

# 95<sup>TH</sup> STATE LEGISLATIVE SESSION

## VOTE RECORD ISSUES

### 1. MIGRANT LABOR HOUSING FEES – HB 5657/HB 5658

HB 5657 and HB 5658 allowed the Michigan Department of Agriculture (MDA) to implement a \$5 per occupant fee to maintain migrant labor housing inspections.

*Farm Bureau encouraged a Yes vote.*

### 2. DAIRY INDUSTRY FEES – SB 1131/SB 1132

SB 1131 and SB 1132 reflected the agreement by the dairy industry to support fee increases for the 2010 fiscal year. Funds generated by the fees will generate approximately \$100,000 in restricted funds to be utilized by the Department of Agriculture to help support the dairy inspection program.

*Farm Bureau urged a Yes vote.*

### 3. HORSE RECREATION RIGHTS – SB 578/HB 4610

HB 4610 and SB 578 create a new section of law in the Natural Resources and Environmental Protection Act to require the Department of Natural Resources and Environment (DNRE) to preserve the right of people to ride saddle animals. The bill requires the DNRE to work with the Michigan Trailway Advisory Council (MTAC) to review lands previously open but now closed to equine traffic. In addition, MTAC shall facilitate the inclusion of other public and private lands within a network of pack and saddle trailways to provide for a comprehensive network throughout the state.

*Farm Bureau encouraged a Yes vote.*

### 4. FERAL SWINE – HB 5822/HB 5823/SB 1138

HB 5822, HB 5823 and SB 1138 provided authorization to a local animal control officer, a law enforcement officer, or anyone with a valid hunting license to kill swine running at large on any public or private property. Trespass laws would still apply, so individuals would still have to lawfully be on private or public property. Also, the law allows for a private landowner or individual with permission of the landowner to shoot a feral (swine running at large) without a hunting license on private property.

*Farm Bureau encouraged a Yes vote.*

### 5. INSURANCE LAWSUIT EXPANSION (HOUSE-ONLY VOTE) – HB 5146/HB 5150

HB 5146 and HB 5150 were part of a larger, 12-bill package that broadly defines “bad-faith” actions and opens insurance companies to legal action, including a presumption of guilt, if charged with acting in “bad faith”. Farm Bureau policy #51 “No-fault Automobile Insurance” states, “We support legislation which improves Michigan’s No-fault Insurance and reduces the cost of insurance.” No-fault insurance systems depend on containment of lawsuits or the insurance becomes unaffordable. This bill package would create enormous additional legal expenses for insurance companies, resulting in higher premiums for Michigan policy holders.

*Farm Bureau urged a No vote.*

### 6. RULE PROMULGATION (SENATE-ONLY VOTE) – SB 434

SB 434 would prohibit an agency from promulgating a rule that was more stringent than the applicable federal standard unless authorized by statute.

*Farm Bureau encouraged a Yes vote.*

### 7. REVIEW OF NEW/EXISTING RULES (SENATE-ONLY VOTE) – SB 435

SB 435 would amend the Administrative Procedures Act to require agencies and legislative committees to review rules every five years to assess their impact on small businesses since the rules took effect. The legislation also would require

# 95<sup>TH</sup> STATE LEGISLATIVE SESSION

## VOTE RECORD ISSUES

an agency's annual regulatory plan to identify all existing rules promulgated by the agency and whether those rules should be continued, changed, or rescinded, considering their statutory and public policy purpose.

*Farm Bureau urged a Yes vote.*

### **8. FARM TAX DEFERMENT – HB 4218**

HB 4218 amended the General Property Tax Act to allow for farmers who have incorporated as an LLC to defer their summer taxes until winter.

*Farm Bureau encouraged a Yes vote.*

### **9. ORV FARM VEHICLE CLARIFICATION – SB 934**

SB 934 clarified the intent of the law that farm vehicles being used for farming are excluded from ORV regulation. The bill defined a farm vehicle as either of the following: (I) an implement of husbandry as defined by the Michigan Vehicle Code, (II) a vehicle used in connection with a farm operation as defined by the Right to Farm Act.

*Farm Bureau urged a Yes vote.*

### **10. FEEDING AND BAITING – HB 5380**

HB 5380 extended the time frame in which the Natural Resources Commission, upon consultation of the Agriculture Commission, has the authority to issue an order concerning deer or elk feeding in the state from January 1, 2010 to January 1, 2016. The legislation modified current language of what qualifies as deer and elk feeding. Exclusions included storage or use of feed for normal agricultural practices.

*Farm Bureau encouraged a Yes vote.*

### **11. LEGISLATIVE RETIREMENT – HB 4194**

HB 4194 would amend the Michigan Legislative Retirement System Act to eliminate retirement healthcare for legislators elected after January 1, 2007.

*Farm Bureau urged a Yes vote.*

### **12. AG SUPPLEMENTAL FUNDING – HB 4311**

HB 4311 provided supplemental funds that were 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.

*Farm Bureau encouraged a Yes vote.*

### **13. WETLANDS REFORM – SB 785**

SB 785 provided wetlands reform that addressed MFB 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.

*Farm Bureau urged a Yes vote.*

# 95<sup>TH</sup> STATE LEGISLATIVE SESSION

## VOTE RECORD ISSUES

### **14. MDA STANDALONE AGENCY (*SENATE-ONLY VOTE*) – SCR 22**

SCR 22 aimed to keep the Michigan Department of Agriculture (MDA) as a distinct state agency. The resolution mentioned the more than \$70 billion of economic activity generated by agriculture, the diversity of agriculture and recognized the problem-solving culture of the MDA as it works to support the activities of Michigan agriculture.

*Farm Bureau encouraged a Yes vote.*

### **15. RESOLUTION TO OVERTURN EO (*SENATE-ONLY VOTE*) – SCR 23**

SCR 23 expressed disapproval of the Governor's Executive Order (No. 2009-45) that would have stripped the Agriculture Commission's authority to select the MDA director and reduced the Commission to an advisory role. The House did not take this resolution up for a vote. Following this activity, the Governor issued a new Executive Order in early December in which all of the statutory authorities, except the authority to appoint the director, were restored.

*Farm Bureau urged a Yes vote.*

### **16. MDA BUDGET (*SENATE-ONLY VOTE*) – HB 5875 (S-1)**

The Senate advanced HB 5875 (S-1) through the full Senate on May 12, 2010. The budget contained no additional/increased fees and with General Fund increases above the Governor's original recommendation.

*Farm Bureau urged a Yes vote.*