

# Michigan Farm Bureau 2019 Policy Book

## AGRICULTURE

### AGRICULTURAL COMMODITY COMMISSIONS 1

We support and will defend the Michigan Agricultural Commodities Marketing Act (PA 232 of 1965), and other agricultural commodity commissions, as authorized by law.

Michigan Farm Bureau will consider supporting commodity groups' proposals that meet existing Farm Bureau policy and will be beneficial to producers. We encourage Farm Bureau members to be involved in their commodity organizations.

### AGRICULTURAL INNOVATION AND VALUE-ADDED INITIATIVES 2

Structural changes in the agricultural processing industry have 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:

- Individual and cooperative efforts by producers to improve income with processing and marketing methods which add value to farm products while maintaining food safety.
- The Michigan State University Product Center, their objectives and ongoing efforts.
- The coordination and formation of producer alliances and cooperatives.
- Efforts to maintain and build a strong agricultural processing industry in the State. To achieve this goal, we recommend existing and prospective processors be given more incentives to stay or build in Michigan, including but not limited to industrial facility exemption options, tax breaks and regulatory reform/relief, and ample access to necessary inputs such as investment capital, labor, energy and farm products.
- 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 and Rural Development authority and/or oversight over the granting of MEDC funds for agricultural development activity.
- The use of Michigan MarketMaker (<https://mi.foodmarketmaker.com>), an Internet marketplace for farmers to feature Michigan-based commodities and value-added products.

- 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.
- Tax incentives and an infrastructure to grow Michigan's food processing capabilities.
- The establishment of a state of Michigan low interest loan program to fund qualified value-added ventures.
- The Right to Process Act, including protections for agricultural processors and cooperatives.
- Continued monitoring of the Michigan Cottage Food Law to ensure it maintains its original intent.
- The production of hops, malting barley and associated crops as part of a viable and expanding brewing industry in Michigan.
- The concept of a farm brewery license that will allow farm breweries in Michigan to operate in a similar fashion to Michigan farm wineries.
- The use of one time start-up grants for "food hub type" endeavors, not recurring funding.
- Encouraging institutions to purchase more food from local sources.
- Additional research and development for value-added opportunities.
- The use of grant programs for industry segments that typically find it difficult to secure loans due to being perceived as high risk ventures.
- All government agencies cooperating with one another to expedite innovative agricultural initiatives.

### ANIMAL CARE 3

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

We urge Farm Bureau members to respond knowledgeably to misleading information on animal care. We urge members to understand the difference between organizations 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. A number of laws now exist for

safeguarding the proper care of livestock and, if properly enforced, will provide the necessary protection livestock need.

The livestock and dairy industry in Michigan is an integral part of our agricultural economy and needs access to private property rights and privacy laws. Laws appearing to limit free speech or give the perception that agriculture has something to hide may not be the appropriate way to deal with certain issues impacting the industry. We strongly support transparency by all people involved.

We believe persons who witness animal care practices that are not in compliance with the Care of Farm Animals Generally Accepted Agricultural and Management Practices (GAAMPs) and are believed to be animal cruelty, should report those findings in a timely manner to the appropriate authorities so proper action may be taken. Those persons who do not report such abuses or hold and release videos in a manner that is done for personal benefit or simply to promote a group and their cause should be swiftly prosecuted and appropriately fined and sentenced.

We support:

- A board of animal health and care be convened to coordinate activities that enhance and protect the state's livestock industry. The board should consist of farmers and industry representatives as voting members; who are nominated by officially recognized livestock and agriculture industry commodity groups; and then appointed by the Governor. Agency and university officials should serve in an advisory capacity. The establishment of this board should include a state budget appropriation. This process should be concluded by December 31, 2025.
- Strong penalties for those persons criminally convicted of animal cruelty or abuse.
- The rights of individual commodity groups to develop production standards.
- The involvement of livestock industry in the development of animal care guidelines if they are required by food industry officials in order to market products.
- Participation by all livestock and dairy producers in industry-developed species-specific animal welfare programs.
- Coordination with animal industry and related groups on animal care and housing related issues.
- Utilization of the Care of Farm Animals GAAMPs as the standard for animal welfare in Michigan.
- Producer representation on the Care of Farm Animals GAAMPs Committee.
- Proper animal care and encourage livestock farmers to be in compliance with the Right to Farm Act and GAAMPs.

- Farmers educating and having guidelines for employees on proper animal care.
- Legislation or rules that protect the rights of farmers/owners to allow the continued utilization of modern day livestock production practices, including current methods of euthanization for livestock.
- 4-H and youth livestock exhibitor education.
- Michigan Farm Bureau working with Michigan State University and Michigan Department of Agriculture and Rural Development (MDARD) 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.
- County Farm Bureaus being proactive in educating the controlling authorities, local humane societies, and news media about current animal care and production practices, so as to build a partnership between Farm Bureau and local animal care organizations.
- County Farm Bureaus consider cancelling the membership of an individual criminally convicted of animal cruelty or abuse.
- Land grant colleges and USDA continuing to research and develop programs which will realistically and economically enable farmers to continue to enhance the care and management of livestock and poultry.
- 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.
- MDARD taking the lead role in the development of Michigan Animal Health Emergency Management guidelines.
- Amendments to the Dog Law to more clearly define a “farm dog.” The utilization of dogs on farm operations is a normal part of an agricultural enterprise.
- A sensible approach to the substantiation of animal cruelty or abuse accusations including:
  - Requiring animal control officers receive training on appropriate animal care and normal agricultural practices as it relates to livestock and farm animals.
  - 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 cruelty or 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 or abuse cases of farm livestock be handled through MDARD.
- Mandatory education for convicted cruelty offenders to help them understand proper animal care including the Care of Farm Animals GAAMPs developed under the Right to Farm Act.

We oppose:

- 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.
- Further regulatory and legislative actions that would restrict the farmer's/owner's ability to produce at an economically feasible level.
- The utilization of ballot initiatives as a way to control modern livestock production and management practices.

#### ANIMAL HEALTH 4

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.

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.

We support:

- Changes to the Animal Industry Act that allow for the State Veterinarian to declare an Emergency Stop Animal Movement Order for a maximum of 72 hours. Any such order that lasts more than, or is extended beyond, 72 hours would need the approval of the impacted animal industries and Michigan Commission of Agriculture and Rural Development.
- 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, Michigan Department of Agriculture and Rural Development (MDARD),

Department of Natural Resources (DNR), Public Health, Michigan State University (MSU) Veterinary Medicine and USDA.

- MDARD relying on veterinary science and animal science when establishing any new regulations or restrictions on livestock exhibition.
- Changes to the Animals Running At Large Act that define livestock in a consistent manner with the Animal Industry Act.
- MDARD providing adequate staffing to ensure proper monitoring of the State's swine herd to maintain our achieved pseudorabies status.
- Appropriate state funding of the MSU Veterinary Diagnostic Lab (VDL) to meet the needs of our state's animal population.
- Indemnification for livestock ordered to be destroyed due to disease outbreak or when marketing channels are limited or eliminated by the government for any portion of a particular industry.
- The requirement of continuing education to maintain a veterinary license with the state of Michigan.
- Amending Michigan's Veterinary Law to clarify that livestock artificial insemination and embryo transplant procedures are not required to be performed by a licensed veterinarian.
- Continued research on health-related issues that impact our livestock industry.
- Visitors seeking permission and having proper contamination protections, including clothing and disinfectants, in an effort to protect and enhance bio-security.
- 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.
- MDARD working 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 support elimination of the need for a Coggins test for horses going directly to slaughter.
- An aggressive cost-effective Johne's detection and control program and encourage the Johne's vaccine to be available for dairy farmers.
- Swift implementation of a mandatory identification system for Michigan's livestock industry and encourage the continued utilization of producer input into

the development, implementation, and cost-share where feasible. Producer information shall remain proprietary, not subject to the Freedom of Information Act or any other public use.

- 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.
- Slaughter facilities updating technology in order to provide timely and accurate response on individual cattle information.
- Changes to the electronic identification rules that require all cattle to be electronically identified before they leave the farm. Penalties for violations of the rules should be strengthened and enforced by the court of law. We understand there are occasions where animals lose a tag en route to a livestock auction facility. In those situations, we support the retagging of animals upon arrival at the sale facility.
- Electronic reading and recording of all cattle exhibited in Michigan. Records should be sent to MDARD.
- USDA and/or MDARD allowing licensed inspectors/veterinarians to share owner information with licensed livestock sale barns retained from individual Official Animal ID tags. Information gathered may be used to trace but not limited to retagged animals, allowing efficient completion of sale.
- Legislative, regulatory and/or management changes that give the State Veterinarian the authority to mandate landfill use for disposal of animal carcasses during these emergencies or disease outbreaks.
- The DNR, MDARD, USDA, and the U.S. Fish and Wildlife Service working 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.
- A statewide ban on the sale and use of Chinese lanterns (sky lanterns), or similar unmanned devices containing open flame that have the potential to leave the premises of their origin. If a ban is not achievable, lanterns should be constructed with biodegradable material.
- Research to study the potential for chronic wasting disease prions to infect livestock feeds and other plant materials.
- Michigan Farm Bureau, MSU, MDARD and USDA to:

- Provide sufficient funding and programs for animal health education, disease monitoring, border inspections and disease eradication that protect the U.S. livestock industry and ensure continued market access.
- Increase efforts on the development of a genetic or live animal diagnostic test for Scrapie and Bovine Spongiform Encephalopathy (BSE).
- Continue to work cooperatively to support the VDL, keeping fees for diagnosis at a reasonable level.

We oppose:

- Restrictions that limit or eliminate the marketing opportunities for the livestock, dairy, equine, poultry and aquaculture industries and their products without sound scientific justification.
- Importation of livestock that does not meet import testing requirements as deemed appropriate by the director of MDARD, have appropriate quarantine protocols in place, and have an animal I.D. system to track the movement of livestock to prevent the possible spread of disease.
- State agency personnel performing inspections of farms without notification to and awareness of the farm owner/operation.
- 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.

### **Feed Additives and Medication**

We recognize the need for feed additives and medication in livestock feeds. The availability of antibiotics for the livestock industry is critical. The limitation or elimination of animal antibiotic use from the livestock industry will have negative economic and animal health consequences. The use of antibiotics is approved by FDA only after a complete scientific review and testing process has been completed. The animal agriculture industry relies on the veterinarian community to assist with and oversee animal health. We believe that veterinarian oversight is defined as a working relationship with a licensed veterinarian.

We support:

- The current approval process for antibiotic use in farm animals.
- Veterinarian oversight of antibiotic use rather than limitations or elimination of these critical animal health and food safety protection tools.
- Careful use and withdrawal restrictions of feed additives.
- The use of rendered ruminant and other species protein as feed additives to

rations for swine and poultry.

- Strict safeguards to prevent cross contamination of ruminant feeds with ruminant by-product during the formulation of the feed additives.

We oppose:

- The banning of such additives without sound scientific evidence that these additives pose a threat to animal and human health.

## AQUACULTURE AND COMMERCIAL FISHING 5

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

We support:

- Changes to the Aquaculture Development Act that reflect the current status of the industry and its potential.
- Urging the regulatory agencies, along with Michigan Economic Development Corporation, state universities, and the aquaculture industry to continue working cooperatively to address the regulatory needs of the State, while at the same time facilitating the continued growth of aquaculture in Michigan through streamlining aquaculture regulation and facilitating access to capital for development.
- An annual review and update of the memorandum of understanding between Michigan Department of Agriculture and Rural Development (MDARD), Department of Environmental Quality and Department of Natural Resources (DNR).
- Harmonization of the state definition of aquaculture so that it is in line with the federal definition of aquaculture.
- The concept of group or lot identification for aquaculture species.
- MDARD registration of out-of-state producers who market aquaculture products in Michigan and enforcement of current regulations related to importation of aquaculture products into Michigan.
- 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 regulated aquaculture diseases, that farm should have the

ability to ship product interstate.

- MDARD 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.
- Michigan State University establishing an aquaculture program that contains dedicated faculty to support and enhance the aquaculture industry. The program should include research, extension and demonstration and be housed under an agricultural development department.
- Industry-developed herd plans to include the option for slaughter surveillance testing, where feasible, and be implemented on a voluntary basis with MDARD being the lead agency.
- Development of science-based aquaculture disease control policies that also take into account indemnification of losses to producers.
- The right of commercial fishermen to pursue fishing operations in a responsible manner. The DNR should not adopt regulations more restrictive than those applied to tribal fisheries.
- MDARD having authority over commercial fishing when the fish leave the net.
- Allocation of funds for research to more effectively manage and utilize this natural resource.
- Efforts of the commercial fishing industry to establish a program under PA 232 of 1965.
- The adoption of Best Management Practices (BMPs) as National Pollution Discharge Elimination System (NPDES) permit compliance, rather than individual permits with numerical discharge limitations for all aquaculture facilities. If individual permits are required, it should only be for facilities that produce over 20,000 pounds annually and only if on a one-page permit application.
- Streamlining the NPDES permit process by developing a general permit based on BMPs to reduce water testing requirements.
- The ability to conduct aquaculture production in current and prior converted wetlands and within the Natural Rivers districts.
- Enabling legislation and/or the regulatory framework to allow for the development of a properly regulated open water net pen aquaculture/cage culture of fish in the Great Lakes and other water bodies.
- Development of a national aquaculture check-off program.

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 animal identification is mandated.
- Restrictions on the culture or stocking of rainbow trout based on “genetic strain.”
- Immediate implementation of new Environmental Protection Agency effluent standards if operational viability is jeopardized.
- Increasing NPDES permit restrictions or compliance requirements without sound scientific justification.
- The use of the Lacey Act to regulate the interstate movement of aquaculture products and urge immediate action to address current prosecutions, as well as a cessation of this practice by regulatory officials.

## BIOTECHNOLOGY 6

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:

- The development of research and testing that will enhance the adoption of biotechnology products and processes, and address consumer safety and environmental concerns.
- Funding from companies that develop this technology to educate the public on the safety and benefits of biotechnology.
- 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.
- 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 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, including the use of the FARM Science Lab.
- Strong patent protection to encourage these new technologies.
- An expedited process for the approval of non-edible genetically engineered plant material beneficial to the agriculture/horticultural/floricultural industry through the USDA Animal and Plant Health Inspection Service.
- 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.
- Communication with end users to identify specific needs to promote value-added trait development.
- 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.
- 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.
- Active involvement by the U.S. in the development of a uniform scientifically-based international approval process for biotechnology.
- The free choice of farmers to grow what they want, whether it be biotech or non-biotech products.
- Public and private efforts to continue research on non-biotech seed.

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.

Food products utilizing biotechnology that have been scientifically proven safe should not be discriminated against by unfair labeling requirements that are not required of other industries using biotechnology. No biotech products should be released for commercial production until approved for both human and animal utilization.

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

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.

#### COMMISSION SYSTEM OF GOVERNMENT 7

Prior to 2009, bipartisan Commissions controlled the Michigan Department of Agriculture and Rural Development and the Department of Natural Resources with the power to hire directors of the respective departments.

We strongly support this historical commission system of government. Commissions should provide oversight and set policy for the department, conduct appeals, and employ the director. The historical commission system allowed for continuity, transparency and accountability of programs. We support restoring all duties of the Agriculture and Natural Resources Commissions, including the ability to employ the director.

Future appointees to the Natural Resources Commission (NRC) should be balanced, not only in their passion for outdoor recreation, but also with regard to the ecological and business environments of the State. A farmer representative from production agriculture should be on the NRC.

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.

## COMPLIANCE AND RESOURCES FOR FARM BUSINESS DEVELOPMENT 8

Michigan farmers are business owners and employers operating in an increasingly complex and technical environment. Therefore, we encourage Michigan Farm Bureau to monitor and identify broad regulation changes in relation to the business environment.

We support the creation of educational documents, credible referrals, and technical services covering, but not limited to:

- Steps to becoming an employer.
- Steps to determine business structure and formation.
- Employer obligations, laws and regulations.
- Estate planning.
- Liability issues.
- Taxation.

## CRANBERRY INDUSTRY 9

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 Environmental Quality (DEQ), Department of Agriculture and Rural Development 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 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 DEQ to accommodate the expansion of cranberry production in Michigan, including prior commitments made under PA 120 of 2009.

## DIRECT FARM MARKETING AND AGRI-TOURISM 10

Agritourism is the intersection of tourism and agriculture.

We Support:

- Legislation defining agritourism as activities on the farm that may or may not be directly related to the farm operation, conducted for the purpose of increasing income for the farm business including educational or entertainment experiences, but does not change the general intent of the farm operation.
- Legislation defining seasonal agritourism as specific agricultural activities that are exempt from building code regulations when the revenue generated is a

minority of the revenue generated on the farm business or occurs less than six months per calendar year. This does not prohibit local governments from enacting reasonable hour, noise and parking regulations.

- Local zoning ordinances that recognize the benefits and allow for the operation of farm markets, roadside stands, agritourism destinations and farmers markets that allow for the placement of these activities on agricultural zoned land without a special use permit. 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.
- Michigan zoning authorities adopting the farmer friendly “Agricultural Tourism Model Zoning Ordinance Provisions” as developed by the Michigan Agricultural Tourism Advisory Commission and Michigan Department of Agriculture and Rural Development (MDARD).
- Working with the direct farm market and agritourism industry to improve and strengthen the recently completed farm market Generally Accepted Agricultural and Management Practices.
- Legislation to enhance and promote agritourism, the development of guidelines and best practices, as well as on-farm direct marketing opportunities.
- Proposing 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.
- The opportunity for farm operations to have their businesses designated as tourism destination points.
- Michigan Farmers Market Association, along with grower vendors, to establish guidelines for agriculture procedures of farmers markets and to assist them if requested. In the event fees are charged by municipalities to farms that participate in farmers markets, we believe those fees should not be in excess of the actual cost to run the market. We believe locally grown should be defined as produced in the state of Michigan, or within 50 miles of the state border.
- Farmers markets and farm marketers to promote and provide education on food safety to consumers.
- Operations that welcome the general public on to their facilities to portray a professional image because they are our ambassadors to the public where positive perception is important.
- Operations with livestock to participate in their respective national animal care

programs.

We oppose:

- Discriminatory regulation, licensing and inspection by regulatory agencies and local units of government on farm markets, roadside stands and agritourism operations which restrict their ability to remain competitive. Markets should not be subject to duplicate inspection by MDARD, the Department of Community Health, and local units of government.

## FAIRS AND EXHIBITIONS 11

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. Agricultural education exhibits, livestock competitions, agricultural showcases and youth agricultural activities should be the cornerstone 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 ask that county Farm Bureaus embrace the concept of local, regional, and/or state fairs financed by sponsorships and promotion by organizations and companies directly involved in promoting positive aspects of our great state.

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 state and county fairs.

## FOOD SAFETY 12

Food safety is a significant concern for both agricultural producers and consumers, and is one of the highest priorities for the Michigan Department of Agriculture and Rural Development (MDARD). In making decisions regarding regulations for food safety, we must keep in mind a balance between risk and over-regulation that hinders entrepreneurial opportunities.

Food safety transportation concerns must be dealt with at the national level to ensure smooth interstate commerce.

As food safety regulations increase, it is vital for Michigan State University Extension (MSUE) and MDARD to continually review and monitor any changes to the current pesticide labels. It is imperative for farmers to have this up-to-date information when following the pesticide spray recommendations in the MSUE spray guides.

We support:

- Continued use of food safety audits such as Good Agricultural Practices (GAP) and food safety risk assessments to ensure food and consumer safety.
- Michigan Farm Bureau joining an existing coalition that is working on standardizing a third-party audit that would be broadly accepted by retailers.
- Permanent institutional licensing, including churches and civic facilities.
- Current dairy laws as they pertain to the pasteurization of milk, including prohibiting the sale of unpasteurized fluid milk for human consumption.
- Use of wooden pallets and wooden harvest bins.
- Custom exempt slaughter.
- The ability for families to process and consume their own products on their own farm.
- MFB and MDARD working to provide guidelines for cow-share and herd-shares that meet Grade A dairy standards.
- Continued monitoring of the Cottage Food Law.
- Michigan Department of Environmental Quality, in consultation with MDARD, reviewing the rules for application of biosolids in close proximity to growing fruit and vegetable crops with the intent of preventing potential human health hazards.

- The concept of On-Farm Readiness Review kits along with the Food Safety Modernization Act Grower Training programs that help ease the burden of farms becoming compliant.
- Prohibiting reuse of food containers or packaging labeled with “use by” or “purchase by” dates, for the benefit of consumer health and producer liability protection.
- A committee comprised of MFB members research and report back on block chain technology use in agriculture and the potential impact on Michigan agriculture.

We oppose:

- Any unfunded mandates including but not limited to USDA GAP audits.
- Abuse and overreach of the Cottage Food Law provisions.

## FORESTRY 13

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.

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.
- 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.
- Clarifying the use of the log plate to include all activities connected with logging operations.
- The classification of logging equipment as an implement of husbandry.
- 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 (DNR) 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.
- Programs and/or initiatives that provide landowners with incentives to improve forest resources, encourage proper management, promote sustainability of forestlands, and benefit the forest products industry.
- All farm operations and landowners managing forests, wetlands, and habitat enrolling in the Michigan Agriculture Environmental Assurance Program and completing as many recommendations as possible to help preserve air, water, and soil quality, and to achieve sustainable land management goals.
- Efforts by the state of Michigan to provide education and outreach for private forest landowners.
- The Right to Forest Act and urge landowners to utilize Generally Accepted Forest Management Practices.
- Encouragement by the State to better utilize ash lumber and biomass so they can be utilized near the point of origin prior to ash borer invasion.
- A voluntary registration program for foresters and recognize the need to greatly improve the definition of a forester's duties under the Occupational Code.
- Assistance from DNR with prescribed burns on private land. Prescribed fire is an important management tool to control unwanted vegetation. This will also help keep the accumulation of dead wood, needles, etc. from becoming a fire hazard.
- A review of the recent changes to the Forestry Best Management Practices (BMP) manual. It is imperative the BMP guidelines are reflective of current industry practices and standards, not ideological principles. Standards should be based on outcomes, not a prescriptive set of rules.
- Efforts by the timber industry on the development of a common scale for hardwood saw logs.

- 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.
- The collaboration between MSU and University of Wisconsin on a forestry economy specialist.

We oppose:

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

Regeneration of new seedlings, ensuring future crops of trees in our woodlots and forests, is being seriously depleted by wildlife populations that are too high. We will work with the DNR, conservation organizations, hunting groups and other interested groups to bring the wildlife 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 request DNR and the Michigan Department of Agriculture and Rural Development to place a high priority on growing and developing new markets, new products, and processing facilities.

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.

We encourage county Farm Bureaus to refer members to their local conservation districts to obtain a list of qualified foresters for woodlot owners.

#### FRUITS & VEGETABLES 14

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.

We recommend USDA update the grade standards for apples so the Risk Management Agency can utilize current industry standards in crop insurance.

We encourage MFB to work with Michigan State University and the Michigan Tree Fruit Commission to encourage tree fruit research on the development of new varieties for growing and marketing that are specifically geared for growers in the Midwest. Other growing regions are doing this to remain competitive within the marketplace and to offer consumers better products.

#### INDUSTRIAL HEMP 15

U.S. legislation makes it illegal to raise industrial hemp commercially.

We support the Hemp Farming Act of 2018.

Pending federal approval of hemp production, we support an effort by the state of Michigan to facilitate the legal permitting process of agricultural production of industrial hemp for industrial and food uses, and as a sound rotational crop with established and emerging markets, without the need for a permit from the Drug Enforcement Administration.

#### INTELLECTUAL PROPERTY RIGHTS 16

Research institutions, especially land grant universities, are scaling back on their agricultural research and are requiring agricultural commodity groups and associations to 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.

Therefore we support:

- A standing committee from Michigan Farm Bureau, Michigan Department of Agriculture and Rural Development 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 17

We support consumer friendly, science-based labeling of agricultural products which provides consumers with useful information concerning the ingredients and nutritional value of food sold in the United States. We oppose false, misleading or deceptive marketing, promotion and/or labeling 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.

#### MARKETING AND BARGAINING LEGISLATION 18

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 support:

- Legislation or legal actions that 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.
- 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.
- Efforts of the Department of Agriculture and Rural Development to aggressively enforce this program.

#### MICHIGAN ALLIANCE FOR ANIMAL AGRICULTURE 19

The dairy and livestock industries are an integral part of Michigan's overall agriculture economy. Segments of our industry are constantly challenged by the lack of animal related research and workforce development training. In an effort to address these issues, the Michigan Alliance for Animal Agriculture (M-AAA) was established with representatives from Michigan Farm Bureau, various animal agriculture stakeholder organizations, Michigan Department of Agriculture and Rural Development, Michigan State University's Extension,

College of Veterinary Medicine, Department of Animal Science, AgBioResearch, and College of Agriculture and Natural Resources.

We support the M-AAA and their efforts in developing a proposal to establish a state-funded animal ag research program modeled after the successful Project GREEN that addresses plant-based industry priorities. The group has established the Michigan Animal Agriculture Innovation and Workforce Development Initiative which focuses on ensuring the sustainability of the state's animal agriculture sector through a targeted annual investment in research, extension and workforce development. Many dairy and livestock related groups are making annual contributions to support this effort and we strongly encourage state funding to enhance the effort.

#### BEE INDUSTRY 20

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, by encouraging the utilization of communication tools, such as DriftWatch.

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 the continued study of Colony Collapse Disorder.

We continue to support the inclusion of beekeeper apiaries under paragraph 9.4 of the Wildlife Conservation Order in Emergency clause. We further encourage Department of Natural Resources to be proactive in the protection of Michigan's pollinators.

We urge Michigan Farm Bureau to work with state and federal agencies to resolve issues regarding plant species in Michigan and their importance to the Michigan bee industry, such as changes to USDA conservation land programs that allow for the planting of flowering cover crops.

Beekeeping (apiary) is a specialized form of agriculture and should be recognized under the Right to Farm Act by local, state and national regulatory bodies.

The dairy industry is critical to the overall agriculture economy in Michigan. We support a strong and vibrant dairy industry in Michigan that allows our dairy farmers to be competitive in national and international markets.

We support:

- Industry collaboration in the development of additional dairy processing in Michigan and urge local, state and federal lawmakers and regulators to assist with streamlining the process for dairy industry expansion in processing.
- Funding for all state and federally required dairy industry sampling and inspection programs.
- Current dairy laws as they pertain to the pasteurization of milk, including prohibiting the sale of unpasteurized fluid milk for human consumption.
- Michigan Farm Bureau and the Michigan Department of Agriculture and Rural Development working together to provide guidelines for cow-share and herd-share programs that meet Grade A dairy standards.
- On-farm bio-security practices being implemented that protect and enhance animal health and our dairy markets.
- Continued availability and proper use of animal health tools (e.g., antibiotics, technology).
- Industry support and participation in the veterinary feed directive.
- Collaboration between farmers, animal health officials and the veterinary community in an aggressive Johnes detection and eradication program and a continued focus on improving dairy cattle health.
- Industry participation in any changes to the Siting Generally Accepted Agricultural and Management Practice so as to allow for continued growth and dairy expansion.
- Continued farmer participation in any changes to the National Dairy FARM Program and on-farm implementation of the standards.
- Continued investments in research that allow for industry growth and efficiency.
- Continued farmer participation and control over dairy industry promotion dollars, enhancements and creativity in dairy promotion ideas and the development of new products.
- Increased efforts to expand dairy consumption in school systems including inclusion of higher milk fat options and flavored milks.
- Dairy farmers being able to collect, store, and market colostrum to licensed

collectors/sellers.

- Collaboration with the United Dairy Industry of Michigan and Michigan Ag Council educating the medical community and education system about the benefits of milk/dairy consumption, especially for youth.

## MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT 22

We recognize the evolving role of the Michigan Department of Agriculture and Rural Development (MDARD) in Michigan's agriculture and food system, as well as supporting rural development.

We support the continued individual existence of MDARD within State government. We challenge MDARD to continue to be proactive, focus on core programs and eliminate redundancies where possible. Program areas of a stronger, more encompassing MDARD 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 have concerns with the lack of expertise and understanding of farming in other state departments. Therefore, we request MDARD be the primary representative of government on our farms. We are opposed to multiple inspections by a variety of jurisdictions.

We encourage MDARD 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 strategic investments in MDARD with the following funding priorities:

- Food safety.
- Oversight of industry regulatory programs.
- Animal and plant disease protection and agriculture security.
- Producer protection; integrity of agricultural products.
- Market access inspections.
- Statistics and information.
- Industry and trade advocate.

We support:

- Protection of animal health through testing, quarantine and depopulation, if necessary.
- State funding of all required testing.

- Plant inspection, testing and quarantine to control disease.
- The MDARD abandoned and neglected orchards program and amendments to include other perennial crops. With the involvement of stakeholders and other departments, we support the development of rules to strengthen enforcement provisions of the program, including appropriate funding.
- 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. In determining indemnification, MDARD should consider at least one local appraisal of fair market value.
- In the case of widespread animal disease outbreaks, indemnification should reflect prices that were current prior to the outbreak.
- Investigating the feasibility of a livestock insurance fund that might complement existing state and/or federal indemnification programs. The feasibility study should consider loss of livestock and production due to disease outbreak, depredation, funding options, species 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.
- Enforcement of food safety laws, animal identification requirements, and inspection programs in Michigan, focused on working with producers to resolve problems in a timely fashion before the issuance of fines and penalties.
- Photographic evidence taken as part of the inspection process being exempt from the Freedom of Information Act.
- Certifying the accuracy of weights and measures, including moisture testing equipment.
- Reviewing the point system for Pesticide Applicators Certification to increase efficiency.
- MDARD considering the utilization of state certified third-party privatized contracting and technology for inspections, review and oversight for some programs.
- MDARD working with the Michigan State University (MSU) Pesticide Safety Education program to ensure that training materials for pesticide applicators include appropriate information on proper use, risk, volatility, and application of pesticides and chemicals, especially when near sensitive crops.
- MDARD meeting with industry representatives prior to regulatory enforcement

- rule changes.
- Formation of an industry committee to advise the MDARD 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.
  - Aggressive promotion and the labeling of Michigan-grown products and commend the efforts of MDARD for its leadership in highlighting the importance of the agricultural industry to the state of Michigan.
  - 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 with input from a stakeholder group comprised of representatives from the specialty crop industries. All specialty crop sectors, including the nursery and greenhouse sector, should have the opportunity to receive an equitable portion of block grant funds.
  - Further development of meat processing and marketing opportunities through joint cooperation between the industry, MDARD, MSU and the Michigan Meat Association.
  - 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.
  - Michigan Farm Bureau working with MDARD to investigate having state inspectors service small scale or portable slaughter facilities in sparsely populated rural areas.

## DRY BEAN INDUSTRY 23

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 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 research funding of the Pulse Health Initiative to increase production, use and nutritional benefits of pulse crops.

We advocate accurate and timely reporting of dry bean prices by elevators when gathering data for computing revenue insurance. We ask for uniformity of grading standards among elevators regarding foreign material and pick/grading determinations.

## EQUINE INDUSTRY 24

Michigan’s equine industry is very broad and involves many people and a wide variety of types and breeds of horses. We strongly encourage and support a collaborative effort by equine professionals to strengthen the industry and support its continued growth. The equine industry is much stronger and able to thrive more successfully when united and working collectively.

We support:

- Recent changes to the laws governing horse racing in Michigan.
- Encouraging the Michigan Department of Agriculture and Rural Development to work with local units of governments to continue to classify equine operations as agricultural for zoning purposes.
- Efforts to pass additional changes and/or legislation that provide economic growth and strengthen Michigan’s horse racing industry.
- Funding for the expansion of the Pavilion for Agriculture and Livestock Education.
- Marketing opportunities for the equine industry. We encourage Michigan Farm Bureau to work to re-establish additional harvest options for the equine industry.
- We understand there are instances where owners can no longer care for their animals and, under these circumstances there must be viable options for dealing with them. It is important that all equine owners understand the responsibility of owning and caring for their animals.
- Funding for the USDA Food Safety and Inspection Service for inspectors in facilities that slaughter horses.

- The Equine Liability Act that strengthens liability protection measures for the equine industry.
- Efforts of the equine industry to establish an equine industry marketing and education program.
- The equine industry's efforts in conducting a study to determine the overall impact and status of the equine industry in the state of Michigan.

We oppose:

- All attempts to classify equine as companion animals.
- Legislation that would limit/prohibit the use of horses as working animals.
- Any reallocation of the Horsemen's Simulcast purse pool funds to any race meet licensee.

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 verification, manure management and environmental protection for the equine industry.

We are concerned about the number of wild mustangs rounded up on federal land and being moved into Michigan. These horses should be required to move into Michigan on an inter-state health certificate and meet the health standards of the Michigan equine population and the Bureau of Land Management adoption requirements.

## HOPS INDUSTRY 25

Production of hops and other associated ingredients are part of a viable and expanding craft brewing industry as Michigan has proven to be an ideal climate for commercial hop production.

Michigan Farm Bureau supports the concept of a farm brewery license allowing farm breweries to operate in a similar fashion to farm wineries.

MFB supports incentives for breweries to utilize more local hops in their recipes, which in turn would allow for further expansion of hop production in the state.

## NURSERY, FLORICULTURE, SOD AND GREENHOUSE INDUSTRY 26

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 and Rural Development

(MDARD) 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 must be recognized as such by local, state and national regulatory bodies.

We urge MFB to continue cooperating with plant industry groups regarding revisions to both PA 189 of 1931 and PA 72 of 1945 including, but not limited to, the elimination of intrastate inspections of nursery stock, and to no longer recognize mums as a hardy perennial. 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.

Due to the extensive updates to the Worker Protection Standards, policies and procedures, we encourage MFB and other industry groups, including Michigan State University Extension, MDARD, Michigan Nursery and Landscape Association, and Michigan Greenhouse Growers Council, to collaborate and formulate ideas to create new training materials in digital format.

We oppose:

- Legislation that regulates the use of neonicotinoids, organophosphates, pyrethroids, methocarbamates, and/or organochlorines by state agencies, unless research or conclusive scientific evidence prove that these compounds pose adverse effects on the environment when used according to label.
- Legislating science from the bench of a court/jury without sound scientific proof, well-documented scientific studies from respected scientists, scholars, government bodies and universities in regard to the safe use of necessary tools such as chlorpyrifos and glyphosate without extensive research and study.

## SHEEP INDUSTRY 27

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

We support:

- Increased development of new uses of wool and new consumer convenient lamb products.
- Inclusion of lamb prices in market reports and radio broadcasts.
- Research into lethal and non-lethal methods of predator control as they can be applied in Michigan-such as adoption of a "toxic collar" program.
- Funding for an indemnification program for losses from predators.

We urge all owners of sheep to participate in the National Scrapie Eradication Program.

#### SUGAR INDUSTRY 28

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

We support:

- Sugar imports be based on total sugar content regardless of the level of refinement upon entry into the United States.
- Domestic sugar production allotments being reallocated to current production trends.

#### WHEAT INDUSTRY 29

Wheat plays an important role in Michigan's economy with annual planted acreage of over one-half million acres.

We encourage the continued coordination of industry-related needs with research priorities and processor requirements through the Michigan Wheat Program, ultimately leading to profitability.

We support continued efforts, including education and certification, to improve sampling and testing procedures to ensure accurate and consistent falling number and vomitoxin testing results.

#### **Risk Management Agency (RMA)**

- We commend RMA for recognizing results of the falling number test when determining quality loss adjustments for white wheat. However, the coverage must be expanded to include all classes of wheat, and discount factors must be comparable to the level of discounts experienced by producers in the marketplace.
- We also recommend RMA explore development of a new insurance policy recognizing the differentiation between wheat classes.
- We encourage RMA to standardize wheat planting deadlines with the Farm Service Agency to appropriately reflect current climatic conditions.

## PAYMENT PROTECTION AND SECURITY FOR GROWERS 30

Michigan Farm Bureau supports the Farm Produce Insurance Authority (FPIA) that protects the interest of producers when selling their products.

For commodities delivered, farmers need maximum payment assurance. When a receiver, whether they are a closed-cooperative, regular cooperative, or a commercial company, becomes insolvent or declares bankruptcy, many people suffer. The impact on farmers is more significant because of the perishability and seasonality of many commodities.

We support Public Act 198 of 2013, updates to the Grain Dealers Act that provided assurance that growers receive a priority lien position and full payment for commodities delivered.

We urge Farm Bureau to work proactively with the Michigan Department of Agriculture and Rural Development to expand the FPIA to include fruit and vegetable crops, and to create an appropriate funding mechanism.

We recommend exploring all possible options, including amending the Uniform Commercial Code, to ensure a fully secured position payment for commodities delivered.

## PLANT PESTS AND DISEASES 31

Plant pests and diseases create quarantine situations which can 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.
- Determine the impacts of Spotted Wing Drosophila (SWD) to support and coordinate with the SWD initiative through Michigan State University and the Michigan Cherry Committee.
- 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.
- 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, but not limited to, *Phytophthora capsici*, downy mildew, overall spruce decline and Armillaria 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.
- The supplier being held responsible for compensation for all losses due to imported plants with diseases.
- Zero interest/fixed loan or direct and/or indirect compensation to producers for sudden market loss due to invasive species including but not limited to SWD and hemlock woolly adelgid.
- Testing for vomitoxin in corn field trials. We encourage ethanol plant operators to spot-check for vomitoxin in corn entering the plant and dried distillers grains 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).
- A review and update of the current Emerald Ash Borer quarantine rules in Michigan. We urge Michigan Department of Agriculture and Rural Development to develop a system that allows forestry products to be shipped directly for processing on a permitted basis throughout the year in Michigan, regardless of the region of origin.
- Swift action by our state legislature to update and revise Public Act 451 of 1994 to more accurately reflect the current noxious weed species, and periodic review by the legislature to ensure the list remains up-to-date.
- Encouraging conservation districts to take measures to keep these noxious weeds controlled.
- Classifying Autumn Olive as an invasive species on private land, public right-of-ways and State land.

We oppose banning neonicotinoid-based pest control products when there is a lack of research or conclusive scientific evidence that links them to declining bee and other pollinator populations.

## PRIVATELY-OWNED CERVIDAE 32

We urge the privately-owned cervidae production industry, Michigan Farm Bureau, Michigan Department of Agriculture and Rural Development (MDARD), Michigan Department of Natural Resources (DNR), and Michigan State University 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:

- 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.
- MDARD and DNR's current rules and regulations governing privately-owned cervidae farms.
- A scientific study of the beneficial environmental and economic effects of raising cervidae on marginal land in Michigan.
- Premise registration for all facilities and individual animal identification as required in current law.
- Strict enforcement of current laws and penalties in cases of harassment, theft, and/or willful destruction of privately-owned cervidae operations.

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.
- Mandatory double-fencing at producer cost.

## RIGHT TO FARM 33

We believe Michigan's Right to Farm Act is the model for our country. The Act has allowed all sectors of commercial 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 (GAAMPs) should not be weakened or

jeopardized by including practices not integral or directly related to farming.

We recognize the fundamental differences between farming 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 and provisions of the Farm Bill as management tools in the production and expansion of their operations.

We support:

- Agricultural operations not being restricted to only operating under their historical use.
- Developing realistic plans for land use, which will allow agriculture to change, incorporate technology and produce commodities based on market demands.
- An expanding livestock farm not be considered a nuisance as a result of new home construction (non-farm residence) within the approved setback distance after the Michigan Department of Agriculture and Rural Development's (MDARD) site approval, but prior to completion of the expansion.
- Research regarding manure storage, manure processing, building design, and types of livestock feed that could help with odor problems.
- Development of an odor estimation model for Michigan's climatic conditions.
- 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 oppose:

- Right to Farm protection being extended to marijuana growing facilities until growing the plant becomes legal at the federal level.
- Ballot initiatives seeking to control generally accepted livestock production and management practices.
- The inclusion of commercial wind turbine or solar facilities in the definition of a farm. The Michigan Right to Farm Act should allow for and protect users of existing and new technology, including energy production for on-farm use.

### **Cooperation**

We will work with MDARD 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 greater farmer participation on township boards and planning commissions to review existing ordinances, help educate about Right to Farm and GAAMPs, and assist in the creation of ordinances that are consistent with the Right to Farm Act. 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.

We urge Michigan Farm Bureau (MFB) 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.

### **GAAMPs**

We support the continued use of GAAMPs to define acceptable farm management practices in the state of Michigan. We support a cooperative effort among MDARD, MFB, and other stakeholders to establish a definition for “commercial production of farm products” within the GAAMPs framework.

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.

The GAAMP for Site Selection and Odor Control for new and expanding livestock facilities has specific setbacks and scientific parameters. We strongly recommend the Michigan Commission of Agriculture and Rural Development remove the language specific to local zoning from the siting GAAMP.

We are concerned about the exemption of GAAMP applicability to municipalities with a population of 100,000 or more.

We urge greater producer participation on all GAAMP Committees.

### **Complaint Process**

The electronic complaint process should include a complete description of the law, including the process and implications for both verified and unverified complaints. Following the official Right to Farm visit, follow-up correspondence and appropriate action shall be communicated to the farm owner and the complainant in a timely fashion, including the ability of MDARD to bring enforcement action against the farm and/or the complainant.

We urge MDARD to notify all complainants of the law which allows MDARD to levy a penalty for unverified complaints. We strongly urge MDARD to recoup the costs of

investigating unverified complaints, as provided for in the Right to Farm Act. We do not support anonymous Right to Farm complaints.

#### SOUND SCIENTIFIC RESEARCH STANDARDS 34

Michigan Farm Bureau policies reflect a dependence on sound science. We request research used for the determination of policies, rules, legislation and published statistics be supported by sound science. Information supplied to decision makers must be derived using accepted research practices and validated models subject to third party verification/audit and peer reviews.

#### TB – MYCOBACTERIUM BOVIS TUBERCULOSIS 35

We urge the Michigan Department of Agriculture and Rural Development (MDARD) and Michigan Department of Natural Resources (DNR) to be more assertive in their efforts to eradicate Bovine Tuberculosis (TB) and move the State to TB free status. We also urge the USDA Animal and Plant Health Inspection Service to receive and provide feedback and implement recommendations in a timelier manner. 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.

We support MDARD creating, implementing, or enforcing any rules or regulations more stringent than USDA's published rules regarding bovine TB.

To expedite the eradication of TB, we support:

- MDARD, USDA, DNR and other state and federal agencies involving producers from all affected areas of the State in decision-making processes regarding the bovine TB eradication program.
- Producer implementation of a Wildlife Risk Mitigation Plan (WRMP).
- Producers with a completed WRMP in any area of the state should have the authority to manage nuisance/destructive species on their land.
- 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).

- 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 identification and testing.
- 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 MDARD 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, eradication and vaccinations to prevent transmission of animal diseases.
- Science-based and species-specific testing protocols.
- Development of an exit strategy for the entire state to upgrade the Modified Accredited Zone (MAZ) to TB-free status.
- Research into a buyout program for cattle producers in Deer Management Unit 487.
- MDARD pursuing aggressive action with surrounding states to open their borders to Michigan cattle.
- Dramatic reduction of the deer herd in the four county TB infected region in northeast Michigan. Action should include agency culling, spring hunt and unlimited fall hunting with no-cost licenses.
- Deer exclusion fencing around entire contiguous farmsteads with cattle, receiving state support and being considered an acceptable option a farmer may request for WRMP.

When herds are quarantined for disease control purposes, we strongly urge MDARD/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.
- State and federal agencies be required to harvest and test potential carrier animals on and around TB positive farms, including on state-owned land.

In zones where TB is found, we support aggressive use of all wildlife management tools to control all animal disease transmission, including stopping the use of deer feed and bait until no TB has been diagnosed for ten years. Violations of the use of deer feed in a TB infected area should be penalized the same as poaching.

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 MDARD 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. We support whole herd depopulation as the most effective method of disease eradication. We request USDA count herds positive only for the months in which the herd contains positive animals.

## URBAN FARMING 36

We support economic development that accepts agricultural businesses as part of urban center economies and development of agreements which allow urban agricultural production while protecting the rights of farm businesses with production sites within Michigan cities.

We support the development of a separate set of management practices unique to new and expanding urban agriculture, which also include provisions for local zoning requirements, livestock care standards, crops and cropping standards, and environmental protection standards. For food safety reasons, all rules, regulations and licenses should be applicable to urban agriculture. We applaud recommendations of the Michigan Department of Agriculture and Rural Development (MDARD) Urban Livestock Workgroup as an important first step in this process.

We support Farm Bureau's continued collaboration with MDARD, Michigan State University Extension and other stakeholders to write a model local ordinance to promote protection of and guidelines for urban agriculture.

Right to Farm protections for commercial agricultural practices must not be compromised.

#### USDA NATIONAL AGRICULTURAL STATISTICS SERVICE GREAT LAKES FIELD OFFICE 37

The agricultural industry has developed many mechanisms for reporting the size and progress of crops and other agricultural commodities. The system most widely adopted by the industry is the USDA National Agricultural Statistics Service program (NASS). To ensure the accuracy of these reports, farmers should provide NASS full cooperation. We will vigorously defend the confidentiality of individual farm information. 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 encourage the use of modern technology including satellite imagery, on-farm electronic data, and development of a streamlined data collection system.

We recommend USDA and the Michigan Department of Agriculture and Rural Development (MDARD) 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 Michigan State University, MDARD 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 and seed corn production.

## EDUCATION

#### AGRISCIENCE, FOOD & NATURAL RESOURCES EDUCATION AND THE FFA ORGANIZATION 38

We encourage expansion of the current and creation of new junior high/middle school 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 agricultural industry.

Michigan Farm Bureau commends the Michigan Department of Education Office of Career and Technical Education on its support and recognition of food and agriculture as a greater than \$100 billion 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 District administrators, as well as local district superintendents, principals and counselors, should be provided information on curriculum requirements of agriscience 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), federal Perkins dollars, and FFA Foundation funds, including the Glassbrook FFA Endowment. 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. We encourage the MDE to adequately fund these programs 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 state and local FFA activities. We support FFA alumni associations and their efforts to strengthen agriscience and natural resource education across the state and nation.

Michigan's 100 plus 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.

Due to the lack of qualified people willing to lead these programs, Farm Bureau supports AFNRE emergency certification programs, as well as the hiring of retired ag teachers to fill these positions without any retirement penalties.

We encourage consideration be given to student loan payoff or scholarship programs to help promote AFNRE programs through private or public partnerships.

We support the continued activities of private and public companies and organizations, like those of Agro-Culture Liquid Fertilizers, which provide an educational opportunity to the public to learn and experience the role, importance, and economic impact of agriculture in the future of food production for generations to come.

#### EDUCATIONAL REFORMS 39

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.
- Ensure the per pupil foundation funding grant follows the student to the 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.
- Increase added-cost funding for vocational training programs.

We further support:

- Charter schools and home schooling.
- Local school boards should have the ability to establish policies such as starting and ending dates, classroom hours in a school year, personnel management, student discipline, and use of local facilities/resources.
- Collaboration between the local school district and Intermediate School District to establish a uniform calendar.
- The utilization of Farm Bureau members and organizational resources to assist locally in reviewing classroom curriculum for accurate information concerning agriculture before its adoption.
- Michigan colleges and universities offering dual credit opportunities for high school students.
- Michigan colleges and universities offering agriscience instructor certification.

In cases of school district consolidation, existing FFA and agriscience programs in any of the consolidating districts should be maintained as part of the curriculum of the successor consolidated district.

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 efficiencies that will maximize the use of financial resources.

We support Science, Technology, Engineering, Math, (STEM) education in K-12 and acknowledge that agricultural education is an effective vehicle to deliver this programming. We encourage county Farm Bureaus to highlight opportunities for school districts to meet STEM requirements through agricultural concepts.

We encourage Career and Technical Education (CTE) teachers, Michigan Farm Bureau, and other stakeholders to work with legislators and the Department of Education on flexibility within the Michigan Merit Curriculum (MMC) to allow students to enroll in CTE classes. We urge county Farm Bureaus to work with local school districts to increase MMC flexibility acceptance. MMC standards must be balanced to recognize the importance of CTE and provide more opportunities for students to enroll in vocational training programs and mentor-based programs.

A well-rounded education containing basic curriculum, including college-prep or vocational/technical courses, should be an attainable and achievable goal for all students. We urge school counselors and faculty to be aware of and inform students about opportunities in the field of agriculture and vocational training. Furthermore, we encourage counselors' continuing education courses encompass CTE opportunities.

We oppose Common Core State Standards.

#### MICHIGAN AG COUNCIL 40

The Michigan Ag Council is currently comprised of more than 15 agriculture related groups in which Michigan Farm Bureau is a partner. This group 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 it is imperative for the stakeholders to write the narrative of Michigan agriculture. 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.

We encourage the Michigan Ag Council to develop simple educational materials to share with consumers.

We recognize the Michigan Ag Council's expanded collaboration on national and regional levels.

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.

#### MICHIGAN STATE UNIVERSITY 41

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 United States to offer agriculture courses for credit. Today, Michigan State University (MSU) is recognized as a leader in higher learning and 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.

The College of Agriculture and Natural Resources (CANR) and the College of Veterinary Medicine (CVM) have historically provided a strong foundation for educating generations of individuals involved in agriculture in Michigan, the nation and worldwide. We continue to support these colleges and urge them to work closely with stakeholders, including producers, to address the research, resource, and information needs of the agriculture industry, as well as the curriculum focus of agricultural job providers.

We support programs such as the Production Medicine Scholars program and incentives to encourage a higher rate of CVM graduates to address the shortage of large animal veterinarians practicing in Michigan.

We support re-establishing the agriscience education department, including a master's degree program, and a renewed effort to increase the number of graduates who are accredited to teach agricultural education in Michigan.

We support programs and policies that encourage increased enrollment of students in agricultural education degree programs. We encourage increased incorporation of agricultural literacy into programs preparing elementary and secondary teachers in other degree areas.

We urge Michigan Farm Bureau to continue to meet with the leadership of MSU to discuss the critical importance of the land grant mission to Michigan agriculture. MFB must continue to partner with other agriculture industry leaders to work with leadership at MSU to reevaluate their educational and outreach programs and refocus their efforts on core programs such as agronomy, animal science, agriscience education, horticulture, forestry, food industry management, new agricultural technology, and other agricultural and natural resource programs. In order to work in partnership with stakeholders and the Legislature, we urge MSU to continue sharing financial information regarding investments in agricultural programming at the University and within AgBioResearch and Extension.

We support students' ability to apply directly to the CANR and CVM, versus the University as a whole. We urge CANR and CVM to expand their recruitment efforts within the state, including efforts to work through existing organizations to promote educational and career opportunities, and encouraging students to apply in the spring of their junior year of high school.

We believe the two-year agricultural technology program provides a valuable service to Michigan agriculture and ought to be recognized as a highlight of the CANR. We support improvements to the MSU ag-tech program to better serve the needs of students, employers, businesses, industry and consumers. We are encouraged by the

changes that allow ag-tech credits to fully transfer into four-year programs at MSU. We support continued expansion of partnerships with community colleges and other four-year institutions in the state to increase interest in career tracks offered by the CANR.

**Michigan State University Extension (MSUE) and AgBioResearch (ABR):**

ABR and MSUE must work closely with production agriculture, agribusiness and other research entities so research and the subsequent dissemination of research information and outreach is focused on the most appropriate industry needs. We support increasing state and federal funding for MSUE and ABR, placing them at the forefront of agricultural research and outreach.

We strongly support the research/extension specialist program on and off campus. These positions have provided direct contact with stakeholders and research has been field-applied. We encourage a focus on core agricultural programs.

We urge MSUE to consider years of applied career experience in lieu of a Master's degree as an alternate avenue to recruit top-tier applicants into MSUE educator positions. We support a reemphasis on hiring and filling research-related faculty positions to address the emerging needs and priority issues of the production agriculture industry.

We strongly support Michigan 4-H youth programs and encourage MFB and county Farm Bureaus to assist in state and local 4-H activities. We recognize the educational efforts and impact of youth experiences in animal projects and plant science projects. Stakeholders are the volunteers that make these programs successful for the youth of our state, and must be involved as Extension plans for the future delivery of these programs and hires staff.

MFB will continue its partnership with 4-H Capitol Experience. The partnership will encourage students to participate in a high-quality youth leadership experience, with continued support from county Farm Bureaus.

## **ENERGY & TECHNOLOGY**

### **BIOMASS/RENEWABLE PRODUCTS 42**

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 ethanol and other biobased fuels and products. 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 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 and bio-based products 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 bio-based products.
- 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.
  - 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 CO<sub>2</sub> levels.
  - The utilization of any and all silvicultural (forest) products and other biomass material, including non-native plant species, for the production of renewable energy.
  - The use of renewable biomass products when used in accordance with the Outdoor Wood Furnace Best Burn Practices as developed by the Hearth, Patio and Barbeque Association.
  - Exemptions from the normal Department of Environmental Quality permitting process to encourage the development of renewable biomass energy production and utilization on farms.

#### BROADBAND 43

Rural access to broadband internet service is a major factor that impacts the ability of rural Michigan residents to compete and participate in the economy. The failure of public policy to address this critical need must be addressed. Access to internet is an important issue for business, agriculture, and academic purposes for rural students. The state of Michigan should address a comprehensive policy for the provision of universal broadband access statewide that is equitable in cost and quality in both rural and urban settings.

We support:

- Allowing municipalities to utilize special assessment districts in expanding broadband.
- Public-private partnerships to develop cooperative, alternative funding measures to expand broadband in under-served areas.
- Michigan internet providers taking advantage of the available federal government loans and grants.

- Continued cooperation between the Michigan Public Service Commission, broadband providers, and groups such as Connect Michigan to expand internet access in rural and under-served areas.

We oppose the granting of exclusive franchise to service providers in municipalities.

We encourage Michigan Farm Bureau to explore the feasibility of offering discounted high-speed internet as a member benefit.

#### STATE ENERGY POLICY 44

We support Michigan Farm Bureau taking steps to ensure adequate and affordable energy for Michigan residents and businesses. We specifically recognize agriculture's vulnerability to energy interruptions and price volatility. We support immediate and long-term solutions including:

- Programs to increase the utilization of energy sources which minimize adverse environmental impacts.
- Incentives for additional refineries.
- Incentives to upgrade, expand and protect our current electrical generating systems and grid.
- Development and expansion of affordable access to natural gas for farms, homes, and businesses.
- 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.
- Standards for utility companies, including cable television, that resolve power quality issues such as electrical pollution on-farm, and urge all parties to maintain their equipment and utility right-of-way to decrease the possibility of neutral-to-ground electrical pollution.
- Net-metering legislation or regulation that enables producers to sell excess power generated on farms back to utilities at an equitable rate.
- Incentives for renewable energy production for sale or use on farms. Examples include 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 facilities and implementation of technology to utilize domestic coal reserves, and the development of fuel cell technology.

- Establishment of an agricultural rate classification for electrical service.
- Michigan Public Service Commission (MPSC) allowance for seasonal inactivity (e.g., irrigation/grain drying) to eliminate the occurrence of non-use monthly charges.
- Voluntary utilization of smart meters.
- All wind generator towers being assessed using multiplier tables established by the MPSC through the process of public hearings and sworn testimony.
- A statewide study of transmission connectivity needs including but not limited to transmission connections between the two peninsulas.
- The continued operation of pipelines such as Line 5 with strict safety precautions to protect land and water resources.
- All permanent easements owned by utilities not preserved for future use should be reverted, or offered for sale, to the underlying owner at no more than fair market value.

We support preserving a cap on the Michigan electric choice program created by PA 286 of 2008. We encourage farmers to apply.

As electric demands increase, we urge that the MPSC be responsible for determining the need of the new capacity and the Department of Environmental Quality be responsible for only environmental permitting.

There should be agricultural representation on the MPSC to help give some stability to our energy costs.

We believe government mandates for electric car production and usage should be matched by concurrent approval for the construction and/or upgrades for reliable electric generation facilities to deliver the power needed.

This policy should ensure agriculture has access to all forms of energy that are consistent, reliable and affordable.

MFB should work with county Farm Bureaus to study electrical rate disparities across the state. The study should consider the causes and potential policy recommendations that would promote affordability in all regions of the state.

We encourage utilization of brownfield, public property, Michigan Department of Transportation rights-of-ways and other marginal lands, as well as industrial, residential and agricultural buildings, to reduce easements across farms for renewable energy

projects and to protect prime farmland.

We oppose:

- Adding renewable energy equipment values to farm property tax assessments or personal property for taxation purposes when used by the landowner.
- Utility companies inflating land rental rates on their property to well above fair market value of contiguous property.

#### UNMANNED AIRCRAFT SYSTEMS 45

The use of Unmanned Aircraft Systems (UAS) (i.e., drones) will continue to grow dramatically in the near future as costs for this technology are reduced. The proper use of this technology in agriculture can result in significant benefits for the industry. However, issues with privacy and public safety are becoming more prominent as use increases.

Although many of the issues surrounding UAS are governed on the federal level by the Federal Aviation Administration (FAA), there are a number of state level issues to be resolved. We encourage Michigan Farm Bureau to work with the state Legislature to address issues that develop regarding UAS use. Also, we urge MFB to continue to increase their knowledge and understanding of the evolving UAS issues including but not limited to:

- Privacy and private property rights
- Nuisance
- Reckless endangerment
- Proprietary data
- Safety
- Insurance
- Authority enforcement and jurisdiction consistent with FAA part 107

As information becomes more definitive, we encourage MFB to continue utilizing a UAS action team to develop and promote educational tools.

#### UTILITY PLACEMENT 46

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 (MPSC) regulations to protect both the farmer and the utility from accidents which could cause injury to an individual 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 has a minimum cable height requirement of 15½ feet over roadways, driveway entrances and in fields. All new underground utilities shall be installed and maintained at least 4 feet under the surface. We support a government agency that enforces the utility height and depth standards.

We encourage all parties (e.g. landowners, road commission, drain commission) to communicate prior to the installation of utilities.

We understand the value of utilities and broadband communication and support reasonable efforts to minimize damage to infrastructure.

We support the principles of Public Acts 173 and 174 of 2013, which provide clarity on the MISS DIG process for farmers by focusing efforts on risk management and providing greater incentives for compliance.

We believe a utility company should promptly settle for damage to crops, existing sub surface drainage (tile), and irrigation infrastructure.

All new and replacement above and underground utility distribution equipment shall be placed or relocated in the existing road right-of-way. When utilities are being replaced, the utility owner should remove the replaced sections upon installation of new utilities. We urge all utility companies to communicate with land owners before beginning the renovation of lines, individual poles, etc. Farmers could consider possible cost-sharing of utility pole re-location for safety and productivity of field crops. We urge utility companies to put additional emphasis on upgrading and placement of poles in the rights-of-way to reduce long-term maintenance costs and crop damage.

New utility equipment should not impede any existing drainage structure.

All MISS DIG markings will be removed or made of a non-metallic material.

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

## INSURANCE & LABOR

### AGRICULTURAL LABOR 47

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.

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 11.

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 support the concept of an inmate vocational training program in cooperation with Michigan Works or other educational institutions to provide non-violent inmates the skills to be reintroduced to the work force through the agricultural industry.

We support MFB efforts through the Great Lakes Ag Labor Services to assist growers in navigating the cumbersome H-2A program. We encourage expansion into other viable visa worker programs. We support this program continuing as a “user pays” system and available to all MFB members.

The State Workforce Agency should only refer legally authorized workers to H-2A employers.

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

#### EMPLOYER PROVIDED HOUSING 48

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 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 and Rural Development (MDARD) 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. We support that once a camp has been inspected and licensed by the appropriate state agency, any violations created by the occupant should not be held against the labor housing licensee.

Michigan Farm Bureau supports MDARD being the sole inspecting licensor of agricultural housing in Michigan. We support the Agricultural Labor Housing Inspection Program being a fully funded state program that includes pre-occupancy, post-occupancy and complaint-driven inspections, and supplemented by reasonable fees based on licensed occupancy only if necessary. We encourage the state of Michigan and MDARD to provide

labor housing licensing protection to all growers who show a good faith effort to maintain their labor housing to MDARD standards.

The state Construction Grant Program, administered by MDARD, 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 temporary 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, including employees, employers, labor, migrant advocates and government regulating agencies.

Overlapping of administrative oversight and inspection of temporary housing requirements presents a fragmented format of temporary housing rules. MFB requests MDARD be the sole vendor of temporary housing law enforcement. We encourage MDARD to continue to publish and provide a publication explaining the current complete licensing and inspection procedures for temporary housing both on and off farm. The U.S. Department of Labor (USDOL) should recognize a current license issued by MDARD as proof the labor camp is acceptable for habitation. We support that once an agriculture labor camp is inspected and licensed by the appropriate state agency and then occupied, the USDOL and/or other agencies may not enter the camp dwellings, which are the homes of the employees, without the employee's permission and proper advance notification to the owner of the farm. Federal and other state agencies should be in audit positions only and shall refer any apparent violations to MDARD, rather than issuing an immediate penalty.

We encourage legislation to develop uniform housing standards/requirements across state and federal agencies for agricultural workers.

#### IMMIGRATION 49

All immigration laws and border security should be strictly enforced and the responsibility of the federal government. We oppose any state mandate on employers to use E-Verify or any other similar program.

We support the work of the Office for New Americans to improve worker availability in agriculture. Michigan Farm Bureau should continue working with the Office to address the challenges of agricultural labor in Michigan.

## 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.

## LABOR HOUSING ZONING 51

The producers' need for adequate housing for laborers is recognized. We support Michigan Department of Agriculture and Rural Development (MDARD), in consultation with the ag industry, developing a model zoning ordinance for agricultural labor housing.

Conflicts exist in state laws governing the construction of temporary labor housing. Laws such as Right to Farm Act, 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 and should not be negatively affected by local zoning ordinances. We will seek legislation that will clearly establish MDARD as having exclusive responsibility for siting, construction, inspection, and approval of occupancy for seasonal farm worker housing in Michigan.

## MI-OSHA 52

We encourage all farmers to become aware of any occupational hazards and voluntarily adopt safety programs. We support appropriate safety regulations. If MI-OSHA moves forward to re-establish a confined space standard for agriculture, Michigan Farm Bureau should work with MI-OSHA to ensure minimal negative impacts on agriculture. Non-mandatory guidance principles should be included in any final

regulation.

We oppose:

- MI-OSHA regulations that exceed federal OSHA standards and/or guidance.
- Enforcement action against an 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 safety data sheets, in an electronic format.

#### NO-FAULT AUTOMOBILE INSURANCE 53

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.

We support the following improvements to No-Fault Insurance:

- A realistic cap on Personal Injury Protection (PIP) benefits.
- Optional limits of PIP coverage (e.g., medical, wage loss, economic damages).
- Use a set schedule for medical and PIP benefits, similar to workers compensation fee schedule.
- Better define "injuries arising out of the ownership, maintenance or use of an automobile."
- Require motorcycles to comply with same rules as auto and truck.
- Place limits on attendant care.

We support legislation which improves Michigan's No-Fault Insurance, reduces the cost of auto insurance, and passes the majority of savings on to the consumer.

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.

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 to ensure equity amongst Michigan motorists.

#### RIGHT TO WORK (FREEDOM TO WORK) STATE 54

We support Michigan's position as a Right to Work (Freedom to Work) state, where employees only voluntarily associate themselves with a union. We will oppose any attempts to overturn Michigan's Right to Work law.

#### WAGES AND COMPENSATION 55

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, as defined in the North American Industry Classification System (NAICS 11), 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.
- The Department of Licensing and Regulatory Affairs (LARA) work with the agriculture community to support the payment of piece rate in compliance with state and federal law.
- 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.

- An evaluation of the current Unemployment Insurance Agency in order to overhaul and make it user friendly and accurate.
- The current Registration and Seeking Work Waiver be extended from a 45-day to a 120-day waiver for agriculture.

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 being included in the base-rate premium, including housing and health insurance. 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 LARA should view any and all labor that is used for roadside markets and agri-tourism venues to be considered ag employees. We encourage Michigan Farm Bureau to work with LARA to develop and improve agricultural classification codes.

## WORKER PROTECTION STANDARDS 56

We urge Michigan Farm Bureau to work with Michigan State University Extension and Michigan Department of Agriculture and Rural Development (MDARD) to provide education regarding Worker Protection Standards (WPS) for farmers and farm employees.

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

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

We support continued authority of MDARD to implement and enforce WPS.

## LAW & MISCELLANEOUS

### AG SECURITY 57

The continued threat of terrorist attacks on America has resulted in an increased awareness and scrutiny being placed on the possibility of agricultural terrorism.

We support:

- 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.
- 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.
- Increased funding to protect the animal health population and ag industries at airports and ports of entry.
- A stronger effort to increase bio-security measures on farm operations and at the state and national level.
- Communication with local law enforcement and emergency services regarding any suspicious activity.
- Reporting any theft of fertilizer, diesel fuel, or diesel exhaust fluid.
- Verification of the validity of any requests for information about an agricultural facility.
- Controlled access to facilities.
- Screening of employees.

We oppose:

- Additional regulation without consultation with the agricultural community.
- The unauthorized entry by agents of the state of Michigan or the U.S. government into any facilities (including worker housing units, barns, accessory buildings and fields) which is in clear violation of Generally Accepted Agricultural Management Practices, Good Agricultural Practices standards, and ag/bio security standards.

#### AGRICULTURAL VOCATIONAL REHABILITATION 58

We support the concept and use of AgrAbility to keep farmers viable who have issues with walking, carrying, lifting and normal movements in day-to-day farm activities.

We encourage the state of Michigan, Michigan State University Extension, Michigan Farm Bureau and county Farm Bureaus to continue funding AgrAbility and publicizing its services, recognizing a 2.7:1 match from the U.S. Department of Education.

We support the Michigan Chapter of the Farmer Veteran Coalition in their mission to help veterans identify agriculture as a viable career option after military service.

#### ANHYDROUS AMMONIA – NH<sub>3</sub> 59

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 NH<sub>3</sub>.

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 and Rural Development 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<sub>3</sub>.
- Informational and educational programs to deter theft and vandalism of NH<sub>3</sub>.
- 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.
- The current classification of NH<sub>3</sub> as a non-flammable gas.

#### ANTI-TRUST 60

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.

We encourage national and state reforms to prevent monopolies from forming within the agricultural supply and service sectors. This lack of competition is counter to the interest of the independent farmer.

## ELECTIONS 61

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

We encourage Farm Bureau members to become precinct delegates, and MFB to conduct educational training on becoming a precinct delegate.

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.
- Requiring a 2/3 vote of the people for passage of the recurring ballot question to hold a Constitutional Convention.
- Recall petitions must contain proven misfeasance or malfeasance before the petition is approved.
- Changing the length of term for county commissioners to four years with staggered terms of office.
- Requiring current state legislators to wait at least one year before becoming a registered lobbyist in Michigan.
- Elected officials not being 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.

We support the following ballot process reforms:

- Clear, concise and simple language be used on all ballot issues.
- 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 representing a large geographic area of the state, for example, at least  $\frac{3}{4}$  of the Michigan House districts.

- Making it unlawful to have paid circulators gathering signatures for ballot proposals or recalls.

Current term limits have been successful in cycling new people into public service as State legislators. However, this turnover occurs too quickly for those elected 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 MFB investigate working with other organizations to initiate a petition drive to accomplish this.

MFB opposes the concept of a part-time legislature.

We support:

- Limiting influences from outside our state borders on Michigan's ballot process.
- The current primary election process for statewide offices.
- Township and county governments being allowed to elect local offices on a nonpartisan ballot.
- A simplified process to opt out of robocalls.
- Easier ballot access for third party candidates.
- Apol Standards for the purpose of redistricting.
- Electing the three university boards—Michigan State University, University of Michigan, and Wayne State University—by districts, not statewide.
- Michigan continuing to honor the electoral college as designated in the U.S. Constitution.
- Reviewing the ballot initiative process in light of the current use of ballot initiatives to circumvent the legislative process and force special interest ideals on the public.

Special elections accrue high costs for local taxpayers.

We support:

- 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.
- Millage elections should take place during the November General Election.
- School board elections being held during mid-term or general elections to avoid unnecessary costs.

We oppose:

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

election.

- Election Day becoming a holiday.
- Any voting by mail except by absentee ballot.
- Totally electronic forms of voting without a paper trail.
- Proposals to make the popular vote the sole determinant of presidential elections.

We encourage MFB members to be knowledgeable about ballot proposals.

## FIRE FIGHTING 62

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 and paid on-call fire fighters in all 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 fertilizer and pesticides purchased to support the voluntary emergency tube program (E-Tube) through the Michigan Agriculture Environmental Assurance 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.

Per the Emergency Planning and Community Right-To-Know Act, we encourage producers to comply with Tier II reporting of any threshold planning quantity materials (EPA listed chemicals) to the Department of Environmental Quality on or before March 1 of each year.

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

## HEALTH 63

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 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.
- Funding and training for suicide prevention and mental illness in the medical field and emergency services.
- Increased suicide prevention and mental illness awareness campaigns for those needing help.
- 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 ensure patient safety.
- Closer tracking of production and distribution to ensure the integrity of the Michigan Medical Marijuana program.
- MFB assisting county Farm Bureaus with model ordinances pertaining to growing and processing medical marijuana.
- The requirement that medical marijuana be processed by the current United States Pharmacopeia standards using sound science when refined into a consumable form. This product should then be prescribed by potency since drug levels vary by plant type.
- Employers being exempted from mandatorily providing health care coverage to any employee who falls under the Migrant and Seasonal Workers Protection Act.

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.
- Legalization of recreational marijuana.
- Any tax on an agricultural commodity being used to fund a health care program.

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 U.S. Customs and Immigration Services 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 64

As an agricultural community, we stand behind, support, and respect our law enforcement officers.

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 strongly encourage the state and federal law to be upheld in our courts and not apply any foreign law to domestic activities that could impair constitutional 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 on firearm rights and fully support Second Amendment rights.

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 and damages for losses incurred on land enrolled in PA 116 or other land preservation programs, the Michigan Agriculture Environmental Assurance Program, or land participating in a food safety or security program.
- Confiscation of vehicle or Off-Road vehicle 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. For offenses which result in death or serious injury, penalties for the illegal use of handheld electronic mobile devices should be similar to those for drunk driving.

We support changes to legislation that would require convicted offenders to serve consecutive, rather than concurrent, sentences for the following offenses causing death or serious injury while operating a motor vehicle:

- Operating while intoxicated.
- Operating while visibly impaired.
- Operating with any presence of drugs.
- Operating while license suspended, revoked, or denied.
- Operating while illegally using handheld electronic mobile device.

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 encourage producers and/or county Farm Bureaus to meet with local law enforcement and local elected officials to discuss the importance of balancing agriculture's concerns with the use of fireworks.

We support legislation that would define and create the establishment of fireworks-free agriculture and livestock safety zones.

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 65

We support Michigan's current township government system. Townships should not be required to combine government services they now provide, (e.g. elections, property tax collections, assessor services), 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 believe:

- Townships or local units of government should not be permitted to enact regulations affecting agriculture that are stricter than existing state and federal regulations.
- Local government should look for increased efficiencies through consolidation of services and streamlining regulations.
- Secondary use of agricultural property, including buildings, that does not conflict or substantially change the nature of the farm business should be allowed.

We encourage:

- Standardized residence address signs to be readily visible at the driveway entrance to facilitate emergency response.
- Standardized signage be developed for facilities with alternate power sources for the protection of emergency personnel.
- Emergency response procedures to allow cooperation between local governments.
- Local government officials to fully consider the long-term fiscal implications and yearly operating costs to any public acquisition.
- Local units of governments making their audited financial statements available not more than one year after the close of the fiscal year, without requiring a Freedom of Information Act request. The financial statements should be made available through print or electronically.
- Local governments to take advantage of electronic mediums when possible and practical. The importance of continuing the conspicuous posting of notices in several locations and, in some areas non-electronic publishing, cannot be discounted.
- Continued emphasis on state revenue-sharing payments to local units of government.

## PUBLIC WATER & SEWER INFRASTRUCTURE 66

The majority of Michigan residents get their drinking water from community water systems, most of which were built between 50 and 100 plus years ago. Many of these municipal systems have already exceeded their expected lifespan and do not meet today's state and federal drinking water, wastewater, and storm water standards.

The systems that provide safe drinking water and treat and manage wastewater, storm water and drainage are often not thought about, operating largely without the public's attention, except for times of crisis. Many rural and urban water and drain systems are faced with limited financial resources, and communities are deferring the investments needed to maintain, rehabilitate, and/or replace older infrastructure. Investments need to continue to be made to provide a safe and reliable water supply.

Local units of government are accountable for maintenance and operation of the infrastructure affecting their residents. Therefore we support:

- Research to develop better materials for public water lines, wastewater and storm water systems.
- Development of better processes for the operation and maintenance of the public infrastructure.
- Long-range planning and comprehensive asset management.
- An increase in federal safe drinking water funds, USDA Rural Development water and sewer funds, and EPA brownfield loan and grant funds.
- Prioritizing redevelopment and reuse in areas with existing public infrastructure.
- A third-party, independent annual financial audit of municipal water, sewer and storm water systems being conducted and reported to the State of Michigan.
- Municipalities collecting adequate revenue from system users to pay for needed infrastructure repairs and maintenance.
- Encouraging municipalities to take advantage of low interest loan plans.
- Implementation and enforcement of pollution prevention control measures on municipalities, especially phosphorus removal.

We oppose:

- A statewide assessment to pay for repair of individual municipality's water, sewer, and storm water infrastructure for any reason.

#### REDRESS FOR UNSUBSTANTIATED CLAIMS 67

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 costs, legal fees, and costs associated with market and production losses.

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 68

We strongly support regulatory reform, including 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 science-based studies, standardized risk assessments, cost/benefit analyses, and economic impact statements of all proposed regulations.
- A public registry of studies.
- Easing state regulations on rural community banks to ensure survival of these vital institutions.

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

We oppose:

- Rules that are unwarranted or retroactive, that penalize practices which were previously allowed.
- Requiring redundant studies.

#### STREAMLINING MICHIGAN GOVERNMENT 69

While significant strides have been made in reforming Michigan's government, additional reform is needed to continue to address Michigan's economic condition. We feel reform must continue and support the following:

- Michigan provides human service programs to those in need but must be more vigilant in addressing fraud and duplication within these programs.
- The review and potential change of corrections system cost-drivers, such as sentencing guidelines, prisoner health care and administrative procedures.
- Increased efficiencies within Michigan's education system such as privatization of services, consolidation of districts, and shared services.
- Competition for higher education funds should be minimized. Duplicative research efforts performed by multiple state-funded universities should be eliminated.

- State and local governments, including schools, to move to a defined contribution retirement system.

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

- Michigan's regulatory structure must continue to foster economic growth. Policy makers should have a clear understanding of the impact of regulations on business before voting to support new or more stringent regulations. Regulatory agencies should maintain constitutional roles and reasonable environmental protection without creating undue regulatory burdens.
- Michigan should continue to look for increased efficiencies in state and local government such as prioritizing services, reforming where possible, eliminating duplicative services, and utilizing private partners.
- 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 any one segment of the economy, business type or particular demographic.
- Full transparency of government financial transactions at all levels.
- The concept of an Emergency Financial Manager Law.

While agriculture is not the expert on all the issues outlined in this policy, we will work with coalitions to engage in broad discussions to advance policy solutions that will create better efficiencies. We will hold elected officials accountable for their ability to operate as statespersons acting in the interest of citizens to address these core issues.

## 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.
- Court ordered mediation shall not be scheduled before the defendant in civil litigation has the opportunity to file a motion for summary disposition. Court ordered mediation shall take place only if both parties agree to mediate. Any agreement reached in this mediation shall have a waiting or cooling off period of 48 to 72 hours to afford the defendant the opportunity to change his mind after weighing the consequences of this agreement or contract.

## **NATURAL RESOURCES & ENVIRONMENT**

### **AGRICULTURAL DRAINAGE 71**

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.

We support legislation that would revoke the 1982 Department of Environmental Quality (DEQ) Rule 8 under Part 31 Rules for Inland Lakes and Streams, designating several drains as mainstream portions of eleven natural water courses. If the rule is not revoked, DEQ should be responsible to pay for all maintenance costs of the waterway according to the County Drain standards.

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 the following provisions as found in the Drain Code:

- The authority for administering the Drain Code be maintained within the

Department of Agriculture and Rural Development and the office of the drain/water resource commissioner at the local level.

- If existing road ditches are to be moved at the request of the county/County Road Commission, the additional cost should be the responsibility of the county/County Road Commission's project.
- Current exemptions for drain maintenance within state statute are appropriate and should be maintained.

Revisions to the Drain Code that benefit agriculture are necessary to address the following concerns. We support:

- Elimination of the current exemption providing for non-elected drain/water resource commissioners within the current Drain Code.
- The county drain/water resource commissioner being responsible for removing blockage of a natural watercourse if it affects the drainage of a county drain.
- All land in a drainage district being assessed according to benefits derived, including public lands.
- Requiring performance bonds on work done on intercounty drains where project construction costs exceed \$100,000.
- Clarification that no drainage district should be extended or established for the purpose of removing sediment from man-made reservoirs on rivers or drains.
- The drain/water resource commissioner directing the deployment of drain sediments, both organic and inorganic, to adjacent land as required to minimize sediment return to the drain.
- The use of current technology.
- For all new construction, a description of the work to be performed shall be provided to owners of property abutting the drain at least 10 days prior to the start of construction to ensure appropriate planning for the handling of increased storm water due to development. Alternatives to storm water retention ponds should be considered.

We oppose:

- Changes to rules developed under the Inland Lakes and Streams Act that result in increased regulatory burdens to farmers, drain/water resource commissioners, and road commissioners.
- Any additional mandatory requirements for engineering or planning on established county drains.
- Having all ditches be two-stage ditches and requiring every drain be engineered or

reengineered.

- State funding being used to purchase farmland to construct wetlands for private benefit.
- The Michigan DEQ's implementation of rules and policies that exceed their federal mandate and are not supported by scientific evidence.
- The implementation of structures that affect the flow in waterways where the design outcome negatively impacts agriculture.

Landowners should take a proactive role and/or be notified and involved in routine drain maintenance and emergency repairs with their drain commissioners.

We encourage drain/water resource commissioners to offer incentives or credits for landowners who properly maintain drains located on their property.

We encourage landowners to voluntarily contribute to the maintenance of county drains through appropriate soil conservation practices working with Natural Resources Conservation Service and county drain/water resource commissions.

We urge MFB to promote to its members the video, "The Importance of Michigan Drain Commissioners," created by the Michigan Association of County Drain Commissioners.

To assist farmers and our members with gaining a better understanding of the Drain Code of 1956, we direct MFB to create an educational series that is made available to the members.

## AIR QUALITY 72

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 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, must remain in law.
- A scientific, practice-based approach to meet air quality objectives
- Michigan Department of Agriculture and Rural Development as lead agency for all agricultural air quality concerns.
- Re-evaluation of the imposition of emissions standards on farm and ranch equipment and other non-highway use machinery.

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.
- Any ban on the burning of biodegradable household waste.

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

## CLIMATE CHANGE 73

We urge Michigan Farm Bureau to research and communicate to its membership the impact that climate change legislation and policies will have on our industry.

We support:

- Research and other investments to assist the agriculture industry in adapting to climate variability.

- Full recognition of agriculture and forestry's value to carbon sequestration.

We oppose:

- Mandatory restrictions to achieve reduced agricultural greenhouse gas emissions.
- Mandates, such as carbon taxes or fees and cap and trade policies.
- Any attempt to regulate emissions from animals.
- Emission control rules for farming practices, farm equipment, grain handling facilities, etc.
- Department of Environmental Quality involvement in the determination of energy needs; that is the role of the Michigan Public Service Commission.
- Non-scientific assumptions linking bio-fuel production and international land use.

#### ENVIRONMENTAL PROTECTION & AUTHORITY 74

##### **Pollution Prevention on Farms**

Public scrutiny of agriculture and increased regulation continues to challenge farmers to improve farm management and protect the environment. 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).

Public Acts 1 and 2, signed by the Governor in March 2011, solidified the future of the Michigan Agriculture Environmental Assurance Program (MAEAP). We commend the Legislature and Governor for enacting legislation protecting farms that have completed the MAEAP program. The legislation offers MAEAP-verified farms protection from civil fines, a presumption of meeting obligations for watershed pollutant loading determinations, and recognition that discharges from farm fields caused by rainfall are nonpoint source pollution. Farmers who are MAEAP-verified should be considered in compliance with EPA regulations. We urge all farm operations and landowners managing forests, wetlands and habitat to enroll in the MAEAP program and complete as many recommendations as possible to help ensure the quality of our air, water and soil is preserved. The statutory protection for MAEAP-verified farms in watersheds with Total Maximum Daily Loads (TMDL) should apply to all applicable systems that address on-farm risks of introducing the pollutants listed in that watershed's TMDL. Verification in all systems applicable to the farm should not be required in order to receive statutory protection.

Michigan Farm Bureau should continue to pursue greater incentives for MAEAP participation, such as additional protections from frivolous complaints. We support a

review of the MAEAP program, seeking new and/or alternative ways of meeting requirement compliance without compromising the basis of MAEAP verification. We encourage the MAEAP program to make information available about Michigan's Water Pollution Control Tax Exemption Form which exempts pollution control structures from property tax assessments.

With MAEAP in law, Michigan has set a goal that by the end of 2020 the number of MAEAP verifications will increase to 6,000. As of October 2017, MAEAP reached 4,328 total on-farm verifications. We support changes that were made to strengthen MAEAP and its funding through PA 118 of 2015. Program funds come from Michigan's general fund and the Freshwater Protection Fund. We support the changes made to the Freshwater Protection Fund which require all users of industrial fertilizer (e.g., farmers, homeowners, golf courses) pay a fee into the fund.

MFB members should lead the conversation on the definition of sustainable agriculture. We must put programs such as MAEAP and the GAAMPs front and center, highlighting how farmers today are producing safe and sustainable food, fuel and fiber.

We support legislation and marketing efforts that would communicate to the general public that MAEAP verified farms are held to the highest standard of environmental stewardship. We urge the Michigan Department of Agriculture and Rural Development (MDARD) to develop an outstanding and recognizable "Pure Michigan"-style labeling program (such as "Pure Michigan-Verified Farm") that adds value to products of MAEAP verified farms and allows the MAEAP logo to be used at point of sale.

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 appreciate newly available technical and financial assistance to address on-farm above ground fuel tanks and liquid fertilizer storage. 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

Act are under the jurisdiction of the Department of Environmental Quality (DEQ). While the vast majority of farms are putting forth a considerable effort and are environmentally safe, we recognize the potential for environmental problems. We support:

- Timely, effective and consistent enforcement of environmental laws against producers who knowingly, willfully, and/or negligently pollute.
- Applying sound science and performing economic impact analysis to DEQ rules and standards prior to promulgation.
- Maximum use of Natural Resources Conservation Service standards within DEQ regulations.
- DEQ acceptance of a third party determination that an existing manure storage structure is functioning properly for regulatory purposes.
- Regulatory recognition of the influence of extreme weather (e.g., rainfall, snow melt) on farming practices.
- Appropriate timelines for producer implementation of regulations.
- MDARD intervention on behalf of farmers in legal actions if the farmer has worked with state agencies to address pollution challenges.
- Development of a third-party arbitration process for disputes between DEQ and a farmer.
- DEQ being responsible to pay legal fees incurred by the respondent from a wrongful enforcement action if the enforcement action is settled or decided in the respondent's favor.
- Exploring the development of a DEQ appeals board.
- Using funds derived from enforcement penalties to support pollution prevention in agriculture.
- Authorizing permits at the local level in accordance with state and federal rules to provide for more timely decisions.
- The continued ability for farmers of all sizes to manifest manure/move or sell animal nutrients from their farm to another farm/owner. We will vigorously oppose any attempts that limit or eliminate the ability of agriculture to utilize animal nutrients as long as they are being utilized according to nutrient requirements and at agronomic rates.
- The continuation of manure application to frozen or snow-covered ground in accordance with the Manure Management and Utilization GAAMP and will vigorously oppose any attempt to eliminate the practice.
- The continued practice of broadcasting nutrients, including manure, in accordance

with the best practices identified in the Nutrient Utilization GAAMP.

- Updating fertilizer and manure nutrient utilization guidelines.
- Flexibility for unlimited on-farm fuel, chemical and fertilizer storage with consistent and adequate containment standards.
- Consistency of fuel, chemical and fertilizer containment structure regulations across governmental agencies.
- MDARD working with DEQ to implement a threshold below which no Groundwater Discharge permit or testing is required for agricultural processing discharge.

We oppose:

- Classification of manure, accidental commodity spillage, and ag processing by-products as hazardous waste.
- Taxation and/or fees assessed on the nutrient content of manure.
- Public access to information on the MiWaters online permitting database as it pertains to agriculture.
- Legislation that inhibits the viability of agriculture.
- Decisions made in response to emotion instead of science, law and common sense.
- Arbitrary moratoriums that affect the growth of animal agriculture, including limits on animal expansion and storage structure size.
- State agencies labeling or identifying farm operations, such as CAFO, GMO, or other labels, in any form of communication, no matter the size of operation or requirement of permits.

DEQ is delegated by the federal government to implement the National Pollution Discharge Elimination System (NPDES). We support:

- Amending state laws to more clearly define the areas which DEQ has authority to regulate under an NPDES permit and those areas where they have no authority, especially animal health which falls under the authority of the Animal Industry Act and the state veterinarian, or the DNR as it relates to wildlife.
- Amending or repealing Part 17 of the Natural Resources and Environmental Protection Act (NREPA) to prevent predatory litigation by special interests that could penalize farmers operating under legitimate permits issued by the DEQ.
- Timely issuance of NPDES permits, in accordance with state and federal rules. MFB should continue efforts to eliminate state regulation of animal agriculture that is more restrictive than federal requirements, including the lowering of permitting

- thresholds.
- Reduced permit paperwork requirements and an increased focus on performance with minimized costs to permitted farms.
  - Increasing incentives for permitted farms to become MAEAP verified such as limiting annual reporting requirements.
  - Application of permit standards in force at the time of permit application.
  - An appropriate phase-in period for any change in permit requirements.
  - Implementation of permit requirements derived with scientifically verifiable standards as provided in administrative rules.
  - DEQ adoption of EPA aquaculture effluent guidelines and promote feed-based Best Management Practices discharge standards.
  - Development of a General Permit for aquaculture for up to 200,000 pounds of production.
  - Modification of the Bodies of Dead Animals Act with input from farmers and dead stock haulers to allow any type of legal commercial or cooperative mortality management, and further recommend modifying NREPA to clarify that animal mortality disposal is not considered in the definition of production site waste. Consideration should be made for inclement weather impacts on animal mortality management and timeframes for disposal.

In addition to providing pollution prevention programs for all farms, MDARD should have an increased role in providing regulatory certainty to Michigan agriculture.

### **Response to Environmental Scrutiny**

The agricultural 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.

The harassment of farmers who are adhering to the State's pollution prevention program for agriculture shall not be tolerated. We support requiring the DEQ to notify local law enforcement and authorities before any actions are taken against farms. Individuals who lodge complaints with the DEQ 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.

## FARMLAND PROTECTION 75

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.

### **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 protection 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.

### **Funding Farmland Protection**

We support the creative development of farmland protection funding mechanisms at the local and state level, in addition to established concepts including conversion fees, millage proposals, tax credits, and recapture penalties. We urge Michigan Farm Bureau 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.

We support:

#### *PA 116*

- The Farmland and Open Space Preservation Program (commonly known as PA 116) as 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 master plan.
- All PA 116 tax credit recapture revenue being deposited into the Michigan

Department of Agriculture and Rural Development (MDARD) Agricultural Preservation Fund.

- Continued and aggressive use of PA 116 by creating additional incentives to maintain and increase participation.
- Additional funding and staffing of the Department of Treasury to process PA 116 refunds in a timely manner.
- Adequate funding and staffing of MDARD to administer PA 116.
- MDARD and Department of Treasury developing a better line of communication in resolving issues with PA 116 Tax Returns.
- 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*

- 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.
- Clarification of the “conflict of interest” policy for grants, including language such as “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*

- Legislation establishing voluntary Agricultural Security Areas to place a temporary, long-term agricultural conservation easement on farmland.

#### *Urban Revitalization*

- The improvement of cities, greater utilization of current infrastructure, and redevelopment of existing brownfields will result in reduced pressure to develop farmland.

#### *Transfer of Development Rights*

- Transfer of Development Rights facilitate the voluntary preservation of farmland where needed while allowing land development in appropriate areas without using public funds.

## GAME FARMS AND HUNTING PRESERVES 76

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 is concerned about increased 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 agriculture.

We support the elimination of feral swine.

On October 8, 2011, an invasive species order went into effect naming certain species of swine as invasive. We support this order and the continued development and implementation of regulations on hunting facilities that allow swine hunting. These rules would include, but not be limited to:

- Disease testing for all incoming and outgoing animals.
- Strict fencing requirements to eliminate the potential of recreationally hunted swine escaping into the wild.
- Following all standard and accepted practices for swine meat production operations in regard to interstate and international animal movement.
- Hunting swine population shall consist of sterile animals only.
- Permanent individual animal identification on all animals used for breeding and stocking of swine in hunting facilities.
- Record keeping of all incoming and outgoing animals.
- All cost of regulation shall be paid for by a licensing fee structure.

## INVASIVE SPECIES 77

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.

We support the role of the Agriculture and Natural Resource Commissions in establishing the prohibited species list.

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.
- Prevention and control of 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.
- If a predator species is introduced to limit or destroy an invasive species, it should be studied first to determine any other damage (to the environment or farmers) that might occur.
- 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 rights-of-way 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 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 and research institutions should work more closely with private landowners to control or eradicate invasive species. We

recommend the Department of Natural Resources notify all levels of local government and gain their support before releasing a non-native species. Any invasive species program that is proposed should not create additional restrictions on agriculture producers and landowners. We support efforts to establish the Michigan Department of Agriculture and Rural Development, with input from appropriate industry associations, as the State agency with responsibility for all terrestrial invasive species.

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

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

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

Michigan should not establish ballast water discharge standards that are more restrictive than neighboring Great Lakes States or Canadian Provinces. Michigan's standards should reflect the federal standards which are enforced by the U.S. Coast Guard.

## LAND ACQUISITIONS FOR PUBLIC PROJECTS 78

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

When the eminent domain provision is used to acquire easements, rights-of-way, leases, etc. across or through a farm, condemnation payments need to reflect the loss of value to the entire parcel. If the property is taken for public ownership, such as roads and bridges, the minimum payment should be two times the present value. If the property is taken for private ownership, such as shopping centers and utility uses, the minimum payment should be three times the present value for the land taken.

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.
- Direct and verifiable communication informing landowners in plain language of projects seeking eminent domain.

- Agricultural land not having a lower ranking than other types of land when calculating impact statements.
- 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.
- 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.
- Efforts to further strengthen property rights of Michigan property owners, including additional opportunities for judicial review in eminent domain takings.
- Permanent easements being given to the owners of the property left land-locked through land acquired by public entities including utility companies.
- Michigan Farm Bureau working with public utility companies to ensure fair and reasonable rental rates for land owners.

We oppose:

- The taking of property by government for the purpose of development of privately owned nonpublic projects.
- The ability of non-elected boards, agencies and commissions, public or private, to utilize the eminent domain process.
- 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 any portion of condemned land is not needed at the completion of a public project, is abandoned, or no longer used for the purpose stated, the 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.

## LAND USE 79

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.
- Require the county road commission and drain commission to collaborate with the county planning commission when developing the county's master plan and setting long-term plans.
- Intra-jurisdictional coordination between all public entities within a community, including fire districts, emergency medical services, 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 Michigan Department of Agriculture and Rural Development (MDARD) 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 cluster housing, buffer areas, fencing, planted tree setbacks, and site density zoning.
- Encourage local units of government to utilize brownfield redevelopment authorities.
- Amend the Land Division Act to:
  - Change the platting process to reduce cost, time and bureaucracy in platting.
  - Create density in communities by revisiting the 10-year redivision requirement.
  - 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.
- 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.

- Urban agriculture, where viable, and assisting urban agriculture entrepreneurs.

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 commissions and zoning boards. We urge members to become actively involved in land use planning and zoning.

Agricultural interests are represented by members of many councils, commissions and boards created by government, state legislators, and MDARD. Individuals appointed to these positions should be, or have been, directly involved in the agriculture industry.

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 consent of landowners regarding annexation proposals. 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 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 the production of energy on farms, including the sale or use of the generated electricity. Specific zoning for the production of alternative energy should include adoption of the state siting guidelines, taking into account sound science. 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 believe when the Department of Natural Resources (DNR) proposes public land use changes, 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. If limitations are proposed, then justification should be in writing and public hearings conducted.

We encourage the DNR to continue and expand the bidding, renting, and/or sale of State land for agricultural use. Restrictions on leases of State-owned agricultural land should not exceed the Generally Accepted Agricultural and Management Practices.

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.

## MICHIGAN CONSERVATION DISTRICTS 80

Enhancing farmland conservation practices and natural resource stewardship will benefit both farmers and the public. We strongly support 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 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.

Michigan's conservation delivery system, including Natural Resources Conservation Service, Michigan Department of Agriculture and Rural Development (MDARD) and Districts, could be more effective in delivering conservation on the ground, and it needs to be improved. The Michigan Legislature should initiate the redirection of Department of Environmental Quality non-regulatory responsibilities and accompanying funding to MDARD 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. We encourage conservation districts to promote the Michigan Agricultural Environmental Assurance Program (MAEAP) and work in collaboration with farmers to provide technical advice and assistance, including access to financial assistance through the Farm Bill, in order to

address resource concerns and achieve MAEAP verification.

We encourage Farm Bureau members to support and become actively involved with local conservation districts by working collaboratively to improve the conservation delivery system. 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:

- 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.
- Supporting a legislative or regulatory change that would enable conservation districts with budgets less than \$50,000 to participate in grant programs by submitting a financial review in lieu of a formal audit.

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.
- Partnering at a watershed scale.
- Providing multi-disciplinary cross-training for all conservation district technicians.
- Being the primary agency to initiate watershed management programming and technical assistance.

Conservation districts shall only offer 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.

## USDA CONSERVATION PROGRAMS 81

The Natural Resources Conservation Service (NRCS) is an active partner in the implementation of conservation practices on farms and woodlands. We applaud Michigan NRCS efforts in implementing the educational grant programs for county Farm Bureaus and conservation districts.

We encourage the NRCS to improve their relevance and ability to aid farmers with conservation issues.

In an effort to maximize agriculture’s participation in farm bill conservation programs, we support and recommend the following:

- NRCS aggressively inform producers about federal farm bill opportunities (e.g., EQIP, cost-share) and cooperative efforts with NRCS, Michigan Department of Agriculture and Rural Development (MDARD), and the conservation districts, including the amount of federal farm bill conservation money coming to the producers and landowners of Michigan from this cooperation.
- Michigan Farm Bureau informing members about federal farm bill conservation opportunities.
- MFB informing members of cooperative efforts between NRCS, MDARD, and the conservation districts and the amount of federal farm bill conservation money coming to the operators and landowners of Michigan from this cooperation.
- Simplifying farm bill programming for farmers as NRCS programming is paper-driven and difficult to manage.
- Efforts to expedite the use of NRCS funding for conservation district programs.
- Utilization of filter strips with flexible standards, such as a minimum of 10 feet.
- Preliminary technical wetland and highly erodible land determinations be made

within 30 days. If no determination is made within that timeframe, producers may proceed with the initially proposed land improvement project.

- Michigan USDA (NRCS and Farm Service Agency (FSA)) staff complete wetland and highly erodible land determinations and appeals process within 12 months or less.
- Filter strip plant variety recommendations should include pollinator supportive plants.
- Promotion of economic and environmental benefits of using grid/zone soil sampling and/or Variable Rate Fertilizer Technology through the Conservation Stewardship Program.
- Support the FSA in enrolling more acres in the Conservation Reserve Program around ditches and streams to decrease the amount of nutrient runoff on fields.
- Staffing county offices with professional personnel who have experience in administrative duties and agricultural production with an emphasis on communication skills.
- Michigan NRCS continuing the practice of co-location of conservation districts in their offices.
- The ability to move or relocate staff to areas of greater need or where their skills are better matched, while ensuring applicants within the state have a fair and equal opportunity to apply for positions for which they qualify.
- In order to allow implementation of programs and practices, NRCS is encouraged to fill vacant positions in a timely manner.
- Modification of the system for county office classifications to attract staff with greater talent and experience.
- Encouraging the Regional Conservation Partnership Program (RCPP) to have future sign-ups in the first quarter of each year to allow additional time for education about the program.
- Michigan, Ohio and Indiana Natural Resource and Conservation Service (USDA-NRCS) including cover crop cost-share in the RCPP on all acres enrolling, including those farm acres with preexisting cover crop history on a tract of land.
- Conservation program eligibility be determined by total environmental benefit rather than location within the watershed.
- All NRCS offices accepting applications for annual programs after closing dates, thus having them eligible for upcoming sign-up cycles.
- Michigan NRCS to create regional education specialists whose purpose and skills are to present NRCS programs at industry meetings of farmers and woodland

owners across the state.

- Creation of county farmer oversight committees for local NRCS offices.
- Increasing farmer representation on the State Technical Committee.

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

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

Michigan's conservation districts are an important component of MDARD'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.

We support:

- The Michigan Groundwater and Freshwater Protection Act. This Act funds groundwater and surface water programming through providing grants to fund local technicians. These technicians work with farmers to voluntarily adopt stewardship practices, which reduce nonpoint source pollution from agricultural sources. We believe funding of these technicians needs to be a top priority.
- Participation in the Michigan Agriculture Environmental Assurance Program (MAEAP), including information generated by assessment programs remaining confidential. Aggregate data that would demonstrate effectiveness of the overall program could be shared. We strongly recommend Farm Bureau members participate in regional water stewardship teams.
- Agriculture being the primary focus of MAEAP assistance in recognition of agriculture's contribution to the dedicated fund.
- All fertilizer retailers becoming certified in the 4R (Right fertilizer source, Right rate, Right time, Right place) Nutrient Stewardship Program and/or similar fertilizer management efforts.
- An annual review of the Freshwater Protection Fund finances, with the report

to be available to the contributors.

- Freshwater Protection Fund collection at the wholesale level.
- Continuation of the cost-share provided to producers for conservation practices.
- The CleanSweep Program with MDARD accepting responsibility for any future liability for chemicals collected.
- Use of the Saginaw Bay Optimization Model.

Agriculture should lead watershed management, or EPA will make efforts to place permits on the industry. 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 support the continued MAEAP verification of all farms and recognize Michigan law that offers MAEAP-verified farms presumption of meeting the obligations for watershed pollutant loading determinations.

We encourage Michigan Farm Bureau 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. We believe environmental credit standards should be developed and applied against any new regulations to offset the regulatory burden on producers. State regulations and standards enforced by the Department of Environmental Quality (DEQ) should not be more restrictive than federal standards.

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

We support:

- The Lake Erie Domestic Action Plan.
- Streamlining the process of allocating funds to improve water quality at the farm level.
- The use of sound science methods to determine water quality.
- MFB taking a leadership role in developing protocols for water quality monitoring.
- An unbiased study to determine contributors that negatively impact water quality before additional regulations are imposed upon agriculture.
- Changes to well siting requirements. Given the intended use of the water supply, we support allowing water quality testing in lieu of existing well setback standards to satisfy the siting requirement.
- MFB coordinating with neighboring states and Canada where a watershed is shared to reduce nutrient loading issues.
- The state of Michigan to cease and desist in the removal of dams located on all

drains and waterways recharging aquifers of the state and require all owners of existing dams to maintain such structures.

- Timely enforcement of water quality standards using credible data. 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. We encourage Farm Bureau members to participate in voluntary water quality monitoring programs, in which results are kept confidential.
- Legislation clarifying that forest management practices are not point sources of pollution.
- Development of baseline environmental standards for agriculture that are in line with current production standards and methods.
- Coordinated efforts to expedite soil stabilization permits.
- Scientific, site-specific testing protocols and/or landowner consent prior to DEQ 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.
- MDARD, working in cooperation with DEQ and local governments, to oversee the disposal of moderately contaminated watershed sediments on farm lands containing greater levels of the identified contaminants.
- When nutrient research is completed, university, state and federal programs need to promptly update guidelines so farmers have time to implement them.
- Additional research on dissolved phosphorus.
- Continued education on appropriate phosphorus and other nutrient use.
- Legislation to provide liability protection to farmers who follow the label directions, pertinent regulations and Generally Accepted Agricultural and Management Practices (GAAMPs) of fertilizers and pesticides.
- MFB involvement in fiscally responsible strategies to fund voluntary conservation practices.
- The existing Soil and Sedimentation Control Act exemption for plowing, tilling and other agricultural and land improvement activities.
- Farmer representation on local boards and commissions that make decisions on environmental policies such as land use and watershed planning.
- Eliminating the acreage cap for Michigan's Conservation Reserve Enhancement Program.
- A farm's ability to move portable toilets within and between their farms.

- Biosolid applications being consistent with guidelines from Land Application of Biosolids in Michigan Management Recommendations.
- Establishment of a statewide septic task force consisting of agricultural, rural, urban and statewide geographic representation that should be responsible for developing:
  - A set of septic system standards including maintenance.
  - Fair and uniform implementation and enforcement across Michigan.
  - General public education to increase the understanding of properly constructed and working septic systems.
  - A standard for inspections and state certification of inspectors.

We oppose:

- Water quality monitoring of ditches and streams selectively performed to incriminate individuals and not performed by certified individuals in accordance with DEQ protocols.
- Any regulation by local government which would be more restrictive than MDARD and EPA regulations in terms of fertilizer and pesticide usage.
- Farmers being presumed as causing pollution of public or private water supplies near agricultural operations.
- Well setback distances from agriculture practices greater than 75 feet, as listed in the Grade A Dairy Law.
- Additional environmental permits regarding agricultural non-point source pollution.
- Restricting phosphorus for agricultural uses if producers follow GAAMPs or soil testing by a certified lab.

## OIL, GAS, AND MINERAL RIGHTS 83

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

Oil, gas and mineral 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, and not object, at the time of re-registration.

We oppose attempts to ban exploration for oil, gas and mineral deposits. We support legislation requiring the lessee of oil, gas and 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, oil, gas and 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 support the continued use of hydraulic fracturing with the appropriate scientifically verified environmental safeguards.

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 oil, gas and mineral rights of adjacent landowners, the affected landowners should be compensated for these losses.

Gas, oil and mineral royalties from state-owned land and all severance taxes should be shared with local units of government. Michigan Farm Bureau supports a reasonable severance tax for gas, oil and precious metals, with the priority focus of the funds to be in the region where the commodity is removed.

We encourage MFB to explore alternative distribution of Natural Resources Trust Funds. Consideration should be given to maintaining and improving parks, roads and wildlife habitat on existing state lands.

Traditionally in Michigan, oil, gas and 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 even though the state has decided to allow some post production cost deductions.

We oppose any deductions by the oil, gas and mineral industries 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 or mineral is extracted. When oil, gas and minerals are severed from the ground,

everything that occurs after severance is the responsibility of the lessee.

We believe government agencies, Farm Credit Services, local and state recording offices, and other state and federal chartered financial institutions should not be allowed to sever oil, gas and mineral rights from surface rights when they resell land acquired through any land transfer. Oil, gas and 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, gas and mineral leasing from Michigan State University Extension offices or through MFB before signing a lease. A checklist for oil, gas and mineral leases is available on the MFB Web site.

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

We support any change in a well's use being re-permitted before that use.

We support agricultural representation on the state oil and gas advisory committee.

#### 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 and compensate the landowner for any private property rights taken.

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

We believe the original description of a parcel should stand and the moving of a boundary through re-measurement shall not automatically be considered conclusive.

We support the development of a process that will provide notification to all adjacent landowners when a new land survey is conducted by a registered surveyor.

We believe the Doctrine of Adverse Possession should continue in property line disputes.

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.

We support legislation that would deny a claim of prescriptive easement based on intentional recreational trespass.

We support the development and implementation of a “purple paint law” which authorizes the posting of private property through the use of a specific paint color.

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.

### **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.

### **Endangered Species Act**

Government should provide removal of the species or 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.

## 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:

- Utilization of farm plastic recycling programs such as Clean Sweep.
- Recycling programs for agricultural tires and all reusable agricultural material.
- Adopt-a-local roadside program.
- Michigan Farm Bureau working with universities, Michigan Department of Agriculture and Rural Development and the Michigan Department of Environmental Quality 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 materials at agronomic rates without additional state or local regulation.
- Alternative uses for excess food ranging from food banks to anaerobic digesters.

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.

Michigan has implemented a science-based water withdrawal assessment tool. The process has experienced complications and technical difficulties. Pursuant to information received from the director of the Michigan Geological Survey, the current data used in the water withdrawal assessment tool is insufficient for the purpose of adequately mapping and assessing Michigan groundwater resources and consideration of applications for groundwater withdrawal. Although an evaluation performed by the Water Resources Conservation Advisory Council found that the assessment tool provides automatic authorization for withdrawals in over 80 percent of all cases statewide, Michigan Farm

Bureau 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 (WWAT) accounting for regional variability and privately collected data.
- University research to verify accuracy of the assessment tool.
- Working with well drillers to ensure they have sufficient understanding of geological and hydrologic processes to provide uniformity in the best possible knowledge and service to their clients, as well as the most accurate and useful reporting of data to the State, including groundwater location and availability, and soil and geological formations. We encourage voluntary submission of geological samples to the Michigan Geological Survey and the development of a trust fund for protecting participants against liability for findings resulting from sample analysis.
- Investigating sources of funding for geological mapping.

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 support completion of the comprehensive water use study in Southwest Michigan to collect the data necessary to make appropriate changes within the WWAT.

We support the changes made by Public Act 209 of 2018 to provide for an optional alternate process for site specific reviews of high-capacity water withdrawals. This new law is based on updated scientific modeling and provides a more accurate reflection of the regional variability of water use impacts. Additionally, the new law clarifies the Department of Environmental Quality’s (DEQ) role and timeframes for review and approval of withdrawal applications under the new process. We encourage MFB to oversee the implementation of the new law and develop educational information about the new process for members. MFB supports the Southwest Water Resource Council which is charged with studying water resources in the region.

We support the Aquifer Conflict and Dispute Resolution law and further support the following changes to the process:

- Michigan Department of Agriculture and Rural Development (MDARD) shall certify a number of well drillers to verify complaints by onsite inspection. These contracted well drillers will be ineligible to replace, repair or modify any well they are sent to inspect.
- The owner of a high-capacity well is not assumed at fault until proven otherwise.

- Establish a statute of limitations and release from future claims.

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 day in any 90-day consecutive period for agriculture must be handled by MDARD.
- Allow municipalities or other governments having jurisdiction over artificial impoundments, such as ponds and lakes, to drain down the body to facilitate the removal of accumulated sediments.

We support:

- Continued MFB leadership in the implementation of the state's water withdrawal assessment law in accordance with MFB policy.
- Asking for an increased role in any current or future state water use committees due to the diversity of Michigan agriculture.
- The state of Michigan making every effort to approve the use of an agricultural water withdrawal in a timely manner.
- MDARD as 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.
- Basing all water use policies and regulations on validated scientific research.
- Seeking new and expanded opportunities to reclaim and recycle water.
- An exemption from the Michigan WWAT for withdrawals in areas where the potential for adverse resource impact is proven to be negligible based on the collection and analysis of field data using industry standards, methodology and practices.
- 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 and promotion to the public that result in increased education and the value of 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 voluntary use of monitoring wells.
  - 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.
  - Increased development and use of the Michigan Well-Logic System, a database of residential well logs. Accurate 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 regardless of well depth.
  - Privately researched data collected in accordance with standard research protocols being included into the Michigan WWAT and accepted by the DEQ, as well as MDARD.
  - The development of a standardized template, with input of stakeholders, for utilization by the DEQ and MDARD during site specific reviews of high-capacity agricultural water withdrawals.

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.
- Designation by the EPA of any sole source aquifer which crosses a state line.
- Fraudulent use of the WWAT to register a water withdrawal.

#### WATERS OF THE UNITED STATES 87

We encourage reaffirmation and support of the 2006 U.S. Supreme Court Justice Scalia's definition of "Waters of the United States" as limiting the scope of the EPA oversight. Without specific definition of this terminology, the EPA has already tried to expand its oversight to include 'temporary' waterways, which include areas as small as wet spots in fields and puddles in driveways. This would reaffirm the limits of power held by the EPA in these matters to navigable waters of the United States.

We urge EPA to include greater farmer input in the development of future rules.

We oppose changing the wording, meaning or definition of navigable waters in the Clean Water Act (CWA), the removal of the term "navigable waters" from the CWA, and any attempt to broaden the reach of the CWA. Federal CWA jurisdiction should be limited to navigable streams and flowing waterways that have continuous flow 365 days a year. Under no circumstance should any ag drainage ditch be considered a water of the United States.

We encourage Congress to re-introduce and adopt the Regulatory Integrity Protection Act of 2015.

## WETLANDS PROTECTION ACT 88

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.

We support the changes made to the Wetlands Protection Act under PA 98 of 2013 to retain federally delegated authority of the Clean Water Act Section 404 Program. The new law provides many reforms that will impact agriculture, including:

- New agricultural drainage maintenance definition and retention of maintenance exemption.
- Drainage structures excluded from being regulated wetlands.
- Exemption for established and on-going farming operations.
- Wetlands will not be regulated if they are less than five acres and their only connection to an inland lake or stream is an agricultural drain.
- Exemption for cutting of woody vegetation and in-place stump grinding within a wetland.
- Creation of blueberry general permit with permitting flexibility, including mitigation and a blueberry assistance program.
- Exemption for construction of livestock crossings.
- Exemption for construction of livestock fencing associated with grazing.
- Temporarily obstructed drains are not regulated as wetlands.
- Declaration that DEQ delegated authority is limited to application of the Clean Water Act, associated rules, or court decisions. Any further regulation is the responsibility of the Michigan Legislature.
- If EPA withdraws Michigan's federally delegated authority for Section 404 of the Clean Water Act, Michigan's wetland law will be repealed within 160 days.

We support the regulation of a wetland if it meets the same criteria as based on U.S. Army Corps of Engineers' 1987 Delineation Manual and Regional Supplements.

The DEQ has completed the wetland inventory throughout the state. Michigan Farm Bureau 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 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.
- 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.
- Cleaning up edges of fields back to the original farmed edges and removal of barriers such as brush and trees protruding into fields should not trigger a wetland determination or disciplinary action against the farmer/landowner.
- 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.
- DEQ and Natural Resources Conservation Service completely explain in advance and in writing 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 been alleged.
- Research that explores the correlation between West Nile Virus and standing water.

- All issues of determination, enforcement, and penalties need to be handled by government agencies working in unison and cooperation with a single point of regulatory compliance.

DEQ 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 certain crops which may only be grown on sites developed from wetlands.

## WILDLIFE MANAGEMENT 89

Wildlife is an important part of Michigan's outdoor heritage and economy. Sound biological science must be used to manage all wildlife populations to maintain proper balance in numbers, reduce damage to property, and control, monitor and test for disease transmission. We believe hunting and trapping should be protected as the primary tools for wildlife management.

We support competitive license fees to encourage resident and nonresident hunting and fishing opportunities. We encourage the Department of Natural Resources (DNR) to review management units for all wildlife and consider reconfigurations based on biogeographic areas. Michigan Farm Bureau will work with the DNR and other stakeholders to achieve ecological balance, as well as establish and not exceed carrying capacity of the land. The DNR should increase habitat management on public lands, helping both the hunting and farming communities.

The DNR shall revise, and extend or create hunting seasons to provide the most flexibility to hunters to improve success and effectively manage populations. Further, the DNR should be the lead agency to advocate Michigan's authority to manage federally protected species. We urge the American Farm Bureau Federation to take a proactive stance on increasing states' rights to manage federally protected species.

We support standardized procedures for reporting, investigating and indemnification of depredation at fair market value. A notarized statement of loss should be enough proof for reimbursement when there is no evidence beyond an animal of appropriate size missing.

The decision to allow baiting and feeding should be based on veterinary/animal health science. MFB opposes artificial baiting and feeding of free-ranging deer. Strengthening fines and penalties for illegal feeding and baiting of wildlife, similar to those for poaching, should be considered.

Wildlife control permits should be low-cost or free and easily accessible based on seasonal damage and allow the landowner, regardless of the hunting season, to use

the appropriate firearm for the land's zone. Controlling species on farmland is necessary to produce a viable product. MFB encourages farmers to consider alternative methods for controlling loss, which may include lease options. If control methods are ineffective, farmers should have the authority to manage nuisance/destructive species on their land, including utilizing services from programs such as USDA Wildlife Services.

Increased use of technology, including QR codes, electronic data reporting and unbiased surveys, along with voluntary check stations for wildlife need to be explored. This could be utilized to help provide better population data, control disease and management of wildlife in Michigan. In cases of diseased animals, replacement tags should be issued.

We support programs and methods that help control problem species, including the concept of earn-a-buck or other doe management techniques. However, we oppose concepts that will have adverse effects on agriculture, including the use of mandatory antler point restrictions.

We urge the DNR to finalize its plan for citizen advisory councils in the Lower Peninsula. Two citizens advisory councils have been created in the Upper Peninsula. These advisory councils have provided an excellent forum for interaction between stakeholders and individual citizens. The end result has allowed for better resource management with increased transparency.

We support the report of the MFB Wildlife Action Team which encourages farmer participation at Natural Resources Commission (NRC) meetings.

In an effort to have a balanced wildlife population based on the carrying capacity of each region of the state, the Wildlife Action Team supports managing wildlife populations on a regional quota-based system. When quotas are not achieved, additional hunting seasons should be made available or existing seasons extended. If needed, consideration should be given to an agency culling/harvest.

We support the Michigan Wildlife Management Education Fund which is financed by a fee on hunting and fishing licenses and used to educate the public on natural resource issues.

We encourage the DNR to publish a report every 3-5 years on county or regional analysis of whitetail deer herd populations. This report would include the risk of those herds for contracting diseases such as Chronic Wasting Disease (CWD), Bovine Tuberculosis (TB), and other diseases. Such report should include recommendations

regarding proactive herd management that would reduce risks of contracting such diseases.

To prevent the spread of infectious and contagious diseases such as CWD and TB, we oppose the translocation of untested terrestrial wildlife species, with known infected populations, from one area of the state to another. The DNR must strictly enforce disease control laws and regulations put in place. MFB should assist members reporting lax and inconsistent enforcement activities with communications with the NRC, legislators, and administration officials. MFB supports legislative oversight and audits of DNR enforcement consistency.

## **TAXATION**

### **FEES 90**

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 including agricultural research and diagnostic capabilities. We are very concerned with the expansion of new and increased fees which impact 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 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 statement should be completed on the permitted entities before the fee is implemented.

## MOBILE HOME TAXATION 91

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 equality 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:

- Creating a pathway for mobile homes to be assessed as real property, taxing them at half their market value.
- Mobile homes used as farm buildings shall be taxed accordingly.
- Impose a transfer tax equal to the transfer tax on real property 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 92

Agricultural property in Michigan is taxed at 50 percent above the national average, which is a significant cost.

We support:

- The agriculture exemption from state sales and use tax based upon the use of the product.
- PA 283 of 1909 (MCL section 224.20) be revised to indicate that all new monies generated by county boards of commissioners must be placed on the ballot in a millage election, and levied only after receiving the approval of the majority of the

voters.

- Deletion of the words “for a period of more than five years” from Article II Section 6 of the Michigan Constitution of 1963.
- Development of legislation allowing 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.
- Legislation requiring assessments on farm structures to align with the current use of the structure.
- PA 162 of 2013 which states sales of agricultural land without a qualified agricultural affidavit on file will not be used in the sales studies for agricultural land.
- Development of taxation methods to more fairly distribute municipal service costs.
- 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 sales and use taxes as referenced in Revenue Administrative Bulletin 2002-15 of June 2002.
- The Qualified Forest Property program which exempts the pop-up tax and provides a 16 mill exemption, 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.
- A continuation of the agriculture sales tax exemption for the equine industry.
- Local units of government classifying equine therapy facilities, therapeutic riding facilities, equine rehabilitation facilities, and other similar equine-related businesses utilizing horses as the major component of their business as agriculture for property tax purposes.
- The continuation of Proposal A in its current form, as it pertains to agriculture.
- The state of Michigan providing tax incentives rather than tax the production, distribution or sale of renewable energy or fuel including but not limited to wood, cherry pits, biodiesel, ethanol, methane digester power, geo and hydro power, as well as windmill and solar power. If the majority of the energy is used for onsite purposes, the generation of the energy and associated equipment should be tax exempt.
- Using federal adjusted gross income (AGI) as the base for Michigan's income tax calculation and oppose decoupling for items such as accelerated depreciation and expensing rules (Sec. 179).
- The sale of State land to meet its obligations, and return the land to private ownership and the property tax roll.
- The change to the summer tax collection which provided for a lifetime 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.
- 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.
- Allowing a surviving spouse who has not remarried to continue to use the age of the deceased spouse for the purpose of the determination of qualification for pension subtraction from income.
- Supporters of the FAIR Tax providing education and analyzing the proposal's impacts and benefits on agriculture.

We oppose:

- Charging state sales tax on the federal manufacturers excise tax.
- The reduction of taxes levied on state-owned land below current levels.
- Sales tax levied on new vehicles before cash back, manufacturer incentives and rebates.
- Sales tax levied on the sale of used vehicles.
- Any tax on food or food additives including so called “sin taxes” on products like processed sugar.
- The reclassification of agriculture and forest land 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.
- Any plan which places an undue or unrealistic tax or fee which affects agriculture, such as a tax on gross receipts, a tax on personal property or a tax on assets.
- Assessing occupied business structures as though they were vacant.

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.

## **TRANSPORTATION**

### **ABANDONED RAILROADS 93**

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 unused railroad rights-of-way not preserved for future 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.

The Michigan Department of Transportation (MDOT), who controls the abandoned railroads, should allow the adjacent property owner to clear and remove the railroad bed to return it to agricultural production.

We propose a state standard be developed by MDOT 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 Department of Natural Resources 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 94

The board of county road commissioners is a unit of local government responsible for maintenance and construction of most roads within a county. Michigan is the only state in the country to utilize a county road commission structure. The three or five-member boards have six-year staggered terms and are, in most cases, appointed by the county board of commissioners.

Public Acts 14 and 15 of 2012 allows a county board of commissioners to assume the duties of the county road commission. We continue to support a system of local control selection.

We encourage local governments to continue to look for increased efficiencies in government by prioritizing services, reforming where possible, eliminating duplicative services, and utilizing private partners.

We believe each county overseen by a road commission should have the option to decide 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 the local road agency to work in coordination with all pertinent county agencies (e.g., drain commission), townships, local planning, zoning boards, county Farm Bureaus, and affected property owners in order to minimize road construction costs and gather public input.

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

We believe the local road agency should utilize Michigan Department of Transportation'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 95

As farm suppliers and markets become fewer and farther between, distances farmers must travel for supplies, services and markets have increased substantially.

In October 2012, federal law provided exemption of driver and vehicle standards for covered farm vehicles. We support the development of a state of Michigan covered farm vehicle designation to cover rented and commercially plated vehicles used for agriculture.

We encourage Michigan Farm Bureau to work with Michigan State Police to implement and clarify the agricultural provisions of the federal MAP 21 Act. We encourage MFB members to review the Michigan Farmer's Transportation Guidebook and use it as an educational tool for all drivers.

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

We support the exemption of all farm and agribusiness vehicles of any size, up to legal weight limit per axle, from no through trucks ordinance and laws.

We oppose the classification by a state or federal government to include implements of husbandry as commercial motor vehicles.

MFB should continue to provide information to members regarding the proper uses of farm-plated vehicles.

We urge MFB to seek clarification on the licensing and registration requirements for farmers and others hauling livestock, equipment, and agricultural products to markets,

events or shows, and people to events or shows.

We support more flexibility in the waiting period to obtain a seasonal restricted license.

## HIGHWAY IMPROVEMENTS AND MAINTENANCE 96

Michigan Farm Bureau recognizes the importance of the state and local road network 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 believe state and local road agencies should be adequately funded so they are able to properly fund routine maintenance and ensure safe and efficient roadways to all motorists.

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.
- Emphasis on improving existing roadways prior to constructing new highways.
- Highway maintenance and changes within the existing right-of-way should not have to complete a new environmental impact study before performing the work.
- 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,

roadways and intersections of hazards that obstruct the view of motorists or impede travel, road drainage, or cropland drainage. This would include dead and dying trees within the right-of-way. In the event the authorized authority is unable to fulfill their maintenance obligations, landowners should be allowed to perform such work. Property owners should maintain proper visibility of intersection views by using the triangular sight-line system.

- Individuals, pursuant to reasonable regulations, should be allowed to harvest existing forages and trees along roadways without a permit.
- 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 and shoulder should have trees and overgrowth trimmed to a minimum height of 15 feet. Also, a reasonably safe condition should be provided by the respective road agency.
- Engineering and design of roadways be required to have at least 20 feet clearance between obstacles.
- 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.
- All road construction, improvements, and maintenance projects should include an open bid process.
- 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.
- When road improvements or reconstruction create right-of-way changes, property owners with permanent crops should be compensated.

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 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.

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

## HIGHWAYS 97

Agriculture is dependent on a sound transportation system to move materials and products to and from farm and market.

### **Road Funding and Maintenance**

Michigan's road and highway maintenance budgets have regularly seen funding short-falls over the last several years despite legislative efforts in 2015, and these funding deficiencies are growing due to the rising maintenance costs coupled with increases in automotive fuel economy. Michigan Farm Bureau believes having adequate road funding should remain a high priority for the state. 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 PA 51 formula. Such taxes must be in line with maintenance costs and should be consistent with neighboring states.
- A system that allows for indexing of the fuel tax rate.
- A one percent increase in the State's general sales tax dedicated directly for road funding. As an alternative option, we support diverting 100 percent of the state sales tax collected on motor fuels to the PA 51 formula to provide additional road funding, and the use of a 1 percent increase in the general sales tax to offset the loss of revenue.
- Taxing other forms of energy that are used in transportation at an equitable rate.
- An increase in the return of Michigan collected revenues sent to the National Highway Trust Fund.
- US 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.
- The removal of state mandated wage guidelines which may not reflect actual market conditions.
- 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 can be transferred from primary to local road systems, provided these funds are used to match other locally raised revenue. We believe local roads should receive a higher priority.
- 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 rights-of-way for the construction of complete cloverleafs when new freeways are built.
- Allocating funding from the Department of Natural Resources, 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 considering not only future needs of the area but also the effects on agriculture.
- The builder of a housing development near a freeway or existing highway being responsible for erecting an acceptable sound barrier, if needed.

We support PA 51 of 1951 and the principle of a legislated distribution of the Michigan Transportation Fund (MTF). 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 MTF 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 MTF.
- Provide a role for counties and townships in road improvement decisions.

While maintaining safe bridge structures, increased costs to meet Department of Environmental Quality and Department of Natural Resources specifications should be paid for by the respective State agency, or the requirement for the project waived.

We support the continuation of permanent trailer license plates without additional fees, and allowing these plates to be transferred.

We support specialty license plates and allowing their use on agri-business and commercial vehicles.

We oppose:

- Distribution of road funding based on road use or traffic volume.
- Reverting to the property tax or special assessments as a means of building and maintaining state roads and bridges.
- Any proposal requiring vehicles registered in Michigan to display license plates on both the front and rear of the vehicle.

## **Weights**

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

We support:

- The use of sound engineering principles and criteria to determine when to apply and remove spring load restrictions on county and Michigan Department of Transportation (MDOT) roads.
- Reasonable, standardized Frost Law permitting criteria and fees for all counties within the state.
- Requiring MDOT to issue permits for the trucking of agricultural and forestry commodities at normal load limits during spring weight restrictions on the state highway system.
- Requiring all state highways be brought up to Class A designation as soon as possible.

Until they are, the appropriate road agencies should have the authority to give seasonal permits for movement of agricultural produce.

- MDOT being allowed to issue seasonal permits which allows farm equipment to be trailered on weekends, as well as week days, on the state highway system.
- Earmarking part of state, local and county fines for roadway repair to be distributed back to counties through the MTF formula.

We oppose:

- The requirement by county road commissions to be named as an additional insured for liability coverage to obtain a permit.
- Actions by local units of government which impose reduced vehicle weight limits on roads established or maintained with state or federal road funding.
- City, township and village fines that are allocated for local law enforcement.

### **Length and Width**

We support trailers of common dimensional size, which are currently legal on Class A roads, be allowed to operate on all roads.

### **Autonomous Vehicles**

We support:

- Development of technology to advance the use of autonomous vehicles.
- The development of safety technology and mandatory enhanced safety features installed on all new vehicles including, but not limited to, braking and cautionary sensors that create a safer driving environment for all farm equipment on roadways.
- Proper regulation and licensing of road bound vehicles.

We encourage Farm Bureau to monitor future developments in autonomous vehicles and regulation regarding their use.

## IMPLEMENTS OF HUSBANDRY 98

We acknowledge the changes made under PA 589 of 2012 that updates the definition of implements of husbandry. 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.

We encourage implements of husbandry to be operated and maintained within

manufacturer's recommendations.

Agricultural equipment has changed over the years.

We would encourage Michigan Farm Bureau to educate members about the appropriate use of implements of husbandry on public roadways. We support current statute for size and weight provisions of implements of husbandry.

MFB urges clarification of the new definition of "modified agricultural vehicle" and its distinction from implements of husbandry.

We support establishing a Transportation Advisory Task Force within MFB to review transportation regulations.

#### INTERNATIONAL TRADE CROSSING 99

Canada is Michigan's leading trade partner and transportation to and from Canada is vital to accommodate the agricultural industry.

We applaud the completed agreement to construct the Gordie Howe International Bridge (New International Trade Crossing) and urge its expedient completion.

#### LIMITED PURPOSE OPERATOR'S LICENSE 100

Prior to 2008, Michigan law contained no requirement that an applicant for a driver's license or state ID card needed a specific immigration or citizenship status in order to be eligible and had to submit documents sufficient to prove their identity and Michigan residency.

We support the State of Michigan:

- Providing a limited purpose operator's license for individuals without proof of citizenship status.
- Setting standards for documentation required for the limited purpose operator's license.
- Increasing penalties for providing fraudulent information to the Michigan Secretary of State, including fraudulent claims of state residency.
- Requiring passage of a written and driver skill test.

The limited purpose operator's license would not be acceptable for official federal purposes. It would be issued only as a license to drive a motor vehicle and not establish eligibility for employment, voter registration, or public benefits.

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 and Rural Development, the Michigan Department of Transportation, the U.S. Department of Transportation and 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 improve and maintain railroad crossings to current code, including replacing existing railroad cross buck signs with cross buck signs that are reflectorized on both sides, and requiring 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 and 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.



We continue to support legislation which will promote highway safety.

We believe pedestrians choosing to walk in the roadway should wear high visibility clothing and follow traffic rules.

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 believe PA 300 of 1949 should be revised to include visibility and safety standards for the operation of bicycles on public roads during daylight hours, as well as sunset to sunrise. Front and rear lights and high visibility clothing should be required. Additionally, traffic laws should be enforced by local authorities for bicyclists at the same level as they are for passenger vehicles. We encourage further education regarding bicycle safety and rules on public roads.

We support legislation and education to improve the interface between farm machinery and other vehicles on Michigan roadways. We urge the Michigan Department of Transportation to take into consideration the size and maneuverability of farm equipment when designing new traffic flow structures such as roundabouts or Michigan turnarounds.

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.

Michigan Farm Bureau is opposed to inappropriate use of slow moving vehicle (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 and other traffic alert signs in areas of heavy farm or other traffic or similar signage allowed under the Michigan Manual of Uniform Traffic Control Devices.

We also support:

- The voluntary use of reflective tape or other reflective material where appropriate, including horseback riders.
- 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, such as driveway markers.
- 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.
- Small spillage of agricultural products, including feeds and fertilizers, which does not impede traffic or result in pollution, should not result in legal suits.
- The placement of yellow flashing lights at the beginning of school zones, and appropriate signage as mandated under the Michigan Manual of Uniform Traffic Control Devices.
- The use of low cost measures, including reflective taping or additional signage, to mitigate accidents at rural intersections and railroad crossings.
- Voluntary use of pollinator habitat using Natural Resources Conservation Service guidelines along roadways and at intersections to improve line of sight.

All persons over 75 years of age should have to renew their driver's license in person at a Secretary of State office. The only test that would be needed is a vision test. This test would be optional and at the discretion of the Secretary of State staff.

## **FARM BUREAU**

### MEMBERSHIP AND FARM BUREAU PROGRAMS 103

Membership is the lifeblood of our organization. Michigan Farm Bureau encourages member engagement in membership, Community Action Groups, Promotion & Education and Young Farmer programs through county Farm Bureaus.

We support:

- Growing and maintaining membership,
- Grassroots local policy development,
- Educating youth, farmers, consumers and public officials about agriculture and its importance to our economy,
- Leadership programs for personal and professional development, and
- Developing young farmers for the future of our industry.
- Effective January 1, 2018 a county Farm Bureau's vice-president or member of the county executive committee who is authorized by the county Farm Bureau President shall be entitled to attend any/all activities or conferences in place of the county president.
- An advisory committee be formed if the proposed relationship agreement is approved, to work with the County Services Department. The committee would be made up of two county Farm Bureau leaders from each of the five membership categories stated in the monthly membership report, to help resolve challenges prior to and during implementation.

It is through these programs that our members are able to successfully be the voice for agriculture.

### LEGAL DEFENSE FUND 104

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, the Legal Defense Fund Committee reviewed two grant requests from members seeking assistance from the Fund. We commend the members of the Legal Defense Fund Advisory Committee for their efforts over the past year 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 January 1, 2018 through August 31, 2018 totaled \$23,096.47, with \$12,407.10 coming from county contributions, \$8,134.70 from Michigan Farm Bureau and \$2,554.67 in interest. The fund had a balance of \$250,457.92 on August 31, 2018. 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.

We support the Michigan Farm Bureau Political Action Committee's (AgriPac) mission, which is to:

- Evaluate and endorse candidates seeking federal or state office whose positions are compatible with MFB policies, without regard to party affiliation.
- Allocate AgriPac and FarmPac funds to endorsed candidates.
- Promote the personal and financial involvement of Farm Bureau members in the election of Friends of Agriculture.
- Encourage county Farm Bureaus to further engage in the electoral process.

The MFB AgriPac is appointed by MFB's president, with consent of the Board of Directors. The Committee designates *Friends of Agriculture* and provides 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 AgriPac is crucial to its success. Nevertheless, prompt decisions and timely communication of final decisions to each county is important.

AgriPac endorsements shall be made no later than 20 days after the state party conventions to allow adequate time to promote *Friends of Agriculture*.

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.

We encourage our members to contribute to AgriPac beyond the suggested voluntary donation on their dues.

We ask that AgriPac research and conduct, when feasible, fund raising activities to increase the funds available to help elect *Friends of Agriculture*.

We recommend Candidate Evaluation Committees include questions that address local issues.

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 commend the county Farm Bureaus and their county candidate evaluation committees for their active involvement in recommending and electing *Friends of Agriculture*.