

**MICHIGAN COMMISSION OF AGRICULTURE**  
**Geagley Laboratory**  
**Gordon Guyer Room**  
**1615 S. Harrison Road**  
**East Lansing, MI 48823**

**MEETING MINUTES**  
**JULY 21, 2009**

**PRESENT:**

James Byrum, Chairperson  
Todd Regis, Commission of Agriculture  
Don Coe, Commission of Agriculture  
Velmar Green, Commission of Agriculture  
Don Koivisto, Director, Michigan Department of Agriculture

**CALL TO ORDER AND ROLL CALL**

Chairperson Byrum called the meeting of the Commission of Agriculture to order at 9:05 a.m. on July 21, 2009. Commissioner Byrum called the roll with Commissioners Byrum, Coe, Regis, and Green, and Director Koivisto present. It was noted that one vacancy, that of Commissioner Jousma-Miller, currently remains.

**INTRODUCTION OF NEW COMMISSIONER**

Ms. Donna Stine, the Governor's Office Policy Advisor, introduced Velmar Green as the newly appointed Commissioner of Agriculture. He was appointed by the Governor and replaces Dale Norton whose term expired on Dec. 31, 2008.

Commissioner Green is the president of Green Meadow Farms, Inc., a family farm near Elsie, and has long been an advocate for renewable energy sources such as wind, solar, methane digesters, and biomass. Last fall, he installed a new methane digester system for his 3,800 cows.

Commissioner Green noted their family-owned operation began in 1922 and is currently milking over 3,000 cows. They also raise Holstein breed stock that is sold across the United States. He is the current treasurer of the Michigan Milk Producers Association and reported the industry is currently enduring an economic crisis, but anticipates it will rebound in the near future. The Association has invested \$62 million into the Ovid Processing Plant to handle Michigan's milk production. Green Meadow Farms also works with Michigan State University (MSU) through a veterinarian training center on their farm. In addition, his farm is very excited about the renewable energy potential for their recently installed methane digester.

The Commission congratulated Commissioner Green upon his appointment. Commissioner Byrum added Commissioner Green will bring a wealth of expertise to the Commission.

### **APPROVAL OF AGENDA**

Commissioner Regis noted that election of a new Secretary for the Commission, replacing Commissioner Dale Norton, is also required under item five.

**MOTION: COMMISSIONER REGIS MOVED TO APPROVE THE REVISED MEETING AGENDA FOR JULY 21, 2009. SECONDED BY COMMISSIONER COE. MOTION CARRIED.**

### **APPROVAL OF APRIL 28, 2009, MEETING MINUTES**

**MOTION: COMMISSIONER REGIS MOVED TO APPROVE THE APRIL 28, 2009, MEETING MINUTES. SECONDED BY COMMISSIONER COE. MOTION CARRIED.**

### **NEXT SCHEDULED MEETING**

The next scheduled meeting will be held on August 19, 2009. It was noted this is the same day as the Michigan State University Kellogg Biological Station Pasture Dairy Grand Opening event to be held in Hickory Corners, Michigan. The potential of changing the location of the August Commission meeting to coincide with that event will be pursued.

### **ELECTION OF OFFICERS**

**MOTION: COMMISSIONER REGIS NOMINATED COMMISSIONER COE AS SECRETARY AND MOVED THAT NOMINATIONS BE CLOSED. SECONDED BY COMMISSIONER GREEN. MOTION CARRIED.**

**MOTION: COMMISSIONER GREEN NOMINATED COMMISSIONER REGIS AS VICE CHAIR AND MOVED THAT NOMINATIONS BE CLOSED. SECONDED BY COMMISSIONER COE. MOTION CARRIED.**

### **COMMISSIONERS' TRAVEL**

Commissioner Coe traveled to attend today's meeting. There was no other travel submitted for approval.

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE COMMISSIONERS' TRAVEL. SECONDED BY COMMISSIONER REGIS. MOTION CARRIED.**

### **COMMISSIONER COMMENTS:**

**Commissioner Regis** reported he has traveled around the state and experienced many agricultural activities, especially in the fruit and vegetable areas. He enjoyed the opportunity to join Secretary of Agriculture Tom Vilsack's recent visit to Michigan on July 13.

He looks forward to continuing his efforts in exposing everyone to all of the positive attributes of Michigan agriculture.

**Commissioner Coe** reported the cherry harvest will be late this year due to the cool spring weather. The recent National Cherry Festival was very successful. There have been a series of wine events in the area, as well as many farm markets.

Agriculture and agriculture tourism traffic in general within the state has increased this year, which indicates people are choosing to vacation in their own backyard.

He attended a number of meetings relative to migrant labor issues and feels the agriculture community needs to communicate the realities of migrant labor and our requirements for migrant labor within the state.

Animal welfare issues are a growing concern and require an effective communication of agriculture's story.

**Commissioner Byrum** reported field crops generally across the state are 3-4 weeks behind due to the weather; cool nights are slowing maturity of corn and soybeans. Dairy and pork profitability continues to be a concern, producers are currently losing money.

He has spent a great deal of time on animal welfare issues and reported the Michigan Agri-Business Association (MABA) is negotiating with the Humane Society of the United States (HSUS). The industry issues and opportunities around this topic are becoming evident.

Consolidation in the crops supply business is occurring at a rapid rate, because prices have fallen and markets are not as lucrative they once were for those commodities.

## **DIRECTOR'S REPORT**

Director Koivisto reported agriculture was well represented during Secretary Vilsack's recent visit to Michigan, which provided the Secretary with evidence of the immense interest in the agriculture sector.

On behalf of the department, he welcomed Velmar Green to the Commission. He offered the department's assistance in providing any information that could assist in his efforts as a commissioner.

The department recently met with the Lt. Governor relative to the streamlining of government. It was well attended and provided a very productive discussion.

The Legislative District Agriculture Statistics were just published. They will assist the Commissioners, Legislators, and the industry to identify exactly what is happening with agriculture and in which specific areas of the state.

The Upper Peninsula (U.P.) State Fair process is complete legislatively and signed by the Governor. The only question that remains is on which date it will take effect. The department assumed it would be the end of the fiscal year, September 30, 2009. However, it now may be the beginning of September; this is something for which the department did not budget and would cause not only a loss to the department, but also force lay off of employees during the U.P. State Fair.

The department has recently been assisting Birds Eye Foods. Erin Brockovich and a group of environmental activists are involved in the Birds Eye groundwater issue in Fennville. Working with the Department of Environmental Quality (MDEQ), local officials, and Birds Eye, the Michigan Department of Agriculture (MDA) has been advocating for a solution and resolution without litigation. Birds Eye employs 500 individuals in season and represents the only processor in the area. Efforts are progressing favorably toward resolution to ensure safety of Fennville residents and the environment while maintaining this valuable company's presence in Michigan.

The Urban Fresh Program is progressing toward a fresh food distribution network in our metropolitan areas, with Detroit being its initial project. MDA's role is providing expertise and assistance with licensing to allow the local community to assume complete operation once established.

Legislation has been introduced to increase by 10 the number of Agriculture Processing Renaissance Zones. Because we are rapidly using the originally approved 30 zones and some of those are restricted to only small producers, the increase is being processed to provide for more expedient completion of anticipated future Agriculture Processing Renaissance Zone applications across the state.

Jim Johnson will be joining the meeting later to report on migrant labor issues. It is important to remember what MDA's role is – licensing and inspection of migrant labor housing. The department actually has a very narrow role in the

whole migrant labor picture. The other issues surfacing are the responsibility of other agencies.

Relative to the animal care bills, MDA is not the lead for this legislation and has not been heavily involved with the current bills. However, the department has met with both the industry and HSUS, providing information and answering questions.

### **DIRECTOR'S TRAVEL**

Director Koivisto has no out-of-state travel planned in the near future.

### **PUBLIC COMMENT (AGENDA ITEMS ONLY)**

**Nicole Campbell, Michigan Farm Bureau**, shared a letter from the Michigan Nursing and Landscape Association relative to the proposed increase in nursery inspection fees. She reviewed details of the letter, noting the industry supports the fees as currently outlined. However, if there are any projected future fee increases, they would hope to work with the department to identify efficiencies and cost savings measures in lieu of further increases.

### **LEGISLATIVE UPDATE: Nancy Nyquist, Legislative Liaison**

Ms. Nyquist distributed copies of the recently released Legislative District Agriculture Statistic profiles, which are personally being delivered to the Legislature. The press release and an electronic link have been sent via email to their offices as well. The information will be extremely helpful not only to the Legislature, but to the Commissioners, the department, the industry, and constituents. The information is available to anyone online and the Web site and link information were also shared with the Commission.

The budget is currently consuming much of the Legislature's time at this point, with the goal of resolving well before the end of the fiscal year September 30.

In late June, the House Agriculture Committee held two days of testimony on the animal care bills, which proved to be very helpful to the committee in understanding the issues. These bills would establish animal care guidelines, a third party auditing and certification program, and an animal care advisory council.

The Legislative Agriculture Task Force has held two of its meetings across the state. Upcoming hearings are in Fremont, Ionia, and Attica.

The Senate has introduced an animal welfare package similar to that of the House. They have also introduced a package of bills that would move all of the state forestry programs currently housed in the Michigan Department of Natural

Resources (MDNR) over to MDA. No hearings have been scheduled in the Senate on those items.

House Bill 5086, the Agriculture Processing Renaissance Zone bill, is currently in the Senate, awaiting their consideration. House Bill 4887 was passed by the House which would allow renewable energy systems to qualify as a permitted use of farmland that is covered by an easement or agreement designed to preserve farmland and open space.

The U.P. State Fair bill has been signed by the Governor, and it is Public Act 72.

**COMMODITY CHECK-OFF BOARDS PROGRAM: Bob Craig, Director, Agriculture Development Division**

Mr. Craig explained the department has legal, fiscal, and general program oversight responsibility for the entire group of 14 legislatively established commodity boards that have producer check-off or producer assessments. The Department Director delegates this authority to various department divisions and offices. The majority of the responsibilities fall under P.A. 232 of 1965, the Michigan Agricultural Commodities Marketing Act, with three other separate acts covering the remainder.

The key responsibilities lie primarily with the Agriculture Development Division (AgD), which serves as a liaison between the Executive Office and the commodity groups. Staff attend approximately 50 percent of the various commodity board meetings and keep the Director informed of those proceedings. AgD also ensures the Michigan Open Meetings Act and Freedom of Information Act regulations are being followed and observed by the check-off boards. The Fairs, Exhibitions, and Racing Division is delegated the responsibility for producer security, which assists in producer assessment collections from processors or handlers. The Executive Office oversees the referendums and elections for the producers.

MDA also has fiscal responsibility to ensure funds are being used according to industry adopted programs and in compliance with State of Michigan statutory financial and generally-accepted accounting standards. The Office of Internal Audit Services reviews all commodity audits and provides a written review. AgD staff then communicates with the commodity boards the audit recommendations and provides assistance in their implementation.

As stated in Section 14 of P.A. 232, if a program has been approved in referendum, the Director shall: (a) insure the program is self-supporting; (b) supervise all committee activities to assure program operations are in accord with the rules established under the program; (c) coordinate administrative activities between the committee and the department; and (d) confer and

cooperate with the legally constituted authorities of other states and the United States.

**REGULATION 570, FOOD MANAGER CERTIFICATION – FINAL COMMISSION REVIEW: Brad Deacon, Emergency Management and Administrative Law Coordinator**

Mr. Deacon reported when the Department is promulgating rules, permission to initiate the process is obtained from the Commission, then presentation of public comment is presented, and request for final approval to move forward is submitted.

In the Food Law, the Legislature included the requirement to promulgate a rule for manager certification requiring the department to develop a framework to determine who needs to have a certified manager within their food operation, establish procedures for food establishments to follow, determine which operations need to have them, and create a registration process within the department. This requirement is part of the ongoing effort to improve food safety and food handling practices.

With the direction of the Legislature, a work group met for an extended period of time and MDA had several integral voices in that effort. The official public hearing was held on June 26, draft language was sent to the State Office of Administrative Hearings and Rules, and the Legislative Service Bureau approved the language. The major issue raised at the public hearing was concern from senior centers that feared their volunteers would be required to obtain certification. Under the existing Food Law provisions, the division may issue a waiver to a generic class and has already planned to do so in order to meet the senior center issue. Based on the fact the preparation operation would have a certified manager, the serving operation would not be subject to that certification.

Pending approval by the Commission, the regulation is ready for submission to the Legislative Joint Committee on Administrative Rules who will subsequently review and complete legal certification of the rule.

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE PROPOSED FOOD ESTABLISHMENT MANAGER CERTIFICATION RULE AS PRESENTED. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

**BOVINE TUBERCULOSIS MEMORANDUM OF UNDERSTANDING AND ZONING ORDER: Dr. Mike VanderKlok, Veterinarian, Animal Industry Division**

Dr. VanderKlok reported the proposed zoning order submitted to the Commission is the process through which the department must proceed to effect rules and

requirements for Bovine Tuberculosis (TB) in Michigan. A multi-year strategic plan was developed for the Bovine TB Program in Michigan and this is the culmination of making the first steps to bring that to fruition.

The program is developing a revision to the required memorandum of understanding (MOU) with the U.S. Department of Agriculture (USDA). The new TB Program would be less focused on USDA standard federal program requirements and aligned more with what actions are needed to control and eradicate the disease in Michigan in a way that is as cost effective, efficient, and producer friendly as possible. Following execution of the MOU, the USDA will publish an interim rule recognizing the zonal change in Michigan.

The new zoning order shrinks the size of the Modified Accredited Zone from the current 13-county area to the five-county core area of Bovine TB in Michigan. It will remove some of the federal restrictions, allowing Michigan to free-up resources, as well as lessen the burden on producers where there is less risk of the disease. The required public forums began in June and following the Commission review and comment, there will be a public comment period. During the August Commission meeting, approval will be requested for moving forward with the zonal change.

In response to inquiry from Commissioner Coe, Dr. VanderKlok confirmed that producers feel this change is an enhancement and is moving the program in a positive direction. Commissioner Green encouraged the department to continue its efforts in obtaining TB-free status for the remainder of the state, being very proactive with USDA, and continuing to work with other states. Director Koivisto shared results of various meetings the department has held with other states, producers, and stakeholders. Commissioner Coe encouraged MDA and MDNR to continue working on solutions to the deer issues involved with the Bovine TB Program and the Director discussed various ongoing efforts and concerns in this regard between MDA and MDNR.

#### **MIGRANT LABOR UPDATE: Jim Johnson, Director, Environmental Stewardship Division**

Mr. Johnson reviewed MDA's role in migrant labor, which is provided in the Public Health Code, Section 124. It establishes an inspection program that evaluates housing provided to migrants by owner/operators of migrant camps. The Migrant Labor Housing Program is critical to this extremely valuable agriculture workforce.

Migrant labor operators are also required to follow the Migrant and Seasonal Worker Protection Act within the federal guidelines. Until the late 1960s and transitioning into the early 1970s, inspections were handled by local health departments. There was a problem with standard consistency from county to

county and as a result, that work was shifted to Public Health. In 1996, that role was moved to MDA, at which time it had eight inspectors, one manager, and one administrative support position. Today, MDA inspects and licenses approximately 4,400 living units which provide housing for approximately 23,000 migrants in Michigan. Approximately 90,000 migrants, including families, come to Michigan every year. This represents 800-900 different operators in any given year for licensing purposes. That licensing is exclusively for the housing itself, including structural safety, fire extinguishers, smoke detectors, water supplies, toilet and sanitary facilities, food preparation area, storage facilities, waste disposal, and occupancy rates.

MDA's inspectors do not consider the immigration status or health of the migrant workers. At no point is the Migrant Housing staff looking at working conditions in the field, nor does MDA consider compensation agreements. These responsibilities are under the jurisdiction of the U.S. Department of Labor (USDOL), the Michigan Occupational Safety and Health Administration (MIOSHA), the Department of Energy, Labor, and Economic Growth (DELEG), and the Department of Human Services (DHS).

Over the last few months, the program has dealt with various challenges. The May 5, 2009, Governor's Executive Order dictated a \$150,000 budget cut directly to the Migrant Labor Housing Program, which put continuation of the program in jeopardy. At the time, estimated staff salaries for the remainder of the fiscal year were \$158,000, and the budget cut would have required discontinuing the program. Arrangements made by the Environmental Stewardship Division (ESD) and within MDA maintained some staff that would provide for continuation of the program, but without inspection of all sites. A decision was made under interpretation of both the federal and state laws that would allow for occupancy without licensing if the operation met two conditions, (1) the facility must apply 45 days prior to occupancy; and (2) the facility had addressed all aspects of the facility in a way that would pass the MDA inspection. ESD estimated they would not reach as many as 200 operators due to the cut in staff through the remainder of the year. Neither the migrant advocacy groups, nor the operators were pleased with this situation. In June, ESD began talks with DELEG that led to an inter-departmental MOU to fund the return of all inspectors and completion of the inspection process through fiscal year 2009.

However, given possible future budget options, continuation of the program in 2010 at the level it began in 2009 will be very difficult. Thanks to help from stakeholders, MDA has begun talks with industry to address more stable and adequate funding for the program for 2010 and beyond. We are early in this process, but the discussions have allowed for a better understanding of the issues and challenges facing the Migrant Labor Housing Program.

MDA was notified by USDOL that it will receive grant funds for construction cost share in 2009-2010 for new housing facilities. This will allow for 23-24 grants at a 50/50 split to \$15,000 per recipient.

There also has been an effort by the Michigan Civil Rights Commission to further understand the issues migrants face when they come to Michigan. This has resulted in a series of five hearings around the state to collect testimony from individuals and organizations involved in migrant issues. Although housing can and will be a part of the issues addressed, the Commission will also be hearing about profiling, exclusion from services, and immigration as well.

Commissioner Coe reported there is a recommendation forthcoming from the Michigan Farm Bureau expressing their desire for MDA to retain the migrant labor housing inspection responsibility. This effort demonstrates the desire of the grower community to continue these inspections and ensure continuance of Michigan's migrant workforce.

Commissioner Byrum noted the article provided in the Commission packets that appeared in the Muskegon News in which several allegations were made relative to migrant workers. This type of article highlights the importance of clearly communicating what MDA's responsibilities actually are relative to migrant labor in Michigan.

Relative to budget issues during the next two years, the Director explained local government is also suffering budget-wise. As a result, there will be a proliferation of offers from the locals to provide various services – however, they will in no instance be able to accomplish what the department is able to achieve. Dollar for dollar, the services can be much more effectively and efficiently provided by the department.

#### **BUDGET UPDATE: Gordon Wenk, Chief Deputy Director**

Mr. Wenk reported the State is an additional \$70M short of previous revenue projections for May and June 2009. The State Budget Office requested an additional 2% reduction in the department's 2010 budget, which at 10%, equates in a \$3.2M reduction from last year's general funds. At this point, it is not certain they will actually use that entire 10%, because the House and Senate have not yet agreed on the target amounts for any of the agency budgets.

He reviewed the 2010 budget talking points as of July 8, 2009. These will be updated as the department determines where the additional 2%, or \$640,000, of cuts will be identified. Once the revisions and talking points are completed, they will be shared with the Commission.

The Senate has an entirely different set of reduction recommendations than the House and Mr. Wenk reviewed some of the key areas. These differences will be resolved in a Conference Committee, consisting of three Senators and three Representatives, before the bill goes back to the full Legislature for consideration.

In response to inquiry from Commissioner Byrum, Mr. Wenk reported the Treasury Department indicated that with Michigan having the highest unemployment rate in the country, they expect revenue trends to remain the same through at least September. Treasury does anticipate some improvements potentially in the last quarter of this year, or early next near pending stabilization and growth in the national economy.

Director Koivisto reported the department is being told they must present budget recommendations to meet the 10% reduction. However, when the cuts are made, it will be reported that MDA recommended those cuts, even though it was not the department's choice.

Mr. Wenk noted MDA staff is doing a wonderful job maintaining morale and effectively completing their tasks under very difficult conditions – a testament to the high quality people we have in our department.

#### **NURSERY INSPECTION AND EXPORT FEES: Ken Rauscher, Director, Pesticide and Plant Pest Management Division**

Mr. Rauscher reported the department is directed by P.A. 189 of 1931, Insect Pests and Plant Disease, to annually review our plant pest program costs. Based on a review by the Pesticide and Plant Pest Management Division (PPPMD), adjustments to inspection fees for 2009 are being made. He reviewed the current fees and the proposed increase for each: nursery inspection/1<sup>st</sup> acre, from \$45 to \$50; nursery inspection/additional acre, from \$22 to \$30; and hourly inspections, from \$45 to \$55. He noted these fees do not cover the entire cost of conducting the inspections; the average cost is actually \$85 per hour.

The division met with nursery industry representatives to discuss these proposed fees. The industry understands the need for the increase due to reductions in general fund and supports these proposed rates.

**MOTION: COMMISSIONER COE MOVED TO APPROVE THE INCREASE IN NURSERY INSPECTION FEES AS PRESENTED. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

#### **COMMISSIONER ISSUES**

Commissioner Byrum reviewed three retirement resolutions before the Commission recognizing Art Hulkoff, Vinh-Ly Luu, and Leon Schmelzer.

**MOTION: COMMISSIONER REGIS MOVED THE RESOLUTIONS FOR ART HULKOFF, VINH-LY LUU, AND LEON SCHMELZER BE ADOPTED WITH BEST WISHES FOR THEIR LONG AND HEALTHY RETIREMENTS. COMMISSIONER COE SECONDED. MOTION CARRIED.**

Commissioner Regis reported the food safety project is moving forward with Kellogg in the Battle Creek area, noting this project is extremely important to the industry. The department needs to remain involved with that project to ensure it reaches fruition, which will help improve food safety in all aspects.

In response to inquiry from Commissioner Green, Commissioner Byrum reported that a joint commission meeting is normally held with MDNR during the spring.

In response to contacts he has been receiving recently, Commissioner Byrum requested the department develop a white paper outlining the various issues surrounding a typical urban agriculture effort, such as infrastructure, Brownfield production, etc., detailing exactly what is needed to have a viable commercial agriculture operation in an urban area. This information could then be available to share with individuals who inquire about this type of agriculture venture.

Commissioner Byrum requested the department continue working to bring small producer food safety concerns to the forefront. He emphasized this is a major piece of the fruit and vegetable production picture as we move forward.

Relative to climate change, Commissioner Byrum requested the department consider the perspectives of various opportunities for agriculture producers, such as methane digesters, etc., as we move forward with our climate change efforts.

Commissioner Byrum praised MDA as a staff. Through adversity and with a 50% reduction in the department's general funding over the last seven years, they have managed to continue maintaining essentially the same programs. However, we all are facing extraordinary times, and it is not just the department, it is everywhere across State government, at the university level, the local level, and throughout our economy. As we look forward, we need to recognize and be cognizant of the fact we are going to see programs eliminated and the country side will begin to feel the pain. State government will become smaller, programs that we have valued for sometime will be eliminated, and short of some sort of miraculous recovery in Michigan's economy, that is reality. Each program that exists has a constituency, supporters, and detractors – the problem is trying to make them balance. He urged the Commission to fully understand all aspects of the various issues and what is happening across the country side as we look forward.

## **PUBLIC COMMENT**

**Mr. E. J. Brown, Michigan Association of Fairs and Exhibitions**, welcomed everyone to fair season in Michigan and shared copies of the “Michigan Fairs and Events 2009 Directory,” listing the dates of the 87 county fairs, as well as the U.P. State Fair in August and the Michigan State Fair in Detroit. At the Michigan State Fair, MSU Extension will feature an urban garden which will be grown on the northwest corner of the fairgrounds. There are 13 racing fairs scheduled this year, down from 23 in 2008 due to the Executive Order imposing budget cuts in May. Three fairs have raised funds to support races during the season at their own expense. In general, fair attendance is up this year, which indicates people are staying closer to home and patronizing their local fair.

**Kathleen Hawkins, Tim VandeBunte, and Larry Julian, Michigan Cattlemen’s Association**, Mr. Julian complimented MDA on its ability to maintain employee morale throughout these stressful times, noting they continue to do a wonderful job and the department should be proud.

Relative to the current animal welfare initiative, **Mr. Julian** advised he represents the individuals affected indirectly by the issue – the soybean and corn growers and producers, and the Michigan equine industry. Because HSUS is promoting the ban on transporting equine for slaughter and the grain producers have a vested interest in the animal industry, these facts blend into what the Michigan Cattlemen’s Association is attempting to promote through the proper care and handling of animals in Michigan and ultimately preserving a vibrant livestock industry. The industry must be proactive to avoid the issue being placed on the ballot, similar to what happened in California.

A group was formed to determine how they wanted to be proactive in representing agriculture and animal care industries in Michigan. Through that effort were developed the two bills which have recently been introduced into the Legislature. Two hearings on those bills have already been held and another is anticipated next week. He reported the soy, corn, and equine industries fully support these bills.

Mr. Julian, representing the poultry industry, reported the surveys taken in California, following the passage of their Proposition Two, revealed very few individuals actually understood the issues involved. He shared a recent article from the Poultry Industry News Web site, “Free-Range Chickens are More Prone to Disease.” For food safety and animal health and disease reasons, he noted it is much more advantageous for the chickens, and for humans, that the birds are caged.

The two bills introduced in Michigan are the most proactive animal care legislation in the nation, will ensure the nationally-established scientific-based standards can be modified in the future, and ensures future enforcement of those standards. The bill would also establish a nine-person advisory council, consisting of farmers, veterinarians, restaurant operators, processors, retail representatives, an animal welfare representative, and consumers.

**Ms. Hawkins** reported the workgroup Mr. Julian referenced recently met with representatives from HSUS; however, because not everyone from HSUS had actually reviewed the proposed legislation, a future meeting will be scheduled to discuss the various issues and identify any common ground.

She reported the Michigan Cattlemen's Association is in support of HB 5127 and 5128, which would amend the animal industry act with regard to the care and welfare of farm animals. Livestock farmers and their allies are united in setting a "gold standard" for farm animal care that consists of science-based quality assurance standards. This proactive step is being taken to reassure consumers that their food is produced responsibly and that animals are well cared for.

The association supports these bills because (1) the system would give Michigan the most pro-active animal standards in the nation; (2) the system establishes a holistic animal care standard in state law for farm animals; and (3) these bills are very transparent and open to the public and can be modified and adapted to an evolving science. Most importantly, the legislation will be an important step in sustaining Michigan's livestock farms and their families for generations to come as we continue keep food affordable for everyone.

**Mr. VandeBunte** noted the cost of food will of course increase automatically with this bill, but not significantly. However, if legislation similar to California's Proposition Two were to become effective in Michigan, it would dramatically increase the cost of food for Michigan's consumers. What becomes lost in this picture is the fact that poverty is already on the increase and would significantly worsen with higher food costs.

**Belen Ledezma, Michigan Department of Energy, Labor and Economic Growth**, reported she is the newly appointed director of the Migrant, Immigrant, and Seasonal Worker Services Division within the DELEG Bureau of workforce Transformation. She extended her appreciation to the department and to Jim Johnson and his staff in particular. Her staff reports MDA inspectors are doing an excellent job in the migrant labor camps. She noted that having local areas conduct inspections would very likely set the growers back several steps, in the sense DELEG and MDA have such a great relationship with the growers. Whenever there is an issue, it can be brought to the attention of the grower and easily resolved; this type of relationship is far more effective than a local

inspector imposing fines, etc. The current program can provide continued critical consistency to a very effective program.

She noted that her position was created to focus on how the State can meet grower needs, as well as workforce needs – finding the best workers for each grower’s specific job. She suggested grower representation is needed during the upcoming Civil Rights Forums to obtain their perspective and ensure a complete picture of what happens in the migrant camps. Commissioner Byrum confirmed there is interest from growers in random individual grower participation in the forums and the Michigan Farm Bureau is currently working on that aspect.

Director Koivisto thanked Ms. Ledezma for attending the meeting and expressing her views on the migrant labor issues.

## **ADJOURN**

**MOTION: COMMISSIONER COE MOVED TO ADJOURN THE MEETING. COMMISSIONER REGIS SECONDED. MOTION CARRIED.**

The meeting was adjourned at 11:16 a.m.

### Attachments:

- A) *Agenda*
- B) *Agriculture Commission Meeting Minutes April 28, 2009*
- C) *Michigan Nursery and Landscape Association Letter Dated July 20, 2009*
- D) *Legislative Status – July 2009*
- E) *2010 Budget Senate Bill 237 Talking Points Updates July 8, 2009*
- F) *Plant Pest Inspection Fees – Request for Inspection Fees Increase*
- G) *Bovine Tuberculosis Proposed Zoning Order*
- H) *Food Establishment Manager Certification – Agency Report on Food Law Rules*
- I) *Commodity Check-Off Boards Program Report*
- J) *MDA’s Role in Migrant Labor*
- K) *Resolutions for Arthur J. Hulkoff, Vinh-Ly Luu, and Leon Schmelzer*
- L) *“Michigan Fairs and Events 2009 Directory”*
- M) *Michigan Cattlemen’s Association Letter Dated June 21, 2009*
- N) *“Free-Range Chickens are More Prone to Disease” News Article*