



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 713 (as reported by the Committee of the Whole)
Sponsor: Senator Dianne Byrum
Committee: Agriculture and Forestry

CONTENT

The bill would amend the Michigan Seed Law to do the following:

- Require field bean seed produced east of a line dividing the central and mountain time zones and sold in Michigan to be field inspected and laboratory tested for seed borne diseases determined by the Director of the Michigan Department of Agriculture (MDA) to be a threat to the bean industry.
- Require the MDA Director to approve standards for field inspections and laboratory tests of field beans.
- Require containers of field bean seed to state that the lot had been field inspected and laboratory tested and met established disease tolerances, and to include the state or foreign country of origin.
- Prohibit a person from selling field bean seed that did not meet the bill's labeling requirements or that contained diseases in excess of prescribed tolerances.
- Require the field inspection, laboratory analysis, and securing and submission of a representative sample of field bean seed to be performed by a person or agency approved by the MDA Director.
- Provide that, except under certain circumstances, a person would not have a cause of action against an inspection or testing agency or its employee if the agency or employee were engaged in duties permitted by the Law and used written and approved procedures and protocols established by the Director.
- Create a field bean advisory committee within the MDA, and require the committee to review the standards, tolerances, methods, procedures, and protocols to be used by the Department as well as standards used in other states and provinces, and advise the Director of its findings.

The bill provides that the Department could not promulgate rules under the Act if the Michigan Supreme Court ruled that sections of the Administrative Procedures Act concerning rule-making were unconstitutional, and a statute requiring legislative review of administrative rules were not created within 90 days after the court ruling.

MCL 286.702 et al.

Legislative Analyst: S. Margules

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 11-7-95

Fiscal Analyst: A. Rich

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.