initiate a recall election to 35 percent.
- Recall petitions must contain proven factual basis for the recall before the petition is approved. Anyone petitioning for a recall for other than malfeasance in office be required to post a bond covering the cost of the special recall election. If the recall is successful, the money will be returned to the petitioner. Otherwise, the frivo-

lous recall election will be paid for without cost to the government body.

- Changing the length of term for county commissioners to four years with staggered terms of office.

We support the following ballot process reforms:

- Clear, concise and simple language be used on all ballot issues.
- All ballots be printed in English only.
- Amend the State Constitution to require petitions for initiatives or referendums would have to be signed by a percentage of individuals who voted in the gubernatorial race in the last preceding general election in at least $\frac{3}{4}$ of the Michigan House districts.

Term limits have been successful in cycling new people into public service as State legislators. However, we feel the frantic pace at which this turnover occurs is too rapid for these people to amass the required experience to become the leaders we need. Therefore, we recommend extending the number of terms for State Representatives up to 6 two-year terms and State Senators up to 3 four-year terms. As the Legislature is reluctant to approach this subject, we propose that Michigan Farm Bureau investigate working with other organizations to initiate a petition drive to accomplish this. Furthermore, legislative compensation and benefits should be reviewed and reduced.

MFB would consider supporting a part-time Legislature, provided other legislative reforms are implemented to maintain a balance of power between the three branches of government. Such reforms might include timeframes for budget approval, greater legislative oversight of state departments and the rules process, and review of the legislative compensation process.

We recognize on November 2, 2010 there will be an automatic vote for a decision to hold a Constitutional Convention (Con-Con). We oppose holding a Constitutional Convention. The recurring ballot question to hold a Con-Con should require a $\frac{2}{3}$ vote of the people for passage. We urge MFB to provide timely and pertinent education to members.

We support the current primary election process.

Special elections accrue high costs for local taxpayers. We support:

- Elected officials not be allowed to pursue a different elected position, unless they are at the end of their current term or resign from their currently held elected position.
- Requiring that once an operating millage or bond proposal is defeated by voters, it cannot be up for another vote for at least one full year.

We oppose:

- Reducing the voter registration deadline to anything less than 30 days before an election.

- Election Day becoming a holiday.
- Early voting except by absentee ballot.

FIRE FIGHTING TRAINING COSTS**64**

The fire fighter of today is expected to respond to situations that require training and experience. State and federal regulations mandate many hours of training in preparation for an ever-increasing variety of response situations including fire, medical and hazardous material emergencies. Volunteers in rural departments must make a substantial commitment of personal time for this training. The state and federal government should fund these mandated training requirements.

When a property owner is conducting a legal burn, the property owner should not be responsible for costs incurred by an unnecessary fire truck dispatch.

Local units of government have begun charging farms a fee for emergency preparation inspections. These inspections are completed by a local fire department to comply with requirements authorized by MI-OSHA. We believe local units of government should consider the following:

- Farms already provide for fire protection service through the levy of property taxes.
- Farms currently pay a tax on each ton of fertilizer purchased to support voluntary emergency (E Tube) service through the Water Stewardship Program administered by conservation districts.

Therefore, we support policy that prohibits local units of government and fire authorities from charging for emergency preparation inspections. Furthermore, the E Tube shall suffice as an appropriate level of information.

Firefighters are welcome to visit farms to be prepared for emergency planning and firefighter safety, but at their own expense.

HEALTH**65**

Michigan Farm Bureau members have a real concern for their family's good health.

We support:

- Requiring hospitals in Michigan to report their infection statistics.
- Legislation to limit malpractice liability awards including, but not limited to, capping malpractice settlements and strengthening licensing disciplinary action.
- The integration of the health delivery systems' community health, mental health and substance abuse programs, which serve the same set of counties.
- A private and affordable health care plan that allows for additional benefits at the consumer's option.
- Methods to reduce the cost of prescription drugs that will best benefit all individuals.

- Health education to encourage consumers of health care to question physicians, hospital staff and administration about procedures and costs regarding their own health care.
- Itemized billing.
- Insurance incentives for a healthy lifestyle.
- Health insurance premiums being 100 percent tax deductible for all policy purchasers immediately.
- Health Savings Accounts and Medical Savings Accounts.
- Medicare and Medicaid payments that cover expenses in full to hospitals. Rural hospitals should not be discriminated against by using a lower cost of living scale.
- An individual's right to select treatment options which should be respected, and we encourage the use of living wills and/or Durable Power of Attorney for health care.
- Nurse practitioners, physician assistants, midwives, and certified holistic healthcare providers being able to receive reimbursement for their services from insurance companies, Medicaid and Medicare.
- Organ and blood donations.
- Allowing "sleeping rails" on nursing home beds to help insure patient safety.

We urge the expansion of Home and Community Based Long Term Care.

We oppose any state or federal program requiring employers to provide health insurance for employees and their dependents.

We recognize there are shortages of qualified medical professionals choosing to practice in rural areas. We support programs that encourage medical professionals to locate in these rural areas, including the USDA J-1 program supporting placement of foreign-born doctors in rural areas.

We encourage the development of a method to return unused prescription drugs to a licensed pharmacist for disposal.

LAW ENFORCEMENT

66

We strongly support law enforcement agencies being maintained and funded at levels to provide adequate training and service.

We support effective use of current police powers, but oppose further expansion in order to preserve individual rights.

We encourage funding of rural and urban patrols to curb drug and vandalism issues.

We discourage the use of state and national funding for public nuisance issues, such as seat belt enforcement zones.

We encourage law enforcement agencies to develop youth liaison programs.

We support juvenile justice reform, including youth prisons, for violent and dangerous juveniles.

We favor capital punishment.

We oppose further restrictions of handgun laws.

We encourage legislation at local and state levels, which strengthens private property rights on all land, to protect farmers and all landowners against trespassers and vandals. Due to the increased pressure on landowners from trespassers on private property, we encourage implementation of the following:

- The ability to prosecute trespassers regardless of whether or not “No Trespassing” signs were posted.
- Rigorous enforcement of the Michigan Recreational Trespass law.
- Property owners should not be held liable for any accidents, injuries, or damage to personnel, equipment, and/or property, by trespassers.
- Increased fines for trespassing.
- Amendments to the Michigan statutes imposing civil liability for recreational and non-recreational trespass, that set a jurisdictional limit of \$3,000 or five times the actual damages, whichever is higher, and include incurred attorney fees and court costs, payable to the landowner and or lessee.
- Increased fines for trespass on land enrolled in PA 116, other land preservation programs, or the Michigan Agriculture Environmental Assurance Program (MAEAP).
- Confiscation of vehicle or ORV for repeat recreational trespassers.
- Use of photography for the immediate arrest of a trespasser.
- Revocation of hunting, fishing and trapping privileges and loss of vehicles used in the violation.

Driving is a privilege, not a right. We support legislation to change the current drunk driving laws when there are multiple felony convictions for driving while drunk causing death, and driving with suspended or revoked drivers license causing death. The sentences should be served consecutively rather than concurrently. We also support legislation establishing stricter guidelines for habitual offenders that would lower the bar for deeming a person a habitual offender. These sentences should be served consecutive to any felony convictions.

Law enforcement officers should be restricted to encroaching on private property only for probable cause and the landowner should have the right to request the probable cause.

We support additional tools to aid in the identification and prosecution of individuals involved in the theft of copper wire and other recyclable materials from farms.

LOCAL GOVERNMENT**67**

Agriculture is facing increased pressures at the local level from zoning, Right to Farm legal challenges, annexation and urban sprawl. We encourage Michigan Farm Bureau to provide training and assistance for members to become involved in their county and township governments and to serve on local commissions and boards to protect agriculture and enhance the quality of life in our communities. We believe townships or local units of government should not be permitted to enact regulations affecting agriculture that are stricter than existing state regulations.

Maintaining a clear line of communication between local officials and county Farm Bureau members is key to resolving local issues. We recommend:

- County Farm Bureaus present policies and information to local officials.
- County Farm Bureaus position themselves as a primary source of information on agricultural and land use issues.

We support Michigan's current Township government system. We believe local government should look for increased economic efficiencies through consolidation of services and streamlining regulations. Townships should not be required to combine government services they now provide, (e.g. elections, property tax collections), with multiple jurisdictions, unless a township chooses to and determines that the township's residents would be better served by the multiple jurisdiction system for certain services.

We encourage all townships to require standardized residence address signs to be readily visible at the driveway entrance to facilitate emergency response.

REDRESS FOR UNSUBSTANTIATED CLAIMS **68**

We support legislation making individuals, news organizations, consumer and environmental groups responsible for damages caused by their unsubstantiated claims against approved products and practices that result in market losses for producers and the filing of frivolous lawsuits against producers. Upon finding a complaint unsubstantiated, the individual or organization who filed the complaint shall be responsible for all court and legal fees.

A person should be prohibited from filing a liability claim if the person was trespassing, breaking a law or serving a prison sentence at the time of an injury.

REGULATORY REFORM AND REDUCTION **69**

We strongly support regulatory reform. The current rule-making process in Michigan is broken. We support the following actions:

- Rule-making authority should be limited by legislative actions.

- Regulations should be understandable and easy to comply with. Any penalties should fit the violation.
- State agencies should be required to conduct standardized risk assessments, cost/benefit analyses, and economic impact statements of all proposed regulations.

New regulations should expire after a defined period of time unless a review finds substantial reasons to continue the programs.

We urge Michigan Farm Bureau to encourage legislators to assist agricultural processors, elevators and related industries with EPA and the Department of Natural Resources and Environment issues which are unwarranted or reach back in years to penalize past practices that were previously permitted.

TORT LIABILITY REFORM

70

To alleviate the tremendous economic pressure placed on businesses, medical providers, local governments and others, we continue to support the following tort reform measures:

- Perform calculations that reduce future damages to present value.
- Reform and reduce attorney contingency fee arrangements.
- A plaintiff (party pursuing suit) should be responsible to pay defendant legal fees if the case is settled in the defendant's favor. The court should be responsible for collecting fees from the plaintiff.
- Reform the collateral source rule to mandate revealing other sources of compensation for damages available to the plaintiff.
- Mandate structured settlements for large monetary judgments.
- Reform prejudgment interest rules by reducing the interest rate, which would start accruing the day the judgment is awarded.
- Arbitration boards should be used to settle cases.
- A person who uses a product in a way other than was intended should not be allowed to bring suit.

UTILITY PLACEMENT

71

As farm equipment increases in size, the placement of utility services becomes a concern. Adding to the potential problem, other utility lines, such as telephones and cable television, are installed below the existing electric lines. Access to, or operation in, a field or orchard with farm equipment creates the potential for contact with the lines.

We support the requirement of a utility to follow the National Electric Safety Code and Michigan Public Service Commission (PSC) regulations to protect both the farmer and the utility from accidents which could cause injury to an indi-

vidual or interruption of service to a community.

We support legislation or regulation to create a minimum height requirement for all utility lines. The cable industry should have a minimum cable height requirement of 17 feet over roadways, driveway entrances and in fields. All new underground utilities shall be at least 2.5 feet under the surface.

A landowner, tenant, or custom operator shall not be held liable for any accidental or inadvertent breakage or disruption of service on utility lines, cables or pipelines that are not properly installed, marked or maintained.

We believe a utility company should promptly settle for damage to crops and notify landowners prior to work being done.

All new and replacement above and underground utility distribution equipment shall be placed or relocated in the existing road right of way.

All Miss Dig markings will be biodegradable or removed.

We support the PSC's review of charges for line extensions, transformer upgrades and moving charges, and compare it to other utility charges for the same work.

NATURAL RESOURCES

AGRICULTURAL DRAINAGE

72

Michigan farmland is enhanced by an adequate and well-managed drain system. Over half of Michigan's farmland requires drainage to produce food, feed and fiber.

Land use changes are affecting drainage systems. Michigan Farm Bureau highly encourages members to obtain and record a drainage easement for all private drains which cross neighboring properties.

The Michigan Drain Code is the legal vehicle by which landowners may organize to solve mutual drainage problems for their benefit. Urbanization, agriculture and technology have increased the need for water resource management. As they exist today, institutional structures, such as the Michigan Drain Code, Subdivision Control Act, and Wetlands Protection Act, lack the necessary uniformity to provide water management standards that meet today's demands and tomorrow's needs.

Virtually all potential agricultural lands worth the initial investment have been drained. Emphasis has now shifted to maintaining or reconstructing original drainage systems, or improving drains to provide more intensive drainage of existing croplands.

We support elimination of the current exemption providing for non-elected drain commissioners/water resource commissioners within the current Drain Code.

We support changes to the Drain Code that benefit agriculture, including but not limited to:

- The county Drain Commissioner/Water Resource Commissioner be responsible for and manage water exiting county drains, even if it spills into a natural watercourse.
- All land in a drainage district be assessed according to benefits derived, including public lands.
- Incentives or credits for landowners who properly maintain drains located on their property.
- The authority for administering the Drain Code be maintained within the Department of Agriculture and the office of the Drain Commissioner/Water Resource Commissioner at the local level.
- Boards of Determination for inter-county drains be expanded to include landowners from each of the affected counties.
- If existing road ditches are to be moved at the request of the County Road Commission, the additional cost be the responsibility of the Road Commission's project.
- Clarification that no drainage district should be extended or established for the purpose of removing sediment from man-made reservoirs on rivers or drains.

We recommend landowners contribute to the maintenance of

NATURAL RESOURCES

county drains through appropriate soil conservation practices.

We oppose changes to rules developed under the Inland Lakes and Streams Act that result in increased regulatory burdens to farmers.

Land use changes resulting in larger drainage projects or construction of flood control structures may result in adverse impacts to farmland. If established county drains create wetlands, floodplains or cause a loss in production or damage to farm operations, the drainage district must be responsible to compensate farmers for these losses. State funding should not be used to purchase productive farmland to construct wetlands for private benefit.

We oppose the Michigan Department of Natural Resources and Environment's implementation of rules and policies that exceed their federal mandate and are not supported by scientific evidence.

We oppose the implementation of structures that affect the flow in waterways where the design outcome negatively impacts agriculture. Appropriate planning for the handling of increased storm water due to development should be an essential part of the permitting process for all new construction. Alternatives to storm water retention ponds should be considered.

The drain commissioner/water resource commissioner should utilize expertise available at the Conservation District when a drain is being constructed or cleaned to help with incorporating soil conservation structures, identifying soil types and determining bank slopes.

County Farm Bureaus should routinely meet with their county drain commissioner/water resource commissioner, Conservation District and others who may have an impact on maintaining and improving agricultural drainage.

We support allowing drain commissioners/water resource commissioners to mail notices to property owners and municipalities of changes in assessments to drainage districts by first-class mail.

AIR QUALITY

73

Changes to federal air quality standards are forcing change in Michigan air quality regulations that impact farms. In addition to changes in standards, lawsuits driven by environmental groups continue to force the development of regulation and law in the absence of sound science. We insist that government air quality policies be based on sound science and consider economic impact.

Agricultural practices such as livestock production facilities, fuel combustion sources, diesel emissions, and dust from soil tillage, crop harvesting, grain mills, grain elevators and value-added processing plants are looked at as potential

NATURAL RESOURCES

sources of air quality concerns. Federal and state air quality standards may focus on ozone, particulate matter (dust), nitrogen oxides, sulfur oxides, carbon dioxide, hydrogen sulfide and others.

We support:

- Michigan Farm Bureau taking an active role to involve members in air quality education and how this issue will impact members and all of Michigan agriculture.
- The Michigan Right to Farm Act as the primary means for farmers to address air quality concerns. Regulatory provisions that exempt farmers from nuisance regulation, if they conform to Generally Accepted Agricultural and Management Practices (GAAMP), must remain in law.
- A scientific, practice-based approach to meet air quality objectives
- MDA as lead agency for all agricultural air quality concerns.

We oppose:

- Air emission permits for agriculture that are more stringent than federal rules and regulations and not science or practice-based.
- The application of air quality regulation to areas of Michigan that are not the sources of the pollutants. Pollutants measured in areas of Michigan that do not meet air quality standards may have originated in urban/industrial settings far removed from the monitored area. Air quality concerns should be addressed at their source.
- Mandatory air quality standards for ozone and particulate matter on farms and agricultural businesses that voluntarily conduct effective environmental conservation practices.
- Further emission control requirements for agricultural equipment and practices.

We urge MFB to seek out the findings of major universities researching agricultural air quality standards and best management practices. We urge Farm Bureau to work with the EPA to recognize normal agricultural production practices and the associated air particulate generated.

CLIMATE CHANGE

74

Currently, there is conflicting scientific evidence about global climate change. Farm Bureau does not endorse any views on climate change, but recognizes a voluntary, market-based carbon credit trading system exists.

We support full recognition of forest and agriculture land as carbon mitigators.

We oppose:

- Mandatory restrictions to achieve reduced agricultural greenhouse gas emissions.

NATURAL RESOURCES

- Mandates, such as carbon taxes or fees and cap and trade policies, that would adversely impact agricultural production as an affordable source of food and fiber.
- Any attempt to regulate emissions from animals.
- Emission control rules for farming practices, farm equipment, grain handling facilities, etc.
- Department of Natural Resources and Environment involvement in the determination of energy needs; that is the role of the Public Service Commission.
- Non-scientific assumptions linking bio-fuel production and international land use.

We urge government to re-evaluate the imposition of standards on farm and ranch equipment and other non-highway use machinery.

ENVIRONMENTAL PROTECTION AND AUTHORITY 75

Pollution Prevention on Farms

Public scrutiny of agriculture and increased regulation continues to challenge farmers to improve farm management and protect the environment. Regardless of the size of the farm, we urge all members to voluntarily implement pollution prevention practices.

We support the Michigan Right to Farm Act as the primary vehicle to address environmental issues on farms. We encourage all farms to follow the Act and the Generally Accepted Agricultural and Management Practices (GAAMPs).

We support all farmers enrolling in and completing the Michigan Agriculture Environmental Assurance Program (MAEAP). MAEAP is a voluntary, incentive-driven approach that helps farmers meet regulation and protect the environment. Michigan Farm Bureau members must continue to lead the successful implementation of this program and complete the MAEAP systems that are appropriate for their farm. MFB should work with partners to renew the MAEAP partnership agreement and organize MAEAP educational meetings. Farmers who complete MAEAP verification, in accordance with standards in place at the time of verification, should not have to meet new standards until reverification. We support legislation affirming that producers who complete MAEAP and maintain program compliance are, for the program components addressed on the farm:

- Presumed not to be polluting or impairing the natural resources.
- Provided additional protections from frivolous complaints.
- Practicing good conservation and will not be assessed fines or be penalized for pollution events if the producer is found to be following an approved conservation plan.

NATURAL RESOURCES

Providing greater incentives will lead to more MAEAP verified farms and greater protection for Michigan's environment.

The farm bill provides opportunities for farmers to address conservation programs on farms. We encourage the continued refining of conservation program delivery to ensure that the process is transparent, consistent and simple to participating farmers. We encourage the development and/or upgrading of standards to address on-farm above ground fuel tanks and liquid fertilizer storage with associated cost-share programs. We encourage the development of nutrient management plans for all farms.

Regulatory Authority & Responsibility

To protect the environment and enhance production agriculture, we challenge state departments and federal agencies to work together to produce more user-friendly programs that provide clear direction and consistent regulatory authority on farms. Oversight of farms should be focused on solving problems and not simply on penalizing producers.

Farmers who violate state environmental law or fail to conform to the Right to Farm program are under the jurisdiction of the Department of Natural Resources and Environment (DNRE). The DNRE is responsible for timely, effective and consistent enforcement of environmental laws against producers who knowingly, willfully, and/or negligently pollute. DNRE rules and standards must be tested against sound scientific principles and include a completed industry economic impact analysis prior to promulgation. We encourage the DNRE to utilize external expertise in the absence of knowledgeable staff regarding agricultural practices. We call on the DNRE to accept agricultural practices designed, constructed and maintained to Natural Resources Conservation Service standards and implement them into regulatory policy whenever applicable. Existing manure storage structures that are determined by an appropriate third party to be functioning properly should be acceptable for regulatory purposes and MAEAP verification. Regulations must recognize the influence of precipitation on farming practices. Appropriate timelines should be afforded to producers to implement required practices.

We support Michigan Department of Agriculture (MDA) intervention on behalf of farmers in legal actions taken against farmers who have worked with state agencies to address pollution challenges. A mutually agreed upon third party arbitration process for dispute resolution between the DNRE and a producer should be developed and implemented. The development of a DNRE Appeals Board should be explored. Funds derived from DNRE enforcement actions on farms must be allocated for pollution prevention in agriculture.

The DNRE is delegated by the federal government to

NATURAL RESOURCES

implement the National Pollutant Discharge Elimination System (NPDES). We support the timely issuance of NPDES permits, in accordance with federal rules, to farms that:

- Want permit coverage and discharge effluent in accordance with Michigan water quality standards.
- Are required to obtain coverage by federal law as a result of being determined by the DNRE, with clear and convincing scientific evidence, to have caused a violation of water quality by an actual dry weather discharge of pollutants to the waters of the state as a result of not following a certified Comprehensive Nutrient Management Plan (CNMP).

We oppose mandatory issuance of individual NPDES permits to existing Michigan livestock farms. We believe when a farmer applies for a NPDES permit, regulations in force at that time should be used to issue that permit. Any change in regulations should give the permit holder a phase-in time, which should depend on the complexity of the regulation change. We support implementation of permit requirements derived from public input with scientifically verifiable standards as provided in administrative rules. We oppose classification of manure and ag processing by-products that can be used as feed stocks or soil nutrients as hazardous waste.

MFB has lost confidence in the ability of the Department of Environmental Quality (DEQ) management to objectively address agriculture. DEQ management continues to pursue policies and interpret statutes in a manner that exceed state and federal rules. In a time of funding scarcity, DEQ management has ignored law that prohibits use of funds on efforts that exceed federal regulations. We oppose funding DEQ through potential bond proposals or fee increases. DEQ continues to exceed federal requirements by requiring MAEAP-verified farms that have not had actual discharges to obtain discharge permits. DEQ management has made derogatory comments in the media regarding animal agriculture, misquoting facts and demeaning MAEAP. The Environmental Council of States (ECOS) agreement between Michigan and the federal government has gone un-renewed as a result of unfair evaluation by DEQ. We oppose these actions and consider them to be a deliberate attack on Michigan agriculture.

DEQ management is not using resources to effectively enforce existing environmental laws, is overstepping its authority and is discouraging expansions and start-ups of agriculture and agriculture-related businesses in Michigan. We have requested the Governor make necessary changes to DEQ to address these concerns and evaluate the impact of DEQ decisions on all of Michigan's economy. For those reasons mentioned, we seek a change in DEQ. Such changes may

NATURAL RESOURCES

include, but are not limited to:

- Recombining DEQ and DNR as one department functioning under a single Commission.
- Change in management.
- Transferring responsibilities and funding related to agriculture to MDA.
- Creation of a DEQ Commission.
- Creation of a DEQ appeals board.
- Reducing the size, funding and authority of DEQ.

While the vast majority of farms are putting forth a considerable effort and are environmentally safe, we recognize that some oversight is required. While we support MDA pollution prevention program opportunities for all farms, MFB believes the MDA should have an increased role in providing regulatory certainty to Michigan agriculture.

MFB supports the development of permits to operate and site large animal feeding operations within MDA. Operating permits would use MAEAP standards and would be required for all large animal feeding operations (e.g., 700 mature dairy cows, 2,500 hogs, 1,000 beef cattle) that are not:

- Required to apply for NPDES permit coverage in accordance with federal requirements
- Determined by DNRE, using clear and convincing scientific evidence, as having an actual dry weather discharge of pollutants to the waters of the state
- Causing a violation of water quality standards as a result of not following a certified CNMP.

Operating permits should be annually reviewed by MDA and have protections for producers from third-party lawsuits. NPDES permitted farms that do not have regulated discharges for a duration of five years should be allowed to apply for coverage under an MDA operating permit in lieu of NPDES permit coverage, or complete and maintain MAEAP verification if the farm is not a large animal feeding operation. Siting permits would be applicable to only new large animal feeding operations or an operation that expands to become a large animal feeding operation. Siting permits would require a determination of conformance with applicable GAAMPs and a certified CNMP. Siting permits should take into account other applicable state statutes other than Right to Farm. Siting permits should be valid for a three-year period between MDA approval and beginning construction. We oppose any requirement for NPDES permits for Michigan farms that complete the MAEAP Livestock System and do not knowingly or willfully discharge pollutants into the waters of the State.

MDA issued permit fees shall not be more than \$200 per year and can only be adjusted at the rate of inflation.

NATURAL RESOURCES

Response to Environmental Scrutiny

The agriculture community realizes the need to protect the environment; however, when regulations limit agricultural viability, we believe it is time to take a more aggressive approach to protect our industry. Michigan producers and MFB should aggressively work to counter propaganda that depicts production agriculture in Michigan as abusers of the environment. MFB will work with MAEAP partners to develop educational and promotional materials for farm neighbors and the general public regarding the benefits of MAEAP. We encourage all producers to use MAEAP verification as the base for projecting a positive farm image to the public and encourage the use of MAEAP in creating marketing opportunities for participants. We support a statewide Farmers CARE (Committed to Agriculture while Respecting our Earth) promotional campaign.

We encourage measures that have zero tolerance for harassment of farmers who are adhering to the State's pollution prevention program for agriculture. We support requiring the DNRE to notify local law enforcement and authorities before any actions are taken against farms. Individuals who lodge complaints with the DNRE against farms must be required to provide their name for public record and pay for the complaint investigation if more than three unverified complaints are made against a farm within as many years.

We oppose legislation that inhibits the viability of agriculture. We oppose decisions made in response to emotion instead of science, law and common sense. We oppose arbitrary moratoriums that affect the growth of animal agriculture, including limits on animal expansion and storage structure size.

FARMLAND PROTECTION

76

We support the creation and effective implementation of both temporary and permanent farmland protection tools to stabilize the land base, help maintain the agricultural industry's competitive position, and aggressively increase its economic value to producers and the State. A successful approach to farmland protection will require a combination of strong state leadership as well as support by local communities.

We believe an investment in farmland protection is an investment in the future of agriculture and the next generation of Michigan farmers and citizens.

We recommend that Michigan's farmland protection programs could include:

A Strategic Approach

Farmland protection initiatives should work to strengthen the agricultural industry and maintain producer flexibility and control. We support a voluntary coordinated incentive-driven approach at the state and local levels that results in the protec-

NATURAL RESOURCES

tion of large blocks of farmland and increases the opportunity for economically viable agriculture. We support reviewing the local revenue-sharing formula and investigating the merits of linking revenue-sharing to effective farmland preservation and urban redevelopment.

PA 116 (Part 361 of NREPA)

The Farmland and Open Space Preservation Program, commonly known as PA 116, is an effective voluntary method of protecting farmland, while giving farmers needed tax relief. Local units of government should zone land under PA 116 contracts as agriculture and identify it as agriculture in their comprehensive land use plan.

We support:

- Aggressive use of PA 116 by creating additional incentives to maintain and increase participation.
- Adequate funding and staffing of the Department of Treasury to process PA 116 refunds in a timely manner.
- Requiring the State to pay penalties for late issuance of PA 116 refunds to landowners.
- Protection and exemption from special assessments excluding agricultural drainage.

Agricultural Preservation Fund (PDR - Part 362 of NREPA)

We support the Agricultural Preservation Fund (PA 262 of 2000). We recommend county Farm Bureaus take a leadership role in the development of local Purchase of Development Rights (PDR) programs. Programs administered at the county level should be encouraged to provide a strategic approach on a countywide basis. The Agricultural Preservation Fund Board should provide a financial incentive to encourage townships to work with other local units of government and the county to develop a coordinated countywide approach to protect blocks of productive farmland in the county.

We support aggressive funding of the Agricultural Preservation Fund. Funding opportunities can include, but should not be limited to, bond issues, conversion fees, property transfer fees, the lease of mineral rights from state-owned land, and general appropriations. The goal for the dedicated, long-term funding sources should not be less than \$35,000,000 annually. When developing funding mechanisms for the state fund, it is important to recognize that benefits of farmland preservation are not limited to agriculture.

When a farmer sells his development rights, the proceeds should be exempt from capital gains tax and the Real Estate Transfer Tax.

For long-term funding, a statewide agricultural land conversion fee should be implemented. The fee, based on 5-7 percent

NATURAL RESOURCES

of market value, should be paid at the time of conversion by the developer who converts the land. Sales where land remains in agriculture would be exempt from the conversion fee.

Funds dedicated to farmland preservation should be used by the county, township or group of townships managing an active qualified farmland purchase of development rights program in the county that collected the funds. If there is not an active, qualified PDR program in the county, the collected funds would be deposited into the State's Agricultural Preservation Fund.

The Michigan Legislature should grant counties the authority for additional local funding mechanisms, including raising the real estate transfer tax up to an additional one percent as an option for funding local farmland preservation programs to qualify for state or federal matching funds. The increase in the real estate transfer tax should require a vote of the people in the county.

Currently the Michigan Department of Agriculture (MDA) has a "conflict of interest" policy for grants given out by the MDA. This section is far reaching and adversely affects participants for grants from the Agricultural Preservation Fund Board. The land in the application is scored at the local and state level, not by the person who owns it. Michigan Farm Bureau requests the MDA issue a new section for the Agricultural Preservation Fund Board that states, "If an applicant is considered to have a conflict of interest, they shall abstain from participating if and when their application comes before the public body upon which they serve."

Agricultural Security Areas

We support legislation to establish voluntary Agricultural Security Areas (ASA) to place a temporary, long-term agricultural conservation easement on farmland. ASAs must be designed to preserve large blocks of farmland by a voluntary, incentive-based contract between the landowner, local unit of government and state government. Larger blocks of preserved farmland will enhance the opportunity for economic viability of agriculture, decrease land use conflicts, help sustain agricultural businesses and infrastructure, and preserve the rural character. We recommend:

Local Incentives:

- Local ordinances cannot be passed that govern agricultural practices.
- Proposed developments adjacent to farmland in an ASA should be designed to minimize land use conflicts and should be required to provide the appropriate ag-buffer zones within their development boundaries.
- Local ordinances require a Right to Farm statement on the deed of all residential homes sold within one mile of land enrolled in an ASA.

NATURAL RESOURCES

- Encouragement, support and recognition by the local unit of government that modern agriculture, including agricultural processing, is the primary and permitted use.
- Greater eligibility for local purchase of development rights programs.
- Tax abatements up to 100 percent for agricultural buildings, farmland and other real property.

State Incentives:

- A state property tax credit, with the objective being property taxes on farmland in an ASA, with a goal of reaching a property tax rate of \$5-7 per acre.
- Enhanced eminent domain protection through a special review by MDA and mitigation by purchasing, from willing landowners, agricultural conservation easements on two acres of comparable farmland for every acre condemned.
- Exemption from the real estate transfer tax for land remaining in agriculture.
- Clear language that will exempt land from all special assessments not benefiting farmland.
- State agencies' regulations be consistent with Right to Farm guidelines.
- Greater eligibility for state PDR funds.

Urban Revitalization

Revitalizing urban areas is an important element to the overall protection of Michigan's natural resource base. The improvement of cities, greater utilization of current infrastructure, and redevelopment of existing brownfields will result in reduced pressure to develop farmland. We support incentives and realistic environmental standards that enhance brownfield redevelopment.

Transfer of Development Rights (TDR)

TDRs facilitate the voluntary preservation of farmland where needed while allowing land development in appropriate areas without using public funds. The Planned Unit Development (PUD) sections of the Michigan Zoning Enabling Act of 2006 expanded the use of TDRs to include preservation of non-contiguous parcels, upon the request of the landowner, unless otherwise prohibited under a local unit of government's PUD ordinance. In order to enhance options to preserve farmland using TDRs, we recommend:

- Any new TDR legislation apply to any and all local units of government in Michigan.
- Legislation which provides incentives for local units of government to cooperate with one another to implement effective TDR programs.
- Legislation that requires local units of government to have an updated comprehensive land use plan that

NATURAL RESOURCES

contains a plan for agricultural preservation.

- The Legislature continue to explore options to enhance current TDR authority at the local level.

Funding Farmland Protection

Funding is often the limiting factor in protecting farmland from development. We encourage the creative development of farmland protection funding mechanisms at the local and state scale in addition to substantiated concepts (e.g. conversion fees, millage proposals, tax credits, recapture penalties). We urge MFB and county Farm Bureaus to continue working with partners to develop innovative funding approaches at the state and local level, including tax relief based on parcel size and duration of ownership and the linking of urban development tax credits with greenfield preservation.

GAME FARMS AND HUNTING PRESERVES 77

Michigan game breeders and hunting preserve operations that breed, feed, and graze privately-owned animals are an integral part of the agricultural economy of the State. The industry provides food and maintains good year-round habitat for wildlife, sometimes helping to reduce pressure on adjacent farm production crops. Hunting preserves provide access for the non-farm population by providing a safe opportunity to harvest animals. The industry is concerned about the increased local government restrictions on the use of farms for the purpose of hunting.

We support legislation that provides opportunities and protection for this growing segment of Michigan's diverse agriculture.

We encourage legislation to provide standardized state-wide regulations for the eradication of feral swine. We support the elimination of swine in the wild, and a moratorium on new swine game farms and hunting preserves.

We support the development and implementation of management practices and rules for swine hunting operations. These rules should include disease testing for incoming and outgoing animals, fencing requirements and record keeping methods. Animals imported from another state or country must have appropriate state or federal health certificates. Additionally, swine hunting facilities shall only be populated with sterile animals.

Until these rules are implemented, we demand a quarantine be placed upon all swine hunting operations. All hunting operations must register their premise and have individual animal identification. We urge these rules be developed and implemented as soon as possible.

We support the Michigan Department of Agriculture and Michigan Department of Natural Resource's current rules and regulations governing captive cervid farms.

INVASIVE SPECIES

78

We support a comprehensive state policy addressing the introduction and management of invasive species. Programs should rely on cooperative, voluntary, partnership-based efforts between public agencies, private landowners, and concerned citizens.

Michigan Farm Bureau supports the reestablishment of the Michigan Invasive Species Advisory Council, with producer representation. In the absence of such action, we support legislation to create a board of plant and animal health with authority to address invasive species and help educate the public to prevent the spread of these species in Michigan.

Any statutory policy changes and control measures to deal with invasive species should be based on the following:

- Regulations should not be allowed to interfere with or erode property rights.
- Legislation to prevent and control noxious weeds and other seeds in mixtures offered to the public.
- Clear and scientific criteria to delineate what are invasive species. Due to genetic differences between plant genera, plant hybrids, and within species, varieties and cultivars, each is treated as an individual when delineating invasive species.
- Regulations should include emergency measures to allow for the timely use of chemical controls.
- Any consideration of endangered or threatened species should have a component recognizing and addressing the role of invasive species.
- State and federal funding should be adequate to develop sound science sufficient to determine long-term effects of invasive species.
- Indemnification of crop, nursery stock and livestock losses from invasive species when it can be documented that the quarantine requirements or treatment methods are the basis for the loss. We support an increase in funds for inspection services and facilities. Funding should also be made available for public education and outreach efforts.
- Public lands and right of ways should be managed to reduce and eliminate invasive species as effectively as private lands and in coordination with neighboring privately-owned or leased land. Any efforts on public lands that affect the uses and private rights held by public land permittees and users shall be subject to compensation and fair market value for the taking of these property rights by the introduction or proliferation of invasive species.
- Proper incentives should be provided for farmers and ranchers to effectively control noxious and aquatic weeds, along with support for an Integrated Pest

NATURAL RESOURCES

Management approach.

- Plants cannot be delineated as prohibited or restricted through legislation and removed from trade unless eradication is concurrently instituted on public lands.

We believe federal, state and local agencies should work more closely with private landowners to address invasive species problems. Any invasive species program that is proposed should not create additional restrictions on agriculture producers and landowners.

Invasive species should not be defined to include agricultural products or other beneficial non-native species.

We support reasonable efforts by the state of Michigan to work with other agencies to stop the invasion of the Asian Carp into Lake Michigan.

Consideration should be given to the extent to which species may be naturalized in an environment. Any penalties associated with introductions must be realistic.

LAND ACQUISITIONS FOR PUBLIC PROJECTS 79

The condemnation of property by eminent domain should be permitted only when there is a clear need in conformance with the newly amended State Constitution.

We oppose the taking of property by government for the purpose of development of privately-owned nonpublic projects. We support legislation to stop or limit developmental grants or other state, local or national public funding to those entities using condemnation procedures for non-public uses. We oppose the ability of non-elected boards, agencies and commissions, public or private, to utilize the eminent domain process.

We support a complete agricultural impact statement before productive agricultural land is condemned. The statement should evaluate all direct and indirect physical and economic impacts to agriculture. We support the concept of no-net gain for state and federal ownership of land in Michigan. An environmental impact statement should be prepared as a prerequisite for any eminent domain proceeding.

We oppose the practice of acquiring a new right-of-way through farmland when public corridors exist, such as railways, highways, power lines, and pipelines. Property should not be condemned in fee title if a lesser interest will suffice. In cases where all condemned land is not needed at the completion of a public project, the original landowner should have the right of first refusal at the price paid by the government entity. In eminent domain cases, landowners should have at least five years from the time of the original settlement in which to negotiate claims for damages. We support efforts to further strengthen property rights of Michigan property owners, including, but not limited to, additional opportunities for judicial review in eminent domain takings.

NATURAL RESOURCES

LAND USE

80

Local land use planning in Michigan is essential for the long-term viability of all communities and we must all work together to plan the proper utilization of the land for the long-term.

Michigan Farm Bureau supports the following areas of land use planning and development approval process in Michigan:

- Require agriculture to be included in community master plans, county economic development plans and all aspects of local planning and zoning.
- Regional cooperation between municipalities, counties and townships.
- Intra-jurisdictional coordination between all public entities within a community (e.g., fire districts, EMS, water and sewer authorities, school district, solid waste management).
- Encourage the use of current infrastructures.
- Transportation development projects take into account local land use planning and minimize impacts to farmland. Transportation infrastructure placement is a primary influence of land development patterns.
- Enable local communities to use the statutory authority of “concurrency” when negotiating new development approval. Concurrency establishes a pay-as-you-go approach which ensures public facilities and services are available at the same time as the impacts of development.
- Michigan State University and the Department of Agriculture should provide technical assistance, education and research to local officials and property owners.
- Encourage local communities to utilize existing zoning tools, when appropriate, to help protect farmland and farm operations including, but not limited to, cluster housing, buffer areas, fencing, planted tree setbacks, and site density zoning.
- Utilize agricultural disclosure statements on the deed when real estate transactions are made in agricultural areas.
- Amend the Land Division Act to:
 - Change the platting process to reduce cost, time and bureaucracy in platting.
 - Eliminate 10-year redivisions.
 - Allow local units of government to utilize the entire Zoning Enabling Act to locally govern the Land Division Act.
 - Require site condominiums, manufactured housing developments and mobile home parks to comply with land division and/or the platting process in the Land Division Act.

NATURAL RESOURCES

- The sale of state and federally-owned land suitable for residential or industrial use would preserve our farmland and increase local revenue. This development should only be considered on vacant sites with existing or nearby utilities that fit the local land use plan.

When land is divided, local governments should consider alternatives to minimize the adverse impacts to farms within one mile. We oppose rezoning agricultural zones if the use has not changed and the landowners have not requested the zoning change.

We strongly recommend that when agricultural land is within a governmental unit, a representative of production agriculture be appointed to the planning and zoning boards. We urge members to become actively involved in land use planning and zoning.

Legislation should be enacted to prevent farmland from being annexed to a municipality without a vote of the people in the affected area. Upon approval of the people in the affected area, an annexation proposal should then be approved by the township by a vote of the people. We further support requiring written notification of landowners subject to an annexation proposal. Changing the use of property must consider and protect the rights of private property owners. Property enrolled in a farmland preservation program must have the concurrent approval to annexation or public use of the contracted parties, including land owners.

We support the development and uniformity of Geographic Information Systems (GIS) and encourage use by local units of government in land use planning.

We recommend MFB assist county Farm Bureaus with model zoning ordinances pertaining to agriculture. We recommend legislation and zoning that will enable harvesting wind energy on farms, including the sale or use of the generated electricity from large mega watt and small wind turbines. Specific zoning for the production of wind energy should include adoption of the state siting guidelines for efficient and effective wind turbines, taking into account sound science, and MFB should support legislation that pre-empts local height restrictions.

Any plan to address land uses in Michigan must consider and protect the rights of private property owners.

We strongly urge the Legislature and Governor to take into consideration the recommendations of the Michigan Land Use Leadership Council and create associated policy that advances better land use and community planning. We urge local governments to take the recommendations into consideration when developing local land use plans and policies. In addition, we urge MFB and all county Farm Bureaus to make this a high priority issue.

NATURAL RESOURCES

The equine industry is extremely concerned about the recent decision by the Department of Natural Resources and Environment to limit equine use within the Pigeon River State Forest area. We believe when land use changes are proposed on state lands, it is imperative that those impacted are involved in the decision-making process. We oppose limitations being placed on state lands for recreational purposes unless there is sound scientific justification or when funding restrictions exist.

MICHIGAN CONSERVATION DISTRICTS 81

Enhancing farmland conservation practices and natural resource stewardship will benefit both farmers and the public. We strongly support an increase in funding for Conservation Districts programs (e.g., soil, water and forestry) to develop, improve and provide assistance to agricultural landowners. We urge all farmers to utilize Generally Accepted Agricultural and Management Practices to protect soil, water and other resources.

We encourage the Conservation Districts to offer only non invasive species for conservation purposes. Under PA 451 of 1994 as amended, Conservation Districts are allowed to propagate, grow and sell plants that are beneficial for conservation practices and have been designated as “conservation species” by the Conservation Species Advisory Panel. The legislative intent of PA 451 was to limit the negative impact on the private nursery and greenhouse industry from plant sales by state-subsidized, tax-exempt Conservation Districts.

As a result of recent reductions in funding, Conservation Districts have begun efforts to generate additional sources of revenue, one of which is to greatly enlarge the approved list of “conservation species” so they can expand the production and sales of plant material in competition with private industry. This “conservation species” list is reviewed annually by an advisory panel, as required by law. We are concerned about the number of recent additions to the approved propagation list. Conservation Districts should be encouraged to purchase their plant materials from Michigan private industry suppliers whenever possible. We encourage Michigan Farm Bureau to take an active role in encouraging cooperation between the Conservation Districts and plant producers/suppliers to meet their volume needs.

We support adequate funding for Conservation Districts to ensure an efficient conservation delivery system. We continue to support efforts to find a dedicated source of funding for the Conservation Districts, which will allow them to plan long-term projects knowing that funding is secure. Dedicated funds derived from agricultural sources should focus on providing cost-share to producers for implementing conservation practices.

NATURAL RESOURCES

Michigan's conservation delivery system, including Natural Resources Conservation Service (NRCS), Michigan Department of Agriculture (MDA) and Districts, could be more effective in delivering conservation on the ground. The Michigan Legislature should initiate the redirection of Department of Natural Resources and Environment non-regulatory responsibilities and accompanying funding to the MDA for distribution to the Conservation Districts. We encourage the Conservation Districts to take full advantage of farm bill programs, federal watershed initiative programs, and other grant opportunities to provide services and programs for farmers in addition to dedicated funds. Additionally, we support efforts to expedite the use of NRCS funding for Conservation District programs. Cost-share monies should be maximized. Where co-location is possible, the NRCS should continue to allow Conservation Districts to co-locate at no charge. Where NRCS does not have resources available, the Conservation Districts should look to co-locating with other agriculture/conservation related entities. We urge MFB to work with the MDA, NRCS and the local Conservation Districts to see that all producers in the State have equal access to the producer-funded Water Stewardship Program.

We encourage Farm Bureau members to support and become actively involved with local Conservation Districts. We encourage farmer leaders in Conservation Districts to use their annual meetings as an opportunity to promote conservation programming in agriculture.

We support Michigan Farm Bureau:

- Informing members about the opportunity, use and reversion of federal farm bill funds (EQIP, cost-share, etc.).
- Informing members of cooperative efforts between NRCS, MDA, and the Conservation Districts and the amount of federal farm bill conservation money coming to the producers and landowners of Michigan from this cooperation.
- Working with Districts to develop materials to educate members about agricultural stewardship and support efforts to make the public aware of the benefits of an investment in good stewardship.
- Working with the Michigan Association of Conservation Districts and local Conservation Districts to ensure landowners' conservation needs are met now and into the future. These groups working together should review the current structure and delivery system, as well as determine what resources and appropriate authorities are needed for Conservation Districts.

NATURAL RESOURCES

We support Conservation Districts:

- Focusing on conservation for agriculture.
- Evaluating and adopting relevant successful programs from other conservation districts and states (e.g., water quality assistance and ditch maintenance). Programming could vary from county to county, based on the direction of the district boards and the needs of agriculture.
- Simplifying farm bill programming for farmers as NRCS programming is paper-driven and difficult to manage.
- Restructuring at a watershed scale. Combining districts by watershed will increase efficiencies and potential to generate federal, state and local revenue.
- Being the primary agency to initiate watershed management programming and technical assistance.

NONPOINT SOURCE POLLUTION AND WATERSHED MANAGEMENT

82

Farmers, along with other rural and urban residents, are concerned about nonpoint source pollution of Michigan's surface and groundwater.

Protecting our state surface and groundwater from contamination is a priority and we recognize agriculture shares the responsibility with many others.

We support the Michigan Groundwater and Freshwater Protection Act. This Act funds groundwater and surface water programming through providing local grants. We encourage county Farm Bureaus to initiate partnerships with local and state governmental agencies, Michigan State University Extension and commodity organizations on the development of groundwater stewardship grant proposals. These grants encourage farmers to voluntarily adopt stewardship practices, which reduce nonpoint source pollution from agricultural sources. Participation in the groundwater program should remain confidential. Farm specific information generated by assessment programs must remain confidential. Aggregate data that would demonstrate effectiveness of the overall program could be shared.

Phosphorus is essential to plants and animals. Excessive phosphorus can impair water quality. We oppose restricting phosphorus for agricultural uses if producers follow Generally Accepted Agricultural and Management Practices (GAAMP) or soil testing by a certified lab. We support continued education on appropriate phosphorus use.

Nonpoint source pollution programs implemented by state and federal agencies should reflect a coordinated, integrated and consistent management approach. The Michigan Department of Agriculture (MDA) should be designated as the agency to coordinate all agricultural nonpoint source pollution programs in Michigan.

NATURAL RESOURCES

MDA, working in cooperation with Department of Natural Resources and Environment and local governments, should oversee the disposal of moderately contaminated watershed sediments on farm lands containing greater levels of the identified contaminants.

Recognizing the contribution agriculture has made to the Water Stewardship Program through dedicated funds, we support agriculture being the primary focus of assistance. We support continuation of the cost-share provided to producers for conservation practices and the continuation of the MDA CleanSweep Program. We support MDA continuing to accept responsibility for any future liability for chemicals collected.

We recommend an audit of the Freshwater Protection Fund with the report to be available to the contributors.

State regulations and standards enforced by the Department of Natural Resources and Environment (DNRE) should not be more restrictive than federal standards. We support the use of sound science methods to determine water quality. We support Michigan Farm Bureau taking a leadership role in developing protocols for water quality monitoring. We urge MFB to pursue credible data legislation and how it may be used to better invoke sound science in regulation of water quality, air quality and water quantity.

With credible data, MFB supports timely enforcement of water quality standards. We oppose water quality monitoring of ditches and streams which is selectively performed to incriminate individuals and not performed by certified individuals in accordance with DNRE protocols.

We support scientific, site-specific testing protocols and/or landowner consent prior to DNRE determining that an area is contaminated, with testing costs and loss of land value being the responsibility of the State if the contamination is not the fault of the landowner.

Furthermore, we encourage Farm Bureau members to become certified through the DNRE Volunteer Water Quality Monitoring Certification program, and participate in voluntary water quality monitoring programs, in which results are kept confidential.

We support the harvesting of filter strips as an effective means of nutrient reduction.

Michigan's Conservation Districts are an important component of MDA's nonpoint source pollution programs. These voluntary programs are best administered by locally elected Conservation District boards who understand their community's needs and problems. Current EPA initiatives are focusing on the top down regulatory approach to control nonpoint source pollution. Agriculture should lead watershed management or EPA will make efforts to place permits on the industry.

NATURAL RESOURCES

We strongly recommend Farm Bureau members participate in regional water stewardship teams.

We support legislation to provide liability protection to farmers who follow the label directions, pertinent regulations and GAAMPs of fertilizers and pesticides. Furthermore, we oppose any legislation by local government which would be more restrictive than MDA and EPA regulations in terms of fertilizer and pesticide usage.

We oppose efforts which would place a presumption of liability upon farmers for pollution of public or private water supplies near agricultural operations.

Well setback distances from agriculture practices should be no more than 75 feet, as listed in the Grade A Dairy Law.

We encourage full representation of agricultural interests in watershed initiative projects that are publicly funded through the Clean Water Act. Any management practices prescribed by the project should be voluntary rather than mandatory.

We encourage MFB to work with state and federal agencies, land grant universities and stakeholder groups to develop standards that indicate agriculture's positive impact on the environment. MFB supports the development of baseline environmental standards for agriculture that are in line with current production standards and methods. We believe environmental credit standards should be developed and applied against any new regulations to offset the regulatory burden on producers.

Municipalities share the same responsibilities to our environment and should be held to the same standards and penalties as private individuals.

Well and septic standards are critical issues that should be uniformly addressed. We support mandatory "point-of-sale inspection" of on-site septic systems.

We oppose additional environmental permits regarding agricultural non-point source pollution.

We support MFB involvement in alternative funding strategies for conservation practices, such as voter approved bond initiatives and regional/federal initiatives such as the Great Lakes Restoration Initiative. Involvement in bond initiatives should be balanced with the realities of Michigan's current economic condition and resultant taxes that may be required to service debt.

OIL, GAS AND MINERAL RIGHTS

83

We support the extraction of minerals from both state-owned and private property in Michigan. We encourage the Weights and Measures Division of the Michigan Department of Agriculture (MDA) to study the feasibility of regulating the oil and gas industry as to the accuracy of the volume of minerals being extracted from private property. MDA needs to become involved in the certification of all metering and measuring.

NATURAL RESOURCES

Oil and gas rights without activity revert to the owner of the property unless they are reregistered every 20 years by the owner of the specific petroleum rights at the register of deeds office. We believe this law should be changed to every 10 years and the property owner be notified at the time of re-registration.

We oppose attempts to ban exploration for mineral deposits. We support legislation requiring the lessee of mineral rights (prior to beginning any operations on leased land) to notify the landowner and royalty owner by certified mail of their intent to explore for, or develop, minerals and that such proof be submitted prior to granting any permit. We further support legislation to prevent surface waste by requiring an escrow account or bond be filed before commencing operations (the approval of such shall provide an administrative appeal by the landowner who may file an objection within 10 days of the proposed release). The escrow account or bond should be reviewed annually and adjusted accordingly, with a post closure monitoring period of 40 years.

We recommend an agricultural environmental and economic impact statement be required before the supervisor of wells issues a permit.

When an injection well damages the value of the mineral rights of adjacent landowners, the affected landowners should be compensated for these losses.

Gas and oil royalties from state-owned land should be shared with local units of government. We encourage Michigan Farm Bureau to explore alternative distribution of funds within the Natural Resources Trust Fund.

Traditionally in Michigan, mineral owner's 1/8 interest was "free of costs." The working interest owners and developers bore the expense from the wellhead. Farm Bureau believes private royalty owners should not be burdened with the deduction of post production costs (PPC) even though the state has decided to allow some PPC deductions.

We oppose any deductions by the oil and gas industry from a private lessor's share of revenue unless it is expressly provided for in the signed lease. If deductions take place, the lease must contain the definition of the deduction, specific areas of items eligible for deductions, a clear process enabling the lessor to monitor deductions and a maximum percentage of costs to be deducted.

We believe wellhead and point of severance means the point at which the well is drilled. When oil and gas is severed from the ground, everything that occurs after severance is the responsibility of the lessee.

We believe government agencies, Farm Credit Service, local and state recording offices, and other state and federal

NATURAL RESOURCES

chartered financial institutions should not be allowed to sever mineral rights from surface rights when they resell land acquired through any land transfer. Mineral rights that have been severed at foreclosure should be returned or sold to the surface property owner at fair market value.

We urge members to obtain information on oil and gas leasing from MSU Extension offices or through MFB before signing a lease. A checklist for oil/gas mineral leases is available on the MFB Web site.

We support rights of townships granted to them under the Township Ordinance, Act 246 of 1945.

PRIVATE PROPERTY RIGHTS

84

We believe in the American free market system in which property is privately owned, managed, and operated for profit and individual satisfaction. Any erosion of that right weakens all other rights guaranteed to individuals by the Constitution. We support legislation that would require state and local agencies to evaluate the impact of proposed rules and regulations on private property rights.

We oppose any legislation that would allow public access to or through private property without permission of the property owner or authorized agent.

Through the use of new technology, measurements that pertain to property can sometimes change. We believe the original description of a parcel should stand and the moving of a boundary through remeasurement shall not automatically be considered adverse possession. We believe when a non-private easement (with the exception of a maintenance easement) is given, the said easement cannot be sold, traded or otherwise transferred without first consent of the current property owner. This should include all past and future transactions. Michigan law should protect the rights of the property owner.

We call for review of all regulations and enforcement policies that encroach on the rights of property owners, including buildings, planted trees and travel ways placed too close to property lines. The presence of other trespassing does not constitute permission to enter private land.

As population density around farms increases, we support a public awareness campaign utilizing all types of media as a way to encourage better understanding between farmers and nonfarm neighbors.

We believe any action by government that diminishes an owner's right to use their property, such as the Endangered Species Act or the Natural Rivers Act, constitutes a taking of that owner's property. Therefore, government should provide due process and compensation to the exact degree that an owner's right to use his or her property has been diminished by government action.

NATURAL RESOURCES

Natural Rivers Act

We believe the Natural Rivers Act should be reviewed to ensure the rights of private property owners remain protected. We believe the following areas will not only strengthen private property rights, but create more widespread support and compliance with the provisions of the Act:

- The initial request for, and the final approval of, a Natural River Designation must originate from the local units of government in which the River District is located.
- Agriculture and other industries must be fairly represented on local Natural Rivers Review Boards.
- An economic impact study should be conducted to determine the effect on local businesses and property owners.
- If the local unit of government approves a Natural Rivers Act designation, the designation must be subject to review a minimum of every five years.

Shining

We support legislation to regulate or prohibit the use of artificial lights on private property except:

- By individuals and families who own or lease the property.
- To hunt wildlife with the assistance of artificial light, which is allowed by state law.
- For law enforcement purposes.
- For public utility repair purposes.

RESOURCE RECOVERY

85

Daily we generate vast quantities of all types of resource recoverable materials. Our society must reduce as much solid waste as practical through a wide variety of ways.

We specifically support strategies for resource recovery through the following:

- Recycling programs for all reusable material.
- Adopt-a-local roadside program.
- Michigan Farm Bureau working with universities, Michigan Department of Agriculture and the Michigan Department of Natural Resources and Environment to seek solutions for composting of organic materials including, animal, plant, forest and silvicultural materials and differentiate between agricultural and commercial composters to protect the welfare of residents as well as the integrity of agriculture.
- Incentives for the use of biodegradable products, especially those made from renewable agricultural-based products.
- Amendments to the bottle law requiring like containers have a 10-cent deposit.
- Land application of properly researched and approved

NATURAL RESOURCES

materials at agronomic rates without additional state or local regulation.

We encourage agricultural representation on all established Solid Waste Advisory Committees which are required by the Solid Waste Management Act.

We oppose the hauling of all waste for disposal, including nuclear and hazardous waste, into Michigan from other states and countries.

WATER USE IN THE GREAT LAKES BASIN 86

The Great Lakes Basin represents the largest reserve of fresh water in the world. It is a unique resource that should be utilized in a responsible manner and protected for future generations and the future of Michigan agriculture. Food and fiber production is in the public interest, is a reasonable use of water, and provides economic and ecological benefits to the Great Lakes Basin.

In July 2008, the Governor signed into law Public Acts 179-189. Michigan Farm Bureau supported this legislation as it:

- Ratifies the Great Lakes Compact. The Compact prohibits diversion of water from the Great Lakes and affirms that agricultural water use is not a diversion, regardless of agricultural product water content or where the product is consumed. The legislation also requires that any change to Compact standards must be approved by the Michigan Legislature. The Compact has been approved by Congress and signed by the President of the United States. MFB will monitor the implementation of this Compact and work with State agencies to ensure MFB policy is maintained.
- Continues the agriculture water conservation program which allows farmers to register and report water uses to Michigan Department of Agriculture (MDA) without a fee. Information provided is protected from disclosure under the Freedom of Information Act (FOIA).
- Places review and development of water conservation practices for agriculture with the Michigan Commission of Agriculture instead of the Department of Natural Resources and Environment.
- Presumes that producers who successfully complete the water use assessment process are not causing adverse resource impacts.
- Includes new large capacity residential uses.
- Grandfathers existing documented surface and ground-water uses.
- Does not require water use permits for withdrawals that supply a common distribution system of less than two million gallons per day in any 90-day consecutive period.

NATURAL RESOURCES

- Requires water conservation practices for all water use sectors.
- Averages seasonal withdrawals over 90-day time periods.
- Implements a science-based water use assessment tool to assist new water withdrawals that exceed 100,000 gallons per day in determining if a use will cause an adverse resource impact on Michigan streams. Implementation includes a phase-in period, opportunities to provide input to the coordinating agency, and recognition of weather variability.

While this legislation is a positive step, MFB will remain vigilant in protecting agriculture's interest in water and the Great Lakes water resource.

As a result of the new laws, Michigan implemented a science-based water use assessment tool. As the assessment tool is new, the process has experienced complications and technical difficulties. Although an evaluation performed by the Water Resources Conservation Advisory Council found that the assessment tool provides automatic authorization for withdrawals in over 80% of all cases statewide, MFB believes continued improvement of the assessment tool is needed including, but not limited to, the following:

- Additional data collection and model enhancement with the latest scientific data until the predictions are in agreement with actual results of the given water withdrawal.
- Continued refinement of the online water withdrawal assessment tool.
- University research to verify the accuracy of assessment tool.

As there are significant differences between Michigan regions regarding water availability and use, we recognize a "one size fits all" solution may not be the best answer. We urge MFB to work with Michigan State University and federal partners in a collaborative effort to secure funding for a comprehensive water study in Southwest Michigan to collect better data for use in the assessment tool.

We reaffirm that management and regulation of the waters of the Great Lakes Basin does not require water use permitting. Burdensome regulation is not necessary to protect the Great Lakes and could challenge the competitiveness of Michigan farms. Any laws that include water use permitting must be carefully examined and opposed if they do not include the following provisions:

- No fees may EVER be charged for agricultural water use.
- Existing documented surface and groundwater uses or sites must be grandfathered.
- Water use permits for withdrawals that supply a common distribution system of less than two million gallons per

NATURAL RESOURCES

day in any 90-day consecutive period for agriculture must be handled by the MDA.

We support:

- Continued MFB leadership in the implementation of Public Acts 179-189 of 2008 in accordance with MFB policy.
- Basing all water use policies and regulations on credible scientific research.
- Landowners receiving water recharge credit for maintaining open, undeveloped ground. Water use reporting should include “water in” (rainfall) provisions. We encourage the development of incentives for farmers who recover more water than they use.
- Legislation that strengthens Michigan’s authority to conserve and protect the waters of the Great Lakes Basin.
- Research that enhances understanding of the water resource, validates the ecological benefits associated with agriculture’s role in the water cycle, and leads to increased agricultural water use efficiency.
- MFB taking a leadership role in the development of partnerships that result in increased education and a high priority for agricultural water use.
- Increased education, financial and technical assistance for farmers who participate in voluntary, incentive-driven water use conservation programs.
- The MDA Water Conservation Program and encourage all applicable water users to make use of this program. MDA should continue to be the primary department for agricultural water use reporting and conflict resolution.
- Water use record keeping on farms for the purpose of increasing water use efficiencies, protecting producer rights to water access and validation of agricultural water use as a high priority for water. We support only the voluntary use of monitoring wells with associated cost-share.
- Inclusion of all agricultural water uses within the Michigan Agriculture Environmental Assurance Program (MAEAP). The State should be required to have a greater burden of proof in determining that a water use is causing an adverse resource impact if the producer is verified as addressing applicable water conservation measures through MAEAP.
- The inclusion of scientifically sound, environmentally protective and economically feasible water conservation measures in Generally Accepted Agricultural and Management Practices (GAAMP).
- Increased development and use of the Michigan Well-Logic System, a database of residential well logs. Accu-

NATURAL RESOURCES

rate records of existing residential wells are needed to assess Michigan water supplies and use.

- Seasonal exemptions for shallow aquifer water withdrawals from the Michigan Well Code.

We oppose:

- Any water allocation system that preempts the riparian doctrine (surface water) or groundwater rights.
- The application of a “public trust doctrine” to groundwater.
- Diversion of water in its natural state from the Great Lakes Basin.
- The definition of consumptive use as applied to agriculture.
- Legislative or regulatory efforts that result from federal, regional, state and/or local initiatives that adversely impact agriculture.
- Attempts to limit efficient agricultural water use.
- Water use prioritization.
- Filing fees for agricultural water use reporting.
- The use of collected agricultural water use data for regulatory purposes or to advance agendas that are in opposition to efficient agricultural water use.
- Changes to the well code that place economic or regulatory burdens on landowners in the absence of sound science.
- Any attempt to turn water into a commodity.
- Any attempt to repeal PA 177 of 2003, that is designed to address and prevent water use conflicts.
- The designation of any sole source aquifer by the EPA which crosses a state line.

WETLANDS PROTECTION ACT

87

The interpretation and enforcement of the Wetlands Protection Act by the Department of Environmental Quality (DEQ) has resulted in saving valuable wetlands, but has also placed a disproportionate burden on some landowners.

In October of 2009, the Governor signed into law PA 120. Michigan Farm Bureau supported this legislation as it:

- Adopts a definition of wetlands that is based on the US Army Corps of Engineers (USACE) 1987 delineation manual and regional supplements, allowing Michigan to utilize a definition and interpretation of a wetland that is consistent with the USACE and surrounding states and evaluates water presence, wetland vegetation presence and hydric soil presence. We support the regulation of a wetland if it meets this same criteria. We oppose wetland determinations that do not meet this definition and DEQ actions that violate private property rights.
- Adopts several of the nationwide permit categories

NATURAL RESOURCES

administered by the USACE to streamline the permitting process and minimize Department of Natural Resources and Environment (DNRE) staff review.

- Adopts a standard consistent with USACE for prudent and feasible alternative analysis during wetland permitting. This standard will require DNRE to consider unreasonable costs in reviewing alternatives to projects.
- Creates incentives for the development of wetland crop species. The Commission of Agriculture in coordination with DNRE will be identifying at least 2,500 acres of potential new cranberry sites. The new law provides a waiver of the pre-application meeting fee until October 1, 2012 for cranberry development. The Act also acknowledges that the construction of cranberry beds is a water dependent activity and is afforded the same presumptions as the federal standard. We believe this Act clarifies the original intent of the law to allow for the production of new and existing crops.
- Creates a pilot program to evaluate a standard determination process that may allow others to perform and be accepted by the DNRE within the scope of federal law.
- Creates a pilot program to utilize mitigation banking to provide additional options and expedite the permit review process as it pertains to mitigation requirements.
- Does not increase fees to fund the program. The program will be temporarily funded until 2012; however, appropriate future funding amounts and sources are not currently identified.
- Develops a Wetland Advisory Council (WAC) to review Michigan's wetlands program including new reform measures and providing recommendation to the legislature. MFB must be engaged in the review process and ensure that agriculture has a voice.
- Recognizes that the DNRE guidance documents shall not be given the force and effect of law.

This legislation is a positive step. MFB must remain vigilant in protecting agriculture's interest in wetlands regulation. While we support the full implementation of the reforms achieved through PA 120 of 2009 and the work to be performed by the WAC, if this is not possible, we recommend the DNRE relinquish their authority to the US EPA to administer the Clean Water Act Section 404 (Wetlands).

The DEQ has completed the wetland inventory throughout the State. MFB is concerned the inventory includes wetlands that do not meet the new wetland delineation standards. The inventory should not be used for regulatory purposes.

We recommend the following:

- Compatible agricultural uses should be allowed in

NATURAL RESOURCES

wetlands. Wetland vegetation should be defined as obligate hydrophytes.

- There should be no regulation of man-made wetlands or voluntarily established wetlands that serve as conservation practices implemented through state or federal programs.
- Allowing application of spoils and sediments to farm fields at agronomic rates in accordance with state and federal requirements if contaminants are present.
- Saturated soils caused by improper drain maintenance or beaver activity should not be subject to wetlands regulation.
- County drain commissions be the sole authority with regard to public drainage ditch culverts and maintenance.
- Statewide standards for wetlands determination must be established to ensure uniform application at all locations and establish the historical reason for the wetland.
- Permits must be issued promptly.
- Where application of this Act results in a substantial or total loss of the value of the property, the State must fully compensate the property owner. Control and access to the property must remain with the property owner.
- Exclude all prior converted wetlands from regulation.
- Cost-sharing or other incentives for wetlands restoration programs on farms.
- Establishing a fund to compensate neighboring farms for their economic loss due to unforeseen problems created by wetland restoration.
- Implementation of voluntary programs like the wetland reserve program and the conservation reserve enhancement program whereby farmers receive compensation in exchange for a conservation easement.
- DNRE and Natural Resources Conservation Service completely explain landowner obligations associated with the maintenance and/or reversion of a constructed wetland, which apply after the termination of the contract.
- Creative solutions that reflect economic and environmental realities to resolve wetlands disputes.
- Productive agricultural land should not be used to mitigate wetlands, especially by condemnation.
- Wetland violations be heard within the court jurisdiction where the violation has taken place.
- Research that explores the correlation between West Nile Virus and standing water.
- Fencing for agricultural purposes be considered an agricultural use under Michigan law and regulations.

DNRE should recognize the section of the Wetlands Protection Act that finds wetlands to be valuable as an agricultural resource for the production of food and fiber, including

NATURAL RESOURCES

certain crops which may only be grown on sites developed from wetlands. The Act allows for water management necessary for production and harvesting of agricultural products without a permit. We urge DNRE to follow the intent of the law and allow crops, such as blueberries, cranberries and wild rice, to be produced in wetland areas without a permit.

WILDLIFE MANAGEMENT

88

Wildlife is an important part of Michigan's outdoor heritage and the State's economy. However, sound biological science must be used to manage wildlife properly and to minimize property loss and the spread of disease. Diseases like bovine tuberculosis (TB), Chronic Wasting Disease (CWD), and West Nile Virus, and their negative potential impacts on human health, demonstrate the urgent need to effectively manage wildlife populations. The presence of bovine TB in livestock herds results in the quarantine of those herds and, with few exceptions, depopulation. We believe the same standards for herd depopulation should apply to wildlife species within an established area. Normal agricultural practices should not be construed to be feeding and/or baiting of wildlife for law enforcement purposes.

We believe hunting and trapping should be protected as an appropriate means of wildlife management. We encourage farmers to allow responsible hunters to hunt on their farms in reasonable, safe numbers. PA 733 of the Natural Resources and Environmental Protection Act provides landowners with liability protection whether people entering the property have permission or not and whether the landowner charges a fee or not. This Act, along with a sample lease agreement for hunting, is available on the Michigan Farm Bureau Web site. We urge farmers to contact the Department of Natural Resources and Environment (DNRE) as soon as possible to learn about the different management tools available to landowners and implement these tools on their farms. We support minimal fee increases for general hunting licenses, but do not support fees for management tools used to address wildlife that negatively impact agriculture. We encourage farmers to contact USDA-APHIS Wildlife for help controlling federally protected species, including sandhill cranes. Cost-share dollars should be available for fencing to protect feed storage in all areas where wildlife is over populated, as well as in TB areas.

Deer

White-tailed deer continue to cause economic difficulties for Michigan farmers due to crop damage and animal health issues, and car/deer crashes represent a significant public hazard. Large-scale efforts are necessary to reduce deer populations in many areas of the State.

NATURAL RESOURCES

We are encouraged that deer population levels in Northeast Michigan have been significantly reduced, and this good work must continue. The combination of liberal hunting regulations, easy permit access, and sense of urgency from the DNRE, Michigan Department of Agriculture and Department of Community Health has yielded these results. We call on the DNRE to implement these same strategies in areas within Deer Management Units (DMUs) that are over goal to return and maintain deer population levels to the management goal level. We encourage the DNRE to review DMUs and consider reconfigurations based on biogeographic areas as has been done in the past.

We support a Michigan Hunter and Farmer Partnership Initiative that will forge new levels of cooperation and communication between hunters, farmers and the DNRE.

Under this initiative, MFB will:

- Make available to its members the opportunity to list their farm on an MFB database of farms willing to accept hunters.
- Develop a list of hunters and make this list available to interested farmers.
- Encourage farmers to implement on-farm hunting practices that result in maximizing antlerless harvest and thus reducing deer populations.

The DNRE will:

- Make permits more readily available to farmers until deer populations reach DMU target populations.
- Consider special hunting opportunities to accomplish critical population control where necessary.

Within the Michigan Hunter and Farmer Partnership Initiative, the farmers retain all landowner rights of hunter selection and access and have the option to provide hunters with additional permits.

MFB should continue to serve as a coordination point for conflict resolution between farmers and wildlife biologists on appropriate population reduction measures.

Significant hunting activity is necessary to effectively reduce the number of deer to a level that will alleviate overpopulation concerns. We support the following measures:

- Starting of Fire Arm Deer Season on the second Saturday in November and to end on the 30th of November and in no year be less than 16 days.
- Reduction of out-of-state deer hunting license fees to make Michigan a more attractive destination for non-resident hunters.
- A statewide ban on feeding and baiting of free-ranging deer.
- Strengthening the fines and penalties for illegal feeding

NATURAL RESOURCES

and baiting, in the absence of a statewide feeding and baiting ban, to those similar for poaching violations (heavy fines, seizures of guns and vehicles).

- Timely issuance of antlered and antlerless permits when needed.
- No permit fees if a landowner has experienced damage in the current crop production year.
- The creation of a single permit at no cost to be used for deer management, allowing the harvest of any sex, that will be available throughout the year with liberal regulation on the number of shooters (e.g. combined crop damage permit, disease control permit, block permit, etc). Until this is implemented, we support continued availability of crop damage and disease control permits throughout the year with an expanded number of shooters.
- Significant expansion or reinstatement of both early and late seasons where needed.
- Any other legal technique to increase the harvest.
- The legalization of a cross bow during archery season for all Michigan residents.
- Continuation of an early hunting season for youth, senior citizens, and handicapped individuals.
- Granting all farmers, family members, and farm employees, where crop damage occurred, the right to hunt deer and turkeys on their farm without license fees, as well as on rented or leased land (with permission). Farmers processing harvested deer should be permitted to dispose of unused parts on their farms by proper burial or composting.
- Automatic issuance of block permits for new fruit tree plantings and other crop plantings, which are very susceptible to damage, during the critical early years of the planting.
- Increased voluntary checks of all deer taken in Michigan.
- An increased number of DNRE approved check stations for added convenience.
- A free replacement hunting tag for hunters who turn in a deer that is suspect for TB and confiscated.
- Identity protection for landowners and/or farmers who request block and/or crop damage permits.

We oppose the granting of permits for the importation of free-ranging deer. We also oppose mandatory Quality Deer Management (QDM) programs which regulate the taking of deer by size of antlers. Any efforts to implement QDM (i.e., studies and surveys) must be paid for by proposing private parties. The second buck tag in Michigan should have no antler size minimum.

NATURAL RESOURCES

We urge MFB to take a proactive approach with insurance companies and the agricultural community to communicate the need to the Natural Resources Commission that the deer population needs to be significantly reduced.

Feral Swine:

Feral swine cause a tremendous amount of damage to Michigan's natural resources and private property. MFB supports the statewide eradication of feral swine.

Turkeys and Geese

Turkeys and geese are increasingly becoming overpopulated in many agricultural areas and are creating extensive crop damage. We suggest the following measures be taken before turkeys/geese become unmanageable in Michigan:

- Include turkeys and geese under the small game license program.
- A continued expansion of the hunting seasons and bag limits for geese and turkeys.
- Landowner permits.
- A block permit program.
- Out-of-season shooting permits.

Sandhill Cranes

The population of sandhill cranes has significantly increased in certain areas of the State. The species are very destructive to small corn and wheat seedlings requiring replanting in many cases.

We request this problem be researched by the DNRE and U.S. Fish & Wildlife Service to implement a hunting season or other appropriate means of control. This specie is hunted in other states.

Wolves

The administrative decision, due to recent court cases, to relist the Eastern Gray Wolf as an endangered species is a major disappointment. We urge the U.S. Fish & Wildlife Service to provide the necessary information to the federal court and vigorously pursue the delisting of the Eastern Gray Wolf for the Great Lakes states of Minnesota, Wisconsin and Michigan. We urge American Farm Bureau to take a proactive approach and assist the U.S. Fish & Wildlife Service to expedite the delisting. We urge MFB to continue its active role as a major stakeholder in the implementation of the Gray Wolf Management Plan. Farm Bureau supports the Wolf Management Roundtable recommendations for indemnification programs and opposes the relocation of wolves into areas where livestock are present. We support standardized procedures for reporting and investigating wolf concerns which would culminate in a written report of investigation findings made available to the producer.

NATURAL RESOURCES

Other Wildlife

We remain concerned about all species of wildlife that are becoming increasingly destructive and may be carriers of infectious diseases. Where possible, we encourage the DNRE to develop incentive programs (i.e., bounties) to encourage the taking of these animals by the hunting public.

When wildlife and/or protected species become destructive to private property, exceed the DNRE 's scientific population level goals, are found to be carriers of infectious disease, or exceed their habitat range, immediate proactive population control tools or relocation must be initiated to avoid agricultural losses or the State should be liable for subsequent damage. We support the concept of block permits to aid in wildlife population reduction.

Whenever a species is introduced, relocated or expanded in a new area, the State must provide compensation for property damage caused by these species.

We encourage and support the establishment of a wildlife summit in Michigan. The purpose would be to discuss the balance and scope of the wildlife population in Michigan and its impact on the overall economy and animal health.

Legal Action

If the DNRE eliminates or severely restricts the new tools available for landowners to control wildlife on their farm, we believe the following issues may need to be resolved by legal action in order to protect agricultural businesses from economic losses or transmission of disease:

- Private landowners should have the legal right to manage overpopulation of wildlife on their land in order to avoid economic losses through destruction of their crops and livestock by wildlife.
- The State of Michigan will be obligated to provide full compensation and/or provide adequate fencing to landowners who are unable to control the wildlife engaged in the destruction of their crops and livestock.

FEES

89

As the State faces continued revenue shortfalls, we are concerned that adequate funding be available to continue to protect food safety, plant and animal health and other agricultural programs (e.g., agricultural research and diagnostic capabilities). We are very concerned with the expansion of new and increased fees which impact agriculture.

The expansion of fees is a major concern for agriculture because:

- Fees constitute taxation without representation.
- Fees may not be in relation to service provided and generate revenue in excess of the cost of service.
- Fees might be interpreted as a replacement for general fund dollars.
- Fees are a cost on a select and limited sector of the economy.

We recommend that Michigan Underground Storage Tank Financial Assurance (MUSTFA) Fund fees be used only for their intended purposes.

We oppose any revenue generating fees which are charged by the State of Michigan, based on a violations history, rather than from new violations.

Compliance monitoring and enforcement that benefit the general public should be funded from the general fund. Funding for general administration and operation should be funded by the general fund, not fees.

Departments which depend on fee-based revenue must continue to receive annual legislative review and oversight.

An economic impact should be completed on the permitted entities before the fee is implemented.

Car and truck license fees are based on the value of the vehicle. License fees are reduced the first three years on a new vehicle and then stay the same regardless of the age or value of the vehicle. Due to the fact that people are keeping their cars and trucks longer because of the high cost of replacement, there should be a fee adjustment every three years as the vehicle declines in value.

We support the continuation of permanent trailer license plates without additional fees.

MOBILE HOME TAXATION

90

The current \$3 per month fee, in lieu of taxes, for mobile and modular parks and communities has not changed since 1959. While the \$3 per month fee has remained the same, average property tax rates have increased sharply during the same period. The occupants of those parks and communities share in the use of public services and infrastructures, however they do not pay their fair share to maintain them. A solution must be formulated and implemented in order to bring equity to

mobile home taxation.

We urge the support of legislation that reforms the property tax system with regard to mobile homes with the following changes:

- Mobile homes be assessed as real property, taxing them at half their market value.
- Farmers who lose their single-wide mobile home due to storms, fire or flood should be permitted to replace it with a similar single-wide mobile home.
- Mobile homes used as farm buildings shall be taxed accordingly.
- Impose a six percent transfer tax on the sale of a mobile home.
- Eliminate the sales tax on the resale of mobile homes.
- Eliminate the current trailer coach tax on mobile homes.
- Strike the authority of the manufactured housing commission to control site plans for mobile home parks and return that responsibility to the local authority.

Taxes on the land and improvements to this land, and the lots thereon, should continue to be paid by the park/community owners.

TAXATION

91

Agricultural property in Michigan is taxed at approximately twice the national average, which is a significant cost.

We support:

- Development of legislation to allow landowners to voluntarily enroll in a program that reduces assessments on farm buildings by up to 100 percent of their current taxable value and assesses farmland, including managed woodlots/forestland, with a goal of reaching a property tax rate of \$5-7 per acre. Voluntary enrollment in the program, open to every farmer, would be in exchange for temporary/long-term preservation of farmland for a contract period of approximately 20 years or more with a recapture penalty for early withdrawal or when property changes out of agricultural use.
- All agricultural structures and land be classified and assessed according to their use.
- All agricultural single purpose structures, such as greenhouses, grain bins and silos, be assessed using a realistic accelerated depreciation schedule considering the current practical use of the structure.
- A clarification that all temporary agricultural structures, which are moveable and not permanently attached or anchored to the ground, be exempt from personal and real property taxes as referenced in Revenue Administrative Bulletin 2002-15 of June 2002.

TAXATION

- All farmer-owned woodlots/forestland with an appropriate forest management plan be classified agricultural and qualify for the agricultural exemption, whether they are contiguous or not to the main farming operation.
- All woodlots/forestland with an appropriate forest management plan be classified agricultural.
- Amending the current law to also protect the qualified forest property from the pop-up tax as long as the new owner agrees to keep up the qualified forest land agreement.
- A reduced tax designation or tax exempt status for land which is designated for mandatory restricted use such as wetlands, filter strips, sand dunes, natural or scenic rivers, or other restrictions on private property.
- The retention of the right of local governing units to assess property for taxation purposes.
- Tax credits used to create jobs and tax equity for the agricultural economy.
- The continued use of tax abatements and Renaissance Zones to encourage the development and expansion of agricultural facilities to enhance value-added opportunities for agriculture.
- Legislation that would allow a farm to include all parcels of the farming operation together when determining the ag classification. If the total farm would qualify for PA 116, then all parcels should maintain their ag classification. Non-contiguous parcels are being reclassified to residential unless 51 percent of the parcel is farmed. Property in Northwest Michigan, and possibly in other parts of the State, cannot be farmed at 51 percent because of the topography.
- Exempting PA 116 land from all special assessments excluding agricultural drainage.
- Special property tax millages that are for public use projects (i.e., school assessments, parks, civic centers, public transportation, Commission on Aging and other social programs) be based on taxable value of the residence only and not assessed on farmland, business or industry.
- A continuation of the agriculture sales tax exemption for the equine industry.
- Michigan becoming a Right to Work state.
- The continuation of Proposal A in its current form, as it pertains to agriculture.

We recommend all pension and retirement income, both public and private, be taxed at the same rate.

We encourage the State of Michigan to provide tax incentives for the production, distribution and sale of renewable fuels and energies including, but not limited to, ethanol, biodiesel, wind power, methane digesters, hydropower and solar energy.

TAXATION

Currently state sales tax is charged on not only the value of motor fuel, but also on the federal manufacturers excise tax. We oppose charging state sales tax on the federal manufacturers excise tax.

We oppose:

- The reduction of taxes levied on state-owned land below current levels.
- Sales tax levied on the sale of used vehicles.
- Any tax on food or food additives, including but not limited to, so called “sin taxes” on products like processed sugar.
- The reclassification of agriculture and forest land (containing an appropriate forest management plan) to a residential classification when no residential structure exists.
- Reinstatement of the Michigan estate tax, often referred to as the death tax.
- Any effort to tax farmer-owned cooperatives on disbursements or credits that are taxable in the hands of patrons.

We recommend the State sell some land to meet its obligations and return the land to private ownership and the property tax roll.

The State of Michigan currently has the authority to claim property by forfeiture at an accelerated schedule for tax delinquency. This acceleration was aimed at urban areas to assist them in cleaning up abandoned structures and redeveloping blighted areas. Agricultural land does not fall under either of these categories, but is fully at risk of accelerated forfeiture due to the lack of economic stability and the wide fluctuations in commodity pricing. We recommend that the timeframe for qualified agriculture property be lengthened to a period of three years between the start of delinquent status to the expiration of redemption rights. We believe the private individual should have the first option to redeem delinquent property.

We support changes to the summer tax collection providing for a life-time deferment of summer tax for qualified agricultural land if the owner files a federal Schedule “F” Income Tax Form or comparable farm income tax filing.

We encourage clarification of tax law, including personal property and Michigan Business Tax, to maintain agriculture’s tax status. We will oppose any plan which places an undue or unrealistic tax or fee which directly or indirectly affects agriculture, such as a tax on gross receipts, a tax on personal property or a tax on assets.

We believe all PA 116 claims, which are correctly filed, should be paid within 90 days. When the application is filed, the applicant should be notified of any deficiencies within 30 days of filing, with specific directions of the needed corrections.

ABANDONED RAILROADS

92

The changing of a railroad right-of-way from its intended use should result in compensation to property owners whose land had been originally purchased or condemned for the purpose of the railroad right-of-way. All railroad rights-of-way not currently used for railroad traffic should be reverted to, or offered for sale at or below fair market value, to the current owner of record of the underlying parcel of real estate from which said right-of-way was originally obtained. Whenever determined not possible, landowners shall be compensated for the condemnation of the land or a change to a non-railroad use.

We propose a state standard be developed by the State Department of Transportation requiring removal of non-service or abandoned grade crossing signage within a set time period after public notification of rail line non-service or abandonment.

In areas where trails run through production agriculture and other private lands, the authority responsible for the trail should build and maintain fences to keep trail users on the trail and install gates so that property owners have access to both sides of their property if the trail divides the property. All users of the trails shall stop or yield at all crossings, regardless of whether public or private.

We urge county Farm Bureaus to become involved when master plans are being developed for trails in their area. We urge the Natural Resources Commission to oppose any proposed trail that does not adequately meet the criteria designated in the Michigan Trailways Act. We urge the same criteria be used when local trails are proposed. Local trailway advisory councils and planning commissions should adequately address any potential conflicts with current uses of adjacent properties such as irrigation, pesticide applications and other accepted agricultural practices.

We support the recreational use of horses on converted railroad trails.

COUNTY ROAD COMMISSIONS

93

The Board of County Road Commissioners is a unit of local government responsible for maintenance and construction of most roads within a county. The three or five member boards have six-year staggered terms and are, in most cases, appointed by the County Board of Commissioners.

A local option provision in the law permits the election or appointment of the Board of County Road Commissioners. We continue to support this system of local control selection. Road Commissions were established by a vote of the people. We do not support allowing a County Board of Commissioners to abolish the road commission by resolution.

We believe each county should have the option to decide

TRANSPORTATION

if it needs a three or five member county road commission. These should be by district, regardless of population, and representative of all areas of the county. Commission members should serve four-year staggered terms.

We encourage county road commissions to work in coordination with local planning and zoning boards, as well as affected property owners, in order to minimize road construction costs and gather public input.

We believe the county road commissions must dedicate themselves to using the most economical means possible to establish and maintain an efficient transportation system.

We believe the County Road Commission should utilize MDOT's Asset Management Program, or a similar program, to annually evaluate conditions of all roads and dispersal of funds under their jurisdiction and report such findings to the public.

FARM AND COMMERCIAL VEHICLES 94

As farm suppliers and markets become fewer and farther between, distances farmers must travel for supplies, services and markets have increased substantially. We support a change in the "F" endorsement such that the distance limitation is increased up to 300 miles, or anywhere within the State of Michigan, subject to federal regulations.

We support uniformity of enforcement of trucking regulations by all enforcing agencies.

We support allowing farm trucks that are mandated to have annual inspections to be allowed bi-annual inspections if driven less than 5,000 miles per year.

Michigan Farm Bureau should provide information to members regarding the proper uses of farm-plated vehicles.

HIGHWAY IMPROVEMENTS AND MAINTENANCE 95

Michigan Farm Bureau recognizes the importance of highways to agriculture. Investment in infrastructure, such as highways and airports, can be directly linked to growth in business and economy. Improving Michigan's transportation system will create jobs, attract business and strengthen our economy.

We support an advance stop light change warning system at major state highway intersections. This advance warning system would alert drivers to a signal change from green light to a yellow light, allowing drivers extra time and distance to slow and stop vehicles before the red light is illuminated. This advance warning system would read "when light is flashing be prepared to stop."

We encourage the privatization of road maintenance and the mowing and trimming of road ditches when feasible.

When roadways are improved or developed, we recommend:

- Ending the inclusion of planned wildlife habitat in the construction and renovation of Michigan highways.

TRANSPORTATION

- Emphasis on improving existing roadways prior to constructing new highways.
- Wetlands mitigation not be required if improvements to the road are within the existing road right-of-way.
- Every effort be made to select alignments that preserve productive farmland, wetlands and historical sites.
- Every consideration be given to landowners adjacent to the roadway to provide for safe travel for farm machinery and products.

Further, we believe:

- Hardtop roads of adequate width should be marked with highly-reflective center lines and sidelines as an aid to safer nighttime driving.
- The designated maintenance authority should clear and maintain roadsides and intersections of hazards within the road right-of-way that obstruct the view of motorists and impede road drainage or cropland drainage. Farmers should avoid blocking intersection views by using the triangular sight-line system.
- Proper grading and bank reseeding should be completed where road construction occurs to improve road safety and reduce erosion.
- Renewed emphasis should be directed toward the placing of crossroad, yield or stop signs at unmarked rural intersections.
- All rural roads should be marked with a name or number.
- Mail and newspaper boxes should be placed on the same side of the road and as far from the traveled portion of the road as safety allows.
- With increasing height and width of farm and custom application equipment, any traveled portion of the road shoulder and right-of-way should have trees and overgrowth trimmed to a minimum height of 15 feet and the width of the road right-of-way. Also, a reasonably safe condition should be provided by the respective road agency.
- Reflectorized material should be on the outer edge of snow blades to be more visible at night.
- New road construction, improvements and maintenance of existing roads should be carried out in a spirit of cooperation between local, state and federal agencies involving constituent groups throughout the project.
- New development may have an adverse impact on the rural road system. The cost of road improvement to meet development impact must be shared by the developer.

The Michigan Department of Transportation should fix and maintain fencing along state highways as part of the maintenance of that highway.

Agriculture is dependent on a sound transportation system to move materials and products to and from farm and market. We are especially concerned with excessive use of road salt, the adverse effect it has on the environment, and the increased rate at which it deteriorates roads and bridges in urban and rural Michigan.

We support:

- The use of Calcium Magnesium Acetate (CMA) or other ag-based products for de-icing roads and bridges, including the use of sand, when environmentally and economically feasible.
- A reduction in ice melt and dust control products containing sodium chloride, with no salt being used adjacent to sensitive perennial crops and/or arable soils, wherever feasible.

Michigan's road and highway maintenance budgets have regularly seen funding short-falls over the last several years, and these funding deficiencies are growing due to the rising maintenance costs coupled with increases in automotive fuel economy. All transportation expenditures must be examined to achieve the best and most efficient use of transportation funding.

We support:

- User taxes when new revenue is needed for roads and bridges. New revenues for roads and bridges shall go through the current PA 51 formula. Such taxes must be in line with maintenance costs and should be consistent with neighboring states. We must not revert to the property tax or special assessments as a means of building and maintaining state roads and bridges.
- Diverting up to 100% of state sales tax collected on motor fuels from the general fund to the PA 51 formula to provide additional road funding.
- An increase in the return of Michigan collected revenues sent to the National Highway Trust Fund.
- U.S. 23 from Toledo to Flint be reclassified as an interstate highway.
- Issues of jurisdictional transfers of roads must be carried out in the spirit of cooperation.
- The use of private contractors and a bidding process for road and bridge development and maintenance.
- More effective use of Michigan's mass transit funds. Ten percent of Michigan's transportation funds are dedicated to mass transit systems. We urge new or improved mass transit options be studied, including waterways, in appropriate areas.
- Raising the statutory limit on the amount of funds that

TRANSPORTATION

can be transferred from primary to local road systems.

- Requiring consideration of agricultural drainage needs, including proper placement and size of culverts, when planning, designing and maintaining roads.
- Research to develop better materials for road and bridge construction and maintenance.
- The purchase of right-of-ways for the construction of complete cloverleafs when new freeways are built.
- Allocating funding from the Department of Natural Resources and Environment (DNRE), at a reasonable rate, to the responsible road maintenance body for removal of wildlife carcasses from the roadways and rights-of-way.
- Adequate funding of the Michigan Forest Roads Program.
- Long-range planning on road construction projects consider not only future needs of the area but also the effects on agriculture.

We support Public Act 51 and the principle of a legislated distribution of the Michigan Transportation Fund.

We support the following PA 51 changes:

- At least 25 percent of federal road funds go to local road agencies. At least 25 percent of federal bridge funds go to the Local Bridge program for use by local road agencies.
- Before any debt is serviced, the Transportation Economic Development Fund (TEDF) shall be allocated with 25 percent to urban counties and 25 percent to rural counties, as defined in TEDF.
- An increase in federal highway funding and the TEDF dollars used to finance a portion of the all-season road program.
- All Michigan Transportation Fund revenue be earmarked for maintaining and improving our transportation infrastructure. Eliminate non-road related earmarked administrative funding and off-the-top state debt service from the Michigan Transportation Fund.
- Provide a role for counties and townships in road improvement decisions.

While maintaining safe bridge structures, increased costs to meet DNRE specifications should be paid for by the respective State agency.

We support the current Michigan per axle weight limits for trucks on state highways. These axle limits should be extended and consistently applied on all county roads. Due to changes in moisture and weights on farm commodities, it can be very difficult to determine if the legal weight limits are being met when loading from the field. We support up to a 10 percent exemption on load limits, or up to a 20 percent tolerance over the legal weight limit on axles provided the vehicle

TRANSPORTATION

is at or below its legal gross weight, for all farm and forestry commodities loaded out of the field or farm storage.

We support:

- A statewide method to determine when to apply and remove spring load restrictions on county roads.
- Reasonable standardized Frost Law permitting criteria and fees for all counties within the state.
- Requiring the Michigan Department of Transportation (MDOT) to issue permits for the trucking of agricultural and forestry commodities at normal load limits during spring weight restrictions.
- Requiring all state highways be brought up to Class A designation as soon as possible. Until they are, local units of government need the authority to give seasonal permits for movement of agricultural produce.
- The MDOT being allowed to issue seasonal permits which allows farm equipment to be trailered on weekends, as well as week days.

We oppose city, township and village fines that are allocated for local law enforcement. We support earmarking all or part of these state, local and county fines for roadway repair to be distributed back to counties through the Transportation Distribution Fund formula.

If a builder develops a housing development near a freeway or existing highway which is considered noisy, the developer should be responsible for erecting an acceptable sound barrier.

IMPLEMENTS OF HUSBANDRY 97

We support revisions to the Michigan Vehicle Code to update the definition of “Implements of Husbandry” to better meet the practices of agriculture. Consideration should be given to functional use of the vehicle, speeds at which the vehicle travels, and distance traveled to and from the agricultural enterprise.

Pickups, like farm tractors, should be allowed to tow two wagons or trailers, provided the combination of trailers does not exceed the towing capacity of the pickup and the pickup does not travel at speeds greater than 35 mph.

We encourage implements of husbandry to be operated and maintained within manufacturer’s recommendations.

RAILROADS 98

We encourage the continuance of rail service in Michigan.

The transportation of agricultural and forestry inputs and commodities produced is dependent upon efficient and continued railroad service. Mergers with the industry and low priority designations by railroad management have created an unstable and, in some areas, unreliable rail service. Farm Bureau should work with the Michigan Department of Agriculture, the Michi-

TRANSPORTATION

gan Department of Transportation, the U.S. Department of Transportation and the U.S. Congress to ensure future investment and expansion of commodity and passenger rail infrastructures in Michigan and throughout the United States.

We urge the responsible authorities to replace existing railroad cross buck signs with cross buck signs which are reflectorized on both sides. These signs create a flashing light to warn approaching traffic at the time a train is traveling over a crossing.

To enhance the safety of drivers, we support efforts to require stop signs or warning lights to replace yield signs where visibility is limited.

To improve visibility, we support legislation to require railroads to use reflectors or reflectorized paint or tape on the sides of rail cars. In addition, we support the use of strobe and ditch lights on railroad engines and the last car.

When changes in Michigan railroads are proposed, the public notice & hearing process used for Michigan highway projects should be used to ensure the viewpoints of all affected parties are considered.

If existing crossings are required to be closed, acceptable rail crossing alternatives should be developed and railroad crossing upgrades be completed in a timely manner.

Private agriculture crossings should be exempt from closure and treated as nonresidential seasonal agriculture use.

If safety mechanisms at private crossings are determined necessary, the requesting party should be responsible to pay for these mechanisms.

When railroads bisect a fenced parcel of land, fencing along the rail corridor should be erected and paid for by the railroad.

Railway companies should be responsible to keep the railroad right-of-way free of brush for a reasonable distance at road crossings.

SAFETY ON ROADWAYS

99

We continue to support legislation which will promote highway safety. We believe bicyclists should be required to ride in single file on highways, or paved shoulders when available, instead of the vehicle traffic lane.

We strongly oppose section 660b of PA 339 of 2006. This section of law allows bicycle riders to ride two abreast on a highway or street. There is no definition of a bicycle lane they are required to use when available. This section of this law will create a very dangerous situation on our rural highways and country roads and is against Michigan Farm Bureau policy. This section of law needs to be reworked to address these problems.

We support legislation and education to improve the interface between farm machinery and other vehicles on Michigan

TRANSPORTATION

roadways. We recommend the Legislature enact law that will carry the same penalties for killing or injuring a person operating a vehicle with a legal slow moving vehicle (SMV) sign as those imposed to protect road construction workers. We support legislation that would require a rear approaching vehicle to reduce its speed to no more than 45 mph before passing a SMV–signed vehicle.

Where stop lights are present on highways with speed limits above 45 mph, we support the placement of a warning light and sign before the intersection that would flash a warning that “the light is about to change” in order to give trucks and large vehicles additional time to stop.

MFB is opposed to inappropriate use of SMV emblems. We support the following efforts to educate the public and farmers regarding the proper use and recognition of the SMV sign and implements of husbandry:

- Greater use of SMV questions on the driver license test.
- Labels on SMV signs to inform purchasers of the legal and illegal uses of the signs.
- Greater emphasis in driver education programs regarding how farm machinery operates on public roads.
- The creation of educational materials for use at Secretary of State offices.
- The use of farm traffic alert signs in areas of heavy farm traffic.

We also support:

- Minor restricted license eligibility. Licenses should not be based on taxable household income, and farm size should not be a factor. Licenses will only be considered for immediate family members.
- Enforcement actions taken when SMV signs are used for purposes other than legally intended.
- Efforts to implement visible lighting and SMV signs on horse-drawn vehicles and education regarding sharing the road with equine. We recommend horse-drawn vehicles have flashing front amber lights and flashing red tail lights.
- Farmers using care to keep field and animal residue off roads.
- More aggressive enforcement by local jurisdictions of laws pertaining to encroachments (e.g., mailboxes, shrines should be on one side of the road) on road rights-of-way.
- Farmers not being ticketed for livestock that escape onto roadways unless the farmer is negligent in the maintenance of his livestock enclosures.
- The placement of yellow flashing lights at the beginning of school zones.
- Legislation that makes texting while driving illegal.

FARM BUREAU

CITIZENSHIP

100

Continued unrest in the world today reminds us all that our rights as American citizens should never be taken for granted. Farm Bureau encourages its members and all U.S. citizens to take an active role in our form of self-government. It is our right and obligation, as a free society, to actively participate in our democratic political process as voters, informed citizens and political leaders.

We must teach the children of our communities how to become fully participating citizens and how to exercise their voice in the political process, especially by our own patriotic example.

As a united show of patriotism, Farm Bureau encourages all members to proudly fly the American flag and support the current U.S. military efforts to rid the world of terrorism.

COMMUNITY ACTION GROUPS

101

Community Action Groups (CAG) have served as a vital link to county Farm Bureaus by providing involvement through grassroots policy development, promotion and education, and other programs.

Building and improving programs for CAGs, plus starting new groups, are important goals for our county and state organizations. To achieve these goals, we urge county leaders to focus on the following objectives:

- Utilize current groups to help identify and sponsor potential new groups with emphasis on young families.
- Review CAG activities at the monthly Board of Directors meeting.
- Invite input and involvement from the community groups concerning county issues and programs.
- Encourage all new regular members to join an existing group or start one of their own.
- Utilize Farm Bureau Update at group meetings to keep the members up-to-date on key Farm Bureau issues.
- Provide an avenue for new technologies for member engagement, using alternative methods such as issue bulletin boards, discussion groups, chat rooms and web-based CAGs. CAG materials are available online at www.michiganfarmbureau.com/cag.

LEGAL DEFENSE FUND

102

The Michigan Farm Bureau Legal Defense Fund is designed to provide financial support in connection with legal issues of common concern to Michigan agriculture and, in particular, those issues where the decision will be viewed as establishing an important legal precedent.

During the past year, eleven requests were received from members seeking Legal Defense Fund assistance. The Legal Defense Fund Committee reviewed and supported six prece-

FARM BUREAU

dent-setting cases with grants totaling \$37,174. We commend the members of the Legal Defense Fund Advisory Committee for their efforts to thoroughly review each application for funding and thank them for their service.

Financial support for the Legal Defense Fund is derived from contributions received from MFB and the county Farm Bureaus. Income for the period September 1, 2008 through August 31, 2009 totaled \$29,729, with \$15,622 coming from county contributions, \$12,325 from Michigan Farm Bureau and \$1,782 in interest. The fund had a balance of \$189,510 on August 31, 2009. We thank all of our counties for their generous support.

We recommend county Farm Bureaus contribute to the Legal Defense Fund a minimum of 10 cents per member, based on prior year membership, and encourage them to make additional discretionary contributions whenever possible. Further, we recommend that MFB continue to contribute up to a maximum of \$20,000 annually, or an amount equal to that contributed by the county Farm Bureaus.

A letter requesting contributions, outlining significant activities supported by the fund and the present status of the fund balance, should be sent to the county Farm Bureaus prior to their annual budgeting process. The Chief Operating Officer of MFB should annually evaluate the need for contributions to the fund based on the accumulated fund balance and the requests for legal assistance.

MEMBERSHIP

103

Michigan Farm Bureau's 2009 membership of 189,958 maintains our position as the largest and most prominent general farm organization in Michigan. We commend the efforts of our volunteer workers, insurance agents, county administrative managers, staff and affiliate company personnel who worked together on the 2009 membership campaign. A total of 19 counties achieved membership goal in 2009, while 51 counties achieved regular member target.

Membership growth is a necessary element in maintaining the effectiveness of Farm Bureau throughout Michigan and the nation. We approve the 2010 membership goal of 190,025 members which represents a gain of one member in each county's year-end membership total.

Membership is the lifeblood of our organization. To that end, we encourage all county Farm Bureaus to conduct a vigorous new member campaign along with a concentrated renewal effort to meet our 2010 goal. An intense effort to bring new regular members and retain current regular members should be the primary focus of the volunteer membership drive. We encourage all counties to develop and maintain an on-going, up-to-date prospect list of potential

FARM BUREAU

regular members in their county. Campaign managers should strive to involve five percent of the regular members in the county membership drive. We also recommend that county Farm Bureaus put special emphasis to involve all county program areas in their annual membership drive.

Our Farm Bureau Insurance agents, managers and corporate staff play a major role in a successful membership drive. We encourage Farm Bureau Insurance management and agency managers to place a high priority on assisting counties to achieve their annual membership target and goal. Corporate business plans for MFB and Farm Bureau Insurance should identify membership growth as a state annual objective and work diligently to that end.

Due to the importance of county Farm Bureau offices and staffing, and in keeping with the original intent and purpose of Farm Bureau Insurance, we feel it is important for Farm Bureau Insurance to provide stable and dependable office support. To provide this stability, we feel that maintaining county Farm Bureau offices where they exist, versus developing new service centers for insurance only, needs to be a priority.

POLITICAL ACTION PROGRAM

104

The purpose of the Michigan Farm Bureau Political Action Committee (AgriPac) is to influence the nomination and election of qualified candidates who have demonstrated basic beliefs and/or actions consistent with Farm Bureau policy regardless of their political affiliation.

We believe county Farm Bureaus should play an active role in surfacing viable candidates, especially Farm Bureau members, for public office in open seats. We encourage the county Farm Bureaus to appoint a Candidate Evaluation Committee for the 2010 statewide elections and become actively involved in recommending “Friends of Agriculture” and electing them.

The MFB AgriPac Committee is appointed by MFB’s president, with consent of the Board of Directors, to designate “Friends of Agriculture” and provide a framework in which we can endorse and possibly financially support. AgriPac decisions look at the “big picture” and are based on input from County Candidate Evaluation Committees, voting records, and possible past Farm Bureau interaction with the candidate. The autonomy of the AgriPac Committee is crucial to its success. Nevertheless, prompt decisions and timely communication of final decisions to each county is important.

With the increasing number of legislative and regulatory issues facing agriculture, it is going to be imperative that we have as many “Friends of Agriculture” elected as possible.

Endorsements should not be withheld simply because the candidate is running unopposed.

FARM BUREAU

We ask that the AgriPac Committee research and conduct, when feasible, fund raising activities to increase the funds available to help elect “Friends of Agriculture.”

We encourage every member to make a voluntary annual AgriPac contribution.

We recommend Candidate Evaluation Committees be able to include questions that address local issues.

We acknowledge the work of the AgriPac Review Committee (ARC), as requested by delegates. The purpose was to review AgriPac’s structure, endorsement process, compliance with new election and campaign laws, to evaluate the uses of AgriPac’s resources and to make recommendations on areas of improvements. The ARC has made recommendations to the AgriPac Committee and the MFB Board regarding the current operating procedures of AgriPac, training materials for the Candidate Evaluation Committees, the endorsement process, criteria, and timeline, communication between AgriPac and the Candidate Evaluation Committees, communication between AgriPac and candidates, fundraising and, finally, ways to add value and desirability to the “Friend of Agriculture” endorsement.

PROMOTION & EDUCATION COMMITTEES 105

The purpose of the Michigan Farm Bureau Promotion and Education Committee is to be responsible for developing and facilitating projects and programs for all members in the various age groups. Such projects and programs include, but are not limited to, health and safety, leadership training, agriculture in the classroom, current agricultural issues, promotion of Michigan’s food and fiber industry, and consumer education. We encourage MFB to investigate options to help finance statewide promotion and education efforts.

We strongly encourage all county Farm Bureaus to appoint and maintain an active Promotion and Education Committee to address local agricultural needs.

We commend MFB for supplying video news releases and re-edited versions of the video newsletter, Farm Bureau Update, to RFD TV and Ag Day TV, which air nationwide shows, and to the Farm and Garden TV show, which airs statewide.

We encourage MFB to continue providing video production and distribution of agricultural news through these media channels, as well as providing ongoing video support services to the general news media markets.

We encourage the MFB Promotion and Education Committee to:

- Continue farmer education projects in farm safety, farm finance and related agricultural topics.
- Educate farmers to know, prevent and address vulnerabilities that would invite criticism and scrutiny from

FARM BUREAU

non-farm press, neighbors and customers.

- Continue development of in-service teacher education about agriculture.
- Continue to provide educational opportunities for Ag in the Classroom and support for the county Promotion and Education Committees.
- Recognize an Agricultural Promoter of the Year.
- Continue to financially support the statewide agricultural promotion campaign entitled Farmers CARE (Commitment to Agriculture while Respecting our Earth) to create a positive image of Michigan agriculture's environmental commitment and contributions.

We urge MFB to take a more aggressive leadership role in a consumer education and public relations campaign to provide a positive image of agriculture.

We encourage all Farm Bureau members to take an active role in educating their neighbors and consumers in an effort to spread general information on their food supply and scientifically-based production practices.

We urge MFB to spearhead a consortium of food industry and agricultural representatives to develop and market a public relations campaign to educate consumers. We support a proactive and aggressive effort to address attacks by activist organizations against agriculture. To promote and educate more of our consumers, we support utilizing social media, including but not limited to, Facebook, Twitter and You Tube.

Currently, state promotion and education programs are educating hundreds of thousands of children and consumers with support from the American Farm Bureau Federation (AFBF). The goal of these programs is to promote and educate the public about agriculture. We propose that AFBF continue to recognize promotion and education programs by enhancing outreach and networking efforts which might include a national program. We encourage AFBF to provide a direct link on the AFBF Web site to Promotion and Education materials from states that wish to participate. Based on state recommendations, AFBF has established an advisory committee to review how AFBF can support state Promotion and Education Committees.

SCHOLARSHIP

106

Michigan Farm Bureau has annually awarded a scholarship to three Michigan State University students who are pursuing a career in agriculture or a related field.

Last year the scholarship was available to students currently enrolled in an agricultural program at MSU pursuing a two-or four-year undergraduate or post-graduate degree at MSU in the College of Agriculture and Natural Resources. This scholarship is called "The Michigan Farm Bureau Scholarship Supported

FARM BUREAU

by the Marge Karker Scholarship Fund.” There were 19 applicants in 2009. We congratulate our 2009 recipients Emily Ries from Lenawee County, Brenda Sissing from Clinton County, and Julie Thelen from Washtenaw County.

Recipients are selected by a committee of three MFB Promotion & Education Committee members. The 2010-2011 scholarship will be available to a student currently enrolled in an agricultural program at MSU pursuing a two- or four-year undergraduate or post-graduate degree. Three \$1,000 scholarships will be awarded. Scholarship applications are made available through county Farm Bureau offices and the MFB Web site. The application deadline is March 1 of each year.

YOUNG FARMERS

107

The Michigan Farm Bureau Young Farmer program, designed for members 18-35, is key to the success of our entire organization. The program is regarded as one of the finest in the nation with a long-standing reputation for building strong agricultural leaders. We oppose any efforts to raise the age limit for young farmer eligibility above 35 years.

We encourage county Farm Bureau leaders to involve young farmers in all committees and boards. Young farmers are the future of our organization and county Farm Bureau leaders should make young farmer leadership development a top priority. Because of its importance to the future of the MFB organization and the overall future of agriculture, we encourage all county Farm Bureaus to have young farmer representation in their policy development process.

The MFB Young Farmer Committee continues to work closely with the Michigan FFA Association, FFA alumni, Michigan State University Agriculture Technology program, and the College of Agriculture and Natural Resources to create an awareness of Farm Bureau and the Young Farmer program. We further support the Collegiate Farm Bureau chapter at MSU which involves College of Agriculture and Natural Resource students in the understanding of agricultural policy and leadership development. We urge members who have students attending MSU to encourage them to participate in the Collegiate Farm Bureau. We encourage county Farm Bureau leaders to build local ties with these organizations.

The annual Young Farmer Leaders' Conference, sponsored by MFB and GreenStone Farm Credit Services, provides young men and women with an opportunity to learn more about Farm Bureau and participate in a leadership and educational program designed to further enhance their management skills. We urge every county Farm Bureau to send representatives to the conference in Grand Rapids, February 26-28, 2010.

MFB's Young Farmer program had an increase of applications submitted for the Young Farmer Awards and experienced

FARM BUREAU

a higher level of participation at the Young Farmer Leaders' Conference, District Discussion Meets and Young Farmer Golf Outing. We applaud the efforts of the State Young Farmer Committee in continuing to build the level of leadership and accountability of the entire Committee. The Committee is challenged to continue improving the level of leadership and success of young farmers in Michigan.

YOUNG PEOPLE'S CITIZENSHIP SEMINAR 108

Over the course of the last 45 years, Michigan Farm Bureau's Young People's Citizenship Seminar (YPCS) has helped thousands of high school juniors and seniors develop a keen understanding and appreciation for our nation's political process. Many officials who serve in local, county and state elected positions credit YPCS for spurring their initial interest in public service.

In order to maintain this outstanding youth program, county Farm Bureaus need to recruit students to be involved in the simulated electoral process. Therefore, we urge every county Farm Bureau to redouble their efforts to recruit the best and brightest students from their county and give them an opportunity to attend the YPCS seminar, June 28-July 1, 2010, at Northwood University in Midland.

ACRONYMS

AES - Agricultural Experiment Station
AFBF - American Farm Bureau Federation
AFNRE – Agriscience, Food & Natural Resources Education
ASA - Agricultural Security Areas
CNMP - Comprehensive Nutrient Management Plan
CWD - Chronic Wasting Disease
DEQ - Department of Environmental Quality
DMU - Deer Management Unit
DNR - Department of Natural Resources
DNRE - Department of Natural Resources and Environment
EPA - Environmental Protection Agency
GAAMP - Generally Accepted Agricultural and Management Practices
MAAZ - Modified Accredited Advanced Zone
MAEAP - Michigan Agriculture Environmental Assurance Program
MAZ - Modified Accredited Zone
MDA - Michigan Department of Agriculture
MDOT - Michigan Department of Transportation
MEDC - Michigan Economic Development Corporation
MFB - Michigan Farm Bureau
MIFMA - Michigan Farmers’ Market Association
MSU - Michigan State University
MSUE - Michigan State University Extension
NASS - National Agricultural Statistics Service
NPDES - National Pollutant Discharge Elimination System
NRCS - Natural Resources Conservation Service
NREPA – Natural Resources and Environmental Protection Act
PA - Public Act
PDR - Purchase of Development Rights
PSC - Public Service Commission
QDM - Quality Deer Management
RFS - Renewable Fuels Standards
SMV - Slow Moving Vehicle
TB - Bovine Tuberculosis
TEDF - Transportation Economic Development Fund
USDA - United States Department of Agriculture
VHS - Viral Hemorrhagic Septicemia
WRMP - Wildlife Risk Management Plan

INDEX

INDEXED BY PAGE NUMBER

4-H...13, 57, 58

A

Abandoned railroads...116
Above ground fuel...81
Accessory use...10
Ag in the Classroom...128
Agricultural drainage...77, 78, 85, 114, 120
Agricultural Experiment Station (AES)...57, 58
Agricultural funding...9, 33
Agricultural labor...62-65
Agricultural Preservation Fund...12, 85, 86
Agricultural renaissance zones...11, 12
AgriPac...126, 127
Agri-tourism...12, 23, 24, 67
Ag security...33, 68
Air quality standards...78, 79
Anhydrous ammonia...68, 69
Animal health...15, 23, 25, 29, 30, 33, 42, 68, 89, 107, 112
Animal I.D. system...29
Animal Industry Initiative...59
Animal welfare...13, 45
Aquaculture...16-18, 28, 29, 33

B

Bankruptcy...39
Beef Cattle Endowment Fund...58
Bio-controls...40
Biodiesel...18-20, 114
Biomass...18-20, 46
Biotechnology...17, 20-22
Bovine Tuberculosis...see TB
Brownfield redevelopment...87

C

Canada...38
Carbon...79, 80
Census of Agriculture...52
Cervidae...33, 42
Christmas tree...10, 38
Chronic Wasting Disease...30, 107
Clean Air Act...18
Clean Water Act...97, 105
Climate change...79
Commission of Agriculture...23, 101, 105
Community planning...92
Companion animals...37

INDEX

INDEXED BY PAGE NUMBER

Comprehensive land use plan...85, 87
Comprehensive Nutrient Management Plan (CNMP)...82, 83
Conservation District...78, 94, 96
Conservation easement...86, 106
Constitutional Convention...70
Consumptive use...104
Conversion fee...85, 86
Cost-share...19, 30, 49, 51, 69, 81, 93, 94, 96, 103, 107
County fairs...24, 25
County Road Commission...77, 116, 117
Cranberry industry...22, 23
Crop damage...107, 109, 110

D

Deed...86, 91
Department of Community Health...23, 108
Department of Environmental Quality (DEQ)...22, 82, 83,
104, 105
Department of Natural Resources (DNR)...22, 83
Department of Natural Resources and Environment
(DNRE)...17, 18, 22, 23, 26-28, 30, 49, 50, 81-84,
96, 105-111, 120
Department of Transportation...26, 116, 118, 121, 122
Direct farm marketing...23
Disclosure Statement...45
Disease...18, 29, 30, 33-35, 40, 49-52, 88, 107, 109, 111
Diversion...101, 104
Drainage...77, 78, 85, 106, 114, 118, 120
Drain Code...77
Drain Commissioner...77, 78
Dry bean industry...35, 36

E

Election...69, 70, 116, 126, 127
Electrical pollution...41
Emerald Ash Borer...40
Eminent domain...87, 90
Endangered Species Act...99
Energy...12, 18-20, 44, 46, 80, 92, 114
Environmental credit standards...97
EPA...18, 75, 79, 96, 97, 104, 105
Equine...16, 28, 29, 36, 37, 93, 114
Equine Liability Act...37
Ethanol...18-20, 40, 114

INDEX

INDEXED BY PAGE NUMBER

F

- Fairs and exhibitions...24, 25
Farm and Garden TV...127
Farm bill...44, 81, 94, 95,
Farmland protection...84, 88
Farm-plated vehicles...117
Farm Produce Insurance Authority...39
Federal Perishable Agricultural Commodities Act...43
Federal Specialty Crops Competitiveness Act...35
Feeding and baiting...50, 51, 108, 109
Fees...33, 48, 61, 64, 65, 73-75, 80, 83, 85, 88, 102, 104,
105, 107-109, 112, 121
Feral swine...88, 110
Fertilizer...16, 33, 68, 71, 81, 97
FFA...53-57, 129
Fish and Wildlife Service...28
Forestry...26, 27, 32, 33, 58, 93, 121
Frost Law...121
Fuel...18-20, 46, 68, 78, 80, 81, 115, 119
Funding...9, 10, 12, 17-20, 23, 26-29, 31, 33-37, 39, 41, 46,
49-60, 64, 66, 68, 72, 78, 82, 83, 85, 86, 88-90, 93,
94, 97, 102, 105, 112, 119, 120, 125

G

- GAAMP...13, 17, 23, 43-45, 79, 95, 103
Game farms...88
Grade quality standards...27
Great Lakes Basin...101-104
Great Lakes Compact...101
Great Lakes Leadership Academy...55
Greenhouse industry...38, 93
Groundwater...71, 95, 101, 102, 104
Groundwater and Freshwater Protection Act...95

H

- Highway improvements...117
Honeybees...32
Horse racing...36, 37
Hunter and Farmer Partnership Initiative...108
Hunting preserve...88
Hydrogen sulfide...79

I

- I.D. system...29
Implements of husbandry...121, 123
Indemnification...17, 29, 34, 38, 40, 50, 89, 110
Inland Lakes and Streams...78

INDEX

INDEXED BY PAGE NUMBER

Insurance, No-Fault...60
Integrated pest management...10, 89
Intellectual property rights...27, 28
Invasive species...40, 89, 90, 93

L

Labeling...21, 28, 32, 35
Land Division Act...91
Land use...44, 74, 80, 85-87, 91-93
Land Use Leadership Council...92
Large animal care...56
Legal Defense Fund...124, 125
License...61, 65, 66, 73, 108-110, 112, 123
Low interest loans...65

M

MAEAP...9, 37, 44, 73, 80-84, 103
MDOT...24, 117, 121
Michigan Ag Council...31
Michigan Agricultural Commodities Marketing...11
Michigan Agricultural Marketing and Bargaining Act...30
Michigan Animal Health Emergency Management...15
Michigan Meat Association...35
Michigan State University Extension (MSUE)...46, 57-59,
67, 95
Michigan Zoning Enabling Act...87
Milk...30, 31, 35
Mineral rights...85, 97-99
Mosquito control...34

N

National Agricultural Statistics Service (NASS)...51, 52
National Pollutant Discharge Elimination System...82
Natural Resources Commission...22, 110, 116
Natural Resources Conservation Service...16, 81, 94, 106
Natural Rivers Act...99, 100
Nitrogen oxides...79
NPDES...82, 83
NREPA...85, 107
Nurseries...10

O

Oil, gas and mineral rights...97
Orchard...10, 75
Ordinance...23, 87, 99

INDEX

INDEXED BY PAGE NUMBER

P

PA 116...10, 45, 73, 85, 114, 115
PA 232...11, 17
PA 344...11, 17
PA 733...11, 17
Particulate matter...79
Part-time Legislature...70
Payment protection...39
PDR...85-87
Permit...9, 10, 18, 82, 83, 98, 104, 105, 107-110
Phosphorus...95
Plant pests...40
Pollination...32
Post production costs...98
Power quality...41, 46
Private property rights...73, 99, 100, 104
Processing...11, 12, 35, 39, 44, 46, 51, 59, 78, 82, 87, 109
Product Center...11, 59
Production contracts...36, 43
Production Medicine Scholars Program...25
Project GREEN...45, 59
Promotion and Education...124, 127, 128
Property tax credit...87
Proposal A...114
Purchase of Development Rights...85

Q

Quality Deer Management...109
Quarantined...34, 40, 50

R

Railroads...116, 122
Raw milk...35
Recycling...100
Regulatory reform...12, 74
Renewable energy...18-20, 46
Renewable fuels...19, 114
Revenue-sharing...85
RFD TV...127
Right to Farm...9, 12, 13, 15, 16, 34, 43-45, 66, 74,
79-81, 83, 86, 87
Right to Work...114
Riparian doctrine...104
Roadside stands...23, 24

INDEX

INDEXED BY PAGE NUMBER

S

Seed purity...21
Sheep...38
Shining...100
Silvicultural material...46
Slow moving vehicle (SMV)...123
Small hive beetles...32
Soybean...31, 45, 46
Special assessments...60, 85, 87, 114, 119
State and county fairs...24, 25
Subdivision Control Act...77
Sugar Cooperative...38, 39
Sulfur oxides...79
Surface water...95, 104
Sustainable Forestry Initiative...26

T

TB...37, 49, 50, 51, 107, 109
TB-free status...50
TDR...87, 88
Term limits...47, 48, 70
Township...23, 44, 74, 86, 92, 99, 121
Tracheal mites...32
Transfer of Development Rights...87
Trespass...73

U

USDA...14, 20, 21, 25, 28-30, 35, 37, 42, 49-51, 72
USDA-APHIS...107
Utility...41, 42, 75, 76, 100

V

Value-added...11, 12, 21, 24, 35, 78, 114
Varroa mites...32
Veterinary medicine...25, 30, 56
Vineyards...10
Vomitoxin...40
Vote...69, 70, 86, 92, 116

W

Wages and compensation...67
Water allocation...104
Water resource commissioner...77, 78
Watershed...94-97
Water Stewardship Program...71, 94, 96
Water use...17, 101-104
Water use assessment tool...102

INDEX

INDEXED BY PAGE NUMBER

Weights and measures...32, 34, 97
Welfare of farm animals...13
Well...97, 98, 103, 104
West Nile Virus...106, 107
Wetlands...9, 77, 78, 104-107, 114, 118
Wetlands Protection Act...77, 104, 106
Wheat...52, 110
Wildlife Risk Mitigation Plan...49
Wind...46, 92, 114
Wolf...38, 110

Y

Young Farmer...129, 130

Z

Zoning...10, 23, 37, 44, 46, 49, 66, 74, 87, 91, 92, 117
Zoning Enabling Act...87, 91

NOTES

[Go to the
Table of Contents](#)

139

[Go to the
Index](#)

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