

S.B. 205 passes

by Jennifer Vincent

The last bill of the century to pass the Michigan Legislature will help secure the viability of the state's agriculture industry for the next century. Ending an all-night session, the House passed Senate Bill 205 at approximately 5:30 a.m., Dec. 9, with a 61-48 vote.

The Senate concurred hours later, by a vote of 27-10. Gov. Engler is expected to sign the bill before the new year, putting it in effect June 1.

The legislation will grant protection from lawsuits by making the Michigan Right-to-Farm Act the one, uniform and scientifically based state standard for farming. It removes Section 4 of the right-to-farm law, which stated that township and county ordinances could override Right-to-Farm.

Michigan farmers have been increasingly faced with a patchwork of township regulations that often overlap or conflict with state or federal laws. S.B. 205 removes a local government unit's ability to create regulations that overlap or go beyond the Right-to-Farm's Generally Accepted Agricultural and Management Practices (GAAMPs).

"As urban sprawl continues to accelerate, as farmers become fewer, as township board members become generations removed from the farm and as the agriculture industry continues to dramatically change, farmers need one set of standard, scientifically based guidelines to operate from," said Jack Laurie, Michigan Farm Bureau president. "And, if they follow those guidelines, they should be protected."

The bill included several changes from the version that passed the Senate, 23-13, two months earlier. "We applaud the House's approval of Senate Bill 205 with its amendments," Laurie added. "By removing Section 4 of Michigan's Right-to-Farm Act, a patchwork of township ordinances will be replaced by guidelines established by agricultural, health, environmental and local government professionals."

The bill was introduced by Sen. Joel Gougeon (R-Bay City) following a report from the Senate Agricultural Preservation Task Force, chaired by Sen. George McManus

An amendment to the bill to add farm-site-selection criteria in GAAMPs was approved after concern surfaced about location of livestock operations. "Because local township and county officials carry expertise in this area, they will be involved in developing this new GAAMP - determining where it is appropriate and where the land base allows for proper disposal of manure," said Michigan Farm Bureau Legislative Counsel Ron Nelson. "In addition, townships will still be able to plan for land use through zoning."



The passage of Senate Bill 205 is being hailed as good news by many Michigan farmers. The bill, expected to be signed by the governor before the end of the year, strengthens the Michigan Right-to-Farm Act by removing language that previously allowed county and township ordinances to supercede it.

The bill would not allow agriculture operations to go unregulated, as some opponents have claimed. Michigan has a zero-discharge of manure law that is enforced by the Department of Environmental Quality. In addition, Right-to-Farm allows townships to develop ordinances if adverse effects on the environment or public health would exist.

Under another new provision of the bill, the Michigan Department of Agriculture (MDA) is required to respond to a complaint within seven days to ensure a speedy investigation.

Several compromises among MDA, Michigan Farm Bureau and the Michigan Townships Association were made while debating the bill. "In the end, the environment and the public health is still strongly protected, while Michigan farmers gain the freedom to make sound changes and investments based on uniform and scientifically based standards," Laurie said.

S.B. 205 voting record

Senate Bill 205 passed the Michigan House of Representatives, Dec. 9. Michigan Farm Bureau supported a yes vote. The voting record of legislators follows.

Yes or No vote

(NV = not voting)

Y Jason Allen (R-Traverse City)	N Laura L. Baird (D-Okemos)
N Raymond E. Basham (D-Taylor)	Y Patricia L. Birkholz (R-Saugatuck)
Y Clark Bisbee (R-Jackson)	Y Michael Bishop (R-Rochester)
N Rose Bogardus (D-Davison)	Y Douglas Bovin (D-Gladstone)
Y Kenneth L. Bradstreet (R-Gaylord)	N Elizabeth S. Brater (D-Ann Arbor)
N Lingg Brewer (D-Holt)	N Bob Brown (D-Dearborn Heights)
Y Cameron Brown (R-Sturgis)	N William R. Byl (R-Grand Rapids)
N William J. Callahan (D-St. Clair Shores)	Y Nancy C. Cassis (R-Novi)
Y Sandy Caul (R-Mt. Pleasant)	N Deborah Cherry (D-Burton)
N Irma Clark (D-Detroit)	N Hansen H. Clarke (D-Detroit)
N Kenneth R. Daniels (D-Detroit)	N Eileen DeHart (D-Westland)
N Julie Dennis (D-Muskegon)	Y Gene DeRossett (R-Manchester)
Y Larry L. DeVuyst (R-Alma)	Y Paul N. DeWeese (R-Williamston)
Y Stephen Ehardt (R-Lexington)	Y Jennifer Faunce (R-Warren)
N A.T. Frank (D-Saginaw)	Y Valde Garcia (R-St. Johns)
N Belda Garza (D-Detroit)	Y Terry Geiger (R-Lake Odessa)
N Paul Gielegem (D-Clinton Twp.)	Y Jud Gilbert II (R-Algonac)
Y Pat Godchaux (R-Birmingham)	Y Robert M. Gosselin (R-Troy)
Y Mike Green (R-Mayville)	Y Lauren M. Hager (R-Port Huron)
N Derrick R. Hale (D-Detroit)	N Michael J. Hanley (D-Saginaw)
N John P. Hansen (D-Dexter)	N Artina Tinsley Hardman (D-Detroit)
Y Doug Hart (R-Rockford)	Y Jim Howell (R-St. Charles)
N Gilda Z. Jacobs (D-Huntington Woods)	N Ruth Ann Jamnick (D-Ypsilanti)

Y Mark C. Jansen (R-Grand Rapids)
Y Jon Jellema (R-Grand Haven)
N Ruth A. Johnson (R-Holly)
N Thomas H. Kelly (D-Wayne)
Y James L. Koetje (R-Grandville)
Y Wayne Kuipers (R-Holland)
N Edward LaForge (D-Kalamazoo)
Y Gerald H. Law (R-Plymouth)
N Patricia A. Lockwood (D-Fenton)
N Lynne Martinez (D-Lansing)
Y Mary Ann Middaugh (R-Paw Paw)
Y Mickey Mortimer (R-Horton)
Y William J. O'Neil (D-Allen Park)
Y Bruce Patterson (R-Canton)
N Steve Pestka (D-Grand Rapids)
N Michael A. Prusi (D-Ishpeming)
N Nancy L. Quarles (D-Southfield)
N Triette Lipsey Reeves (D-Detroit)
Y Andrew C. Richner (R-Grosse Pointe Park)
Y Joseph L. Rivet (D-Bay City)
Y Alan Sanborn (R-Richmond)
N Gloria Schermesser (D-Lincoln park)
Y Judith L. Scranton (R-Brighton)
Y Dale Sheltrown (D-West Branch)
Y Doug Spade (D-Adrian)
Y Tony Stamas (R-Midland)
Y Susan Tabor (R-Lansing)
N Samuel Buzz Thomas III (D-Detroit)
Y Gerald Van Woerkom (R-Muskegon)
N Edward Vaughn (D-Detroit)
Y Joanne Voorhees (R-Grandville)
N David T. Woodward (D-Madison Heights)
Y Ron Jelinek (R-Three Oaks)
Y Rick Johnson (R-LeRoy)
Y Larry Julian (R-Lennon)
Y Kwame M. Kilpatrick (D-Detroit)
N Michael Kowall (R-White Lake)
Y Janet L. Kukuk (R-Macomb)
Y Charles T. Lasata (R-St. Joseph)
Y LaMar Lemmons (D-Detroit)
NV George W. Mans (D-Trenton)
Y David C. Mead (R-Frankfort)
N Jack D. Minore (D-Flint)
N Andrew W. Neumann (D-Alpena)
Y John Pappageorge (R-Troy)
Y Charles R. Perricone (R-Kalamazoo)
N Hubert Price, Jr. (D-Pontiac)
N Mike Pumford (R-Newaygo)
Y Andrew Raczkowski (R-Farmington Hills)
Y Randy Richardville (R-Monroe)
N Vera B. Rison (D-Mt. Morris)
Y Sue Rocca (R-Sterling Heights)
N Mark Schauer (D-Battle Creek)
N Martha G. Scott (D-Highland Park)
Y Scott Shackleton (R-Sault Ste. Marie)
Y Marc Shulman (R-West Bloomfield)
N Keith B. Stallworth (D-Detroit)
N Michael Switalski (D-Roseville)
Y Paul Tesanovich (D-L'Anse)
Y Laura M. Toy (R-Livonia)
N Jerry Vander Roest (R-Galesbuarg)
Y Stephen A. J. Vear (R-Hillsdale)
N Paul Wojno (D-Warren)
Y Gary Woronchak (R-Dearborn)