



**House
Legislative
Analysis
Section**

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**ALLOW CONSERVATION DISTRICT
BOARDS TO SET DATES OF
ANNUAL MEETINGS**

**House Bill 5145 as introduced
First Analysis (10-16-01)**

**Sponsor: Rep. David Mead
Committee: Conservation and Outdoor
Recreation**

THE APPARENT PROBLEM:

Though soil conservation districts have increased the range and sophistication of their conservation and educational efforts over the past 61 years, until recently their enabling legislation had not reflected this. The original conservation district act was enacted in 1937, during the years of the great drought that was nicknamed the "Dust Bowl." The provisions of the "soil conservation district law," as incorporated in Part 93 of the Natural Resources and Environmental Protection Act, were updated under the provisions of Public Act 463 of 1998 to more accurately reflect current conservation district activities. Among other things, Public Act 468 renamed soil conservation districts as "conservation districts" and made changes to reflect the actual practice, which involve a variety of programs and projects, of districts. (See "*Background Information*" for additional information). However, some conservation district boards have now come forward to point out that more changes are needed to reflect changing times. For example, Part 93 of the NREPA currently requires that a district hold its annual meeting within 30 days following the close of its fiscal year, which is usually either June 30th or September 30th. This latter date, however, conflicts with the harvesting season. It would make more sense to allow a district's board of directors to determine that date, and legislation has been introduced to do so.

THE CONTENT OF THE BILLS:

Currently, Part 93 of the Natural Resources and Environmental Protection Act (MCL 324.9307), concerning conservation districts, requires that a district's annual meeting be held within 30 days following the close of the district's fiscal year. Under House Bill 5145, the district's board of directors would determine that date. The bill would specify that the annual meeting be held at a date determined by the district's board of directors.

BACKGROUND INFORMATION:

The original soil conservation district act was enacted in 1937, in the shadow of the great drought -- and resulting Dust Bowl -- of the 1930s. The act's stated legislative intent was to provide for the conservation of the soil and the water resources of the state and for the control and prevention of soil erosion, "and thereby to conserve the state's natural resources, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife, protect the tax base, protect public lands, and protect and promote the health, safety, and general welfare of the people of this state." There currently are 82 soil and water conservation districts that cover the entire state and whose work in soil conservation over the past 64 years has involved projects to restore and maintain water quality, especially on a watershed basis. Conservation districts probably are best known by the general public for their annual sale of millions of tree seedlings, which district staffs provide to state residents at a minimal cost in order to encourage people to plant trees to meet future needs for timber, wildlife, and recreation. District staffs also provide on-site advice and planning services to state residents before selling tree seedlings, planting assistance and information at the time of the sale, and follow-up service and continuing education after the sale. In addition to tree seedling sales, however, conservation districts also engage in a variety of programs aimed at protecting and enhancing the state's natural resources. Conservation districts provide help to private landowners in managing forestland, improving wildlife habitat, creating wetlands, and protecting groundwater. Some districts also work with builders and developers to minimize erosion on construction sites, and, in the area of farmland protection, in helping in the application process for the state's "Purchase of Development Rights" (PDR) program. Many districts also conduct educational programs for both children and adults, and, in particular, promote "environthon" -- an

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environmental competition in which teams of high school students compete on regional, state, and national levels and through which they learn about wildlife, aquatics, forestry, soils, sustainable agriculture, energy conservation, and environmental issues.

FISCAL IMPLICATIONS:

The House Fiscal Agency (HFA) estimates that the bill would have no fiscal impact. (10-10-01)

ARGUMENTS:

For:

The law creating soil conservation districts in Michigan was enacted during the Great Depression of the 1930s, in the wake of the Dust Bowl. However, over the years, as knowledge of the interconnectedness of ecological systems has advanced, conservation districts have taken on a much broader role in the conservation of all natural resources, not just soil and water. Conservation districts currently engage in a variety of programs, including not only projects to restore and maintain water quality, but also programs to provide private landowners with on-site assistance to manage forest land, improve wildlife habitat, create wetlands, and protect groundwater. In addition, some districts' staffs also provide builders and developers with "compliance" assistance, helping them to minimize soil erosion on construction sites. The bill would serve to encourage, rather than discourage, participation in these worthwhile activities by authorizing district boards of directors to determine the dates of their annual meetings.

POSITIONS:

The Department of Agriculture supports the bill. (10-12-01)

The Michigan United Conservation Clubs (MUCC) has no position on the bill. (10-15-01)

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.