

# PUBLIC AND LOCAL ACTS

OF

## THE LEGISLATURE

OF THE

## STATE OF MICHIGAN

PASSED AT THE REGULAR SESSION OF 1987

Also Other Matters Required By Law  
To Be Published With The Public Acts



Compiled And Published By The  
LEGISLATIVE SERVICE BUREAU

Under The Direction Of The  
LEGISLATIVE COUNCIL

**78.22a District court or municipal court; hearing and determining cases. [M.S.A. 5.1532(1)]**

Sec. 22a. The district court or municipal court in the judicial district in which a village is located shall hear and determine all cases that occur within the village's boundaries and come within the jurisdiction and authority of the district court or municipal court in the judicial district in which the village is located.

This act is ordered to take immediate effect.

Approved December 28, 1987.

Filed with Secretary of State December 28, 1987.

---

**[No. 240]****(SB 534)**

AN ACT to amend sections 2 and 3 of Act No. 93 of the Public Acts of 1981, entitled "An act to provide for circumstances under which a farm shall not be found to be a public or private nuisance," being sections 286.472 and 286.473 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

**Sections amended; Michigan right to farm act.**

Section 1. Sections 2 and 3 of Act No. 93 of the Public Acts of 1981, being sections 286.472 and 286.473 of the Michigan Compiled Laws, are amended to read as follows:

**286.472 Definitions. [M.S.A. 12.122(2)]**

Sec. 2. As used in this act:

(a) "Farm" means the land, buildings, and machinery used in the commercial production of farm products.

(b) "Farm operation" means a condition or activity which occurs on a farm in connection with the commercial production of farm products, and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.

(c) "Farm product" means those plants and animals useful to human beings and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur.

(d) "Generally accepted agricultural and management practices" means those practices as defined by the commission of agriculture. The commission shall give due consideration to available Michigan department of agriculture information and written recommendations from the Michigan state university college of agriculture and natural resources cooperative extension service and the agricultural experiment

station in cooperation with the United States department of agriculture soil and conservation service and the agricultural stabilization and conservation service, the department of natural resources and other professional and industry organizations.

(e) "Person" means an individual, corporation, partnership, association, or other legal entity.

**286.473 Farm or farm operation as public or private nuisance; review and revision of practices; finding; conditions. [M.S.A. 12.122(3)]**

Sec. 3. (1) A farm or farm operation shall not be found to be a public or private nuisance if the farm or farm operation alleged to be a nuisance conforms to generally accepted agricultural and management practices according to policy as determined by the state agriculture commission. Generally accepted agricultural and management practices shall be reviewed annually by the state agriculture commission and revised as considered necessary.

(2) A farm or farm operation shall not be found to be a public or private nuisance if the farm or farm operation existed before a change in the land use or occupancy of land within 1 mile of the boundaries of the farm land, and if before that change in land use or occupancy of land, the farm or farm operation would not have been a nuisance.

This act is ordered to take immediate effect.

Approved December 28, 1987.

Filed with Secretary of State December 28, 1987.

---

**[No. 241]**

**(HB 5101)**

AN ACT to amend sections 17e, 17f, 17g, 17h, 17i, 19, 20, 20d, 20g, 20h, 23, 27, and 38 of Act No. 240 of the Public Acts of 1943, entitled as amended "An act to provide for a state employees' retirement system; to create a state employees' retirement board and prescribe its powers and duties; to establish certain funds in connection therewith and to require contributions thereto by state employees and by the state; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state agencies; and to provide penalties for the violation of certain provisions of this act," section 17e as added by Act No. 490 of the Public Acts of 1982, section 17f as added by Act No. 250 of the Public Acts of 1986, sections 17g, 17h, 17i, and 20h as added and sections 19, 20, 20d, 20g, 23, and 38 as amended by Act No. 57 of the Public Acts of 1987, and section 27 as amended by Act No. 25 of the Public Acts of 1986, being sections 38.17e, 38.17f, 38.17g, 38.17h, 38.17i, 38.19, 38.20, 38.20d, 38.20g, 38.20h, 38.23, 38.27, and 38.38 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

**Sections amended; state employees' retirement act.**

Section 1. Sections 17e, 17f, 17g, 17h, 17i, 19, 20, 20d, 20g, 20h, 23, 27, and 38 of Act No. 240 of the Public Acts of 1943, section 17e as added by Act No. 490 of the