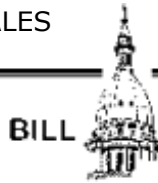




Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4635 (Substitute S-1 as reported)
Sponsor: Representative Goeff Hansen
House Committee: Agriculture
Senate Committee: Agriculture, Forestry and Tourism

CONTENT

The bill would amend Part 85 (Fertilizers) of the Natural Resources and Environmental Protection Act to do the following:

- Require retailers to secure ammonium nitrate fertilizer at all times in order to provide reasonable protection against vandalism, theft, or unauthorized access.
- Require retailers to obtain certain information regarding the sale of ammonium nitrate fertilizer (described below).
- Require retailers to maintain the records for at least two years, and make them available for inspection or audit by the Michigan Department of Agriculture (MDA).
- Exempt the records from disclosure under the Freedom of Information Act.
- Allow retailers to refuse to sell ammonium nitrate fertilizer to any person attempting to purchase it out of season, in unusual patterns or circumstances, or in unusual amounts as determined by the retailer.
- Prohibit the MDA from suspending or revoking the license of a distributor or manufacturer who refused to sell the fertilizer under the circumstances described above.

A retailer would be required to obtain the following information regarding any sale of ammonium nitrate fertilizer:

- Date of sale.
- Quantity purchased.
- Number of the purchaser's valid State operator's license with the appropriate endorsement, if applicable, or other picture ID card number approved for purchaser identification by the MDA.
- The purchaser's name, current address, and telephone number.
- The agency relationship, if any, between the purchaser and the person picking up or accepting delivery of the fertilizer.

MCL 324.8515

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

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

Date Completed: 6-10-05

Fiscal Analyst: Craig Thiel

[floor\hb4635](#)

Analysis available @ <http://www.michiganlegislature.org>

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.