

SUBSTITUTE FOR
SENATE BILL NO. 1063

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 8707 and 8715 (MCL 324.8707 and 324.8715),
section 8715 as amended by 1995 PA 61; and to repeal acts and
parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8707. (1) The director, in conjunction with ~~the~~
2 Michigan state university ~~cooperative~~ extension ~~service~~ and
3 the MICHIGAN STATE UNIVERSITY agricultural experiment station,
4 AND in cooperation with the United ~~State~~ STATES department of
5 agriculture ~~soil and~~ NATURAL RESOURCES conservation service,
6 ~~and the agricultural stabilization and conservation service,~~
7 the department of ~~natural resources~~ ENVIRONMENTAL QUALITY, and
8 other professional and industry organizations, shall develop
9 groundwater stewardship practices for approval by the

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1 ~~commissioner~~ COMMISSION of agriculture and upon approval shall
2 promote their implementation.

3 (2) The director, in conjunction with Michigan state univer-
4 sity, the department of ~~natural resources~~ ENVIRONMENTAL
5 QUALITY, and other persons the director considers appropriate,
6 shall develop a voluntary on-site evaluation system for pesticide
7 or nitrogen fertilizer use. The on-site evaluation system
8 shall be designed to do all of the following:

9 (a) Provide persons with the ability to voluntarily deter-
10 mine the relative groundwater impact potential posed by their use
11 of pesticides and nitrogen fertilizers.

12 (b) Provide persons with the ability to determine the degree
13 to which operations are in accord with groundwater stewardship
14 practices and applicable groundwater protection rules.

15 (c) Prioritize operational changes at the site level
16 intended to protect groundwater.

17 (d) Guide persons to appropriate technical and educational
18 materials.

19 (3) The director, in conjunction with the groundwater
20 advisory council, shall review and evaluate the effectiveness of
21 groundwater stewardship practices adopted under subsection (1).

22 Sec. 8715. (1) In addition to the fees provided for in part
23 83, a registrant shall pay an annual groundwater protection fee
24 for each product to be registered. The specialty pesticide
25 groundwater protection fee is \$100.00 per product. Groundwater
26 protection fees for all other pesticides are 0.75% of the
27 wholesale value of the previous registration year's product sales

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1 for use in this state with a \$150.00 minimum groundwater
2 protection fee. The minimum groundwater protection fee is due in
3 the office of the director before July 1. Sales based groundwa-
4 ter protection fees greater than the \$150.00 minimum are due in
5 the office of the director before October 1 of the following reg-
6 istration years.

7 (2) An additional late fee of \$100.00 shall be paid by the
8 registrant for each pesticide if the pesticide registration is a
9 renewal registration and the minimum groundwater protection fee
10 is received by the department after June 30.

11 (3) A person required to pay a specialty fertilizer or soil
12 conditioner registration fee under part 85 shall pay an addi-
13 tional \$100.00 groundwater protection fee for each brand and pro-
14 duct name of each grade registered.

15 (4) All fertilizer manufacturers or distributors licensed
16 under part 85, except specialty fertilizer and soil conditioner
17 registrants, shall pay an additional groundwater protection fee
18 of 1-1/2 cents per percent of nitrogen in the fertilizer for each
19 ton of fertilizer sold.

20 (5) The fees collected under this part, including any inter-
21 est or dividends earned, shall be transmitted to the state trea-
22 surer, who shall credit the money received to the fund.

23 ~~(6) This section is repealed November 22, 2000.~~

24 (6) ~~(7)~~ Upon the expenditure or appropriation of money
25 raised in this section for any purpose other than those specifi-
26 cally listed in this part, authorization to collect fees in this
27 section shall be suspended until such time as the money expended

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1 or appropriated for purposes other than those listed in this part
2 are returned to the fund.

3 (7) THIS SECTION IS REPEALED DECEMBER 31, 2010.