

Act No. 100
Public Acts of 2000
Approved by the Governor
May 18, 2000
Filed with the Secretary of State
May 19, 2000
EFFECTIVE DATE: May 19, 2000

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Senators McManus, Gast, Bullard, Sikkema, Rogers, Goschka, Hammerstrom, Bennett, Gougeon, Emmons, North, McCotter, Koivisto, Dingell, Young, A. Smith and Leland

ENROLLED SENATE BILL No. 1063

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," 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:

Sec. 8707. (1) The director, in conjunction with Michigan state university extension and the Michigan state university agricultural experiment station, and in cooperation with the United States department of agriculture natural resources conservation service, the department of environmental quality, and other professional and industry organizations, shall develop groundwater stewardship practices for approval by the commission of agriculture and upon approval shall promote their implementation.

(2) The director, in conjunction with Michigan state university, the department of environmental quality, and other persons the director considers appropriate, shall develop a voluntary on-site evaluation system for pesticide or nitrogen fertilizer use. The on-site evaluation system shall be designed to do all of the following:

(a) Provide persons with the ability to voluntarily determine the relative groundwater impact potential posed by their use of pesticides and nitrogen fertilizers.

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

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

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

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

Sec. 8715. (1) In addition to the fees provided for in part 83, a registrant shall pay an annual groundwater protection fee for each product to be registered. The specialty pesticide groundwater protection fee is \$100.00 per product. Groundwater protection fees for all other pesticides are 0.75% of the wholesale value of the previous registration year's product sales for use in this state with a \$150.00 minimum groundwater protection fee. The minimum groundwater

protection fee is due in the office of the director before July 1. Sales based groundwater protection fees greater than the \$150.00 minimum are due in the office of the director before October 1 of the following registration years.

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

(3) A person required to pay a specialty fertilizer or soil conditioner registration fee under part 85 shall pay an additional \$100.00 groundwater protection fee for each brand and product name of each grade registered.

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

(5) The fees collected under this part, including any interest or dividends earned, shall be transmitted to the state treasurer, who shall credit the money received to the fund.

(6) Upon the expenditure or appropriation of money raised in this section for any purpose other than those specifically listed in this part, authorization to collect fees in this section shall be suspended until such time as the money expended or appropriated for purposes other than those listed in this part are returned to the fund.

(7) This section is repealed December 31, 2010.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Ray E. Randall

Clerk of the House of Representatives.

Approved

.....
Governor.