



Senate Fiscal Agency
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BILL ANALYSIS



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House Bills 5206 through 5212 (as passed by the House)

Sponsor: Representative Bruce Rendon (H.B. 5206)

Representative Kenneth Kurtz (H.B. 5207)

Representative Paul Muxlow (H.B. 5208)

Representative Ed McBroom (H.B. 5209)

Representative Rick Outman (H.B. 5210)

Representative Ben Glardon (H.B. 5211)

Representative Andrea LaFontaine (H.B. 5212)

House Committee: Agriculture

Senate Committee: Agriculture

Date Completed: 3-21-12

CONTENT

House Bills 5206 and 5210 would amend the Agricultural Commodities Marketing Act to rescind rules pertaining to cherry assessments and the Michigan State Apple Commission, respectively.

House Bill 5207 would repeal the Seal of Quality Act.

House Bill 5208 would amend the Weights and Measures Act to rescind a rule pertaining to liquid measuring devices.

House Bill 5209 would amend Public Act 89 of 1927, which provides for the Upper Peninsula State Fair, to rescind rules pertaining to that Fair.

House Bill 5211 would amend the Grain Dealers Act to rescind a rule pertaining to grain dealers' operations.

House Bill 5212 would amend the Insect Pest and Plant Disease Act to rescind rules pertaining to tomato seed certification, inspection and certification of gladiolus and dahlias, and the control of Dutch elm disease.

The bills are described in detail below.

House Bills 5206 & 5210

House Bill 5206 would rescind R 285.311 of the Michigan Administrative Code, which requires cherry processors to file with the Cherry Commission annual reports containing a complete list of all growers that provide cherries to the processors, and to forward to the Commission assessments levied on cherries received and processed. The rule also contains volume and weight conversion factors for tart cherries and provides for exemption certificates.

House Bill 5210 would rescind R 290.1 to R 290.18 of the Michigan Administrative Code, which relate to the operation of the Michigan State Apple Commission. The rules provide for a seal and stamp and an assessment collected by the purchase of stamps from the Commission.

House Bill 5207

The Seal of Quality Act requires the Agricultural Commission to design emblems bearing the inscription "Michigan Seal of Quality", to denote quality for the purpose of identifying products to which the seal may be applied. Upon the request of any commodity group of producers of agricultural products, the Commission must hold a public hearing and determine whether establishing standards of quality for the products is necessary for their successful marketing. The Commission must adopt and may amend schedules of fees to be charged for labels bearing the seal of quality, for grading and supervision of grading, or for other services rendered under the Act.

The bill would repeal the Seal of Quality Act.

House Bill 5208

The bill would rescind R 285.559 of the Michigan Administrative Code, which regulates liquid measuring devices.

House Bill 5209

The bill would rescind R 285.1101 to R 285.1907 of the Michigan Administrative Code, which specify regulations for the operation of the Upper Peninsula State Fair.

House Bill 5211

The bill would rescind R 285.560 of the Michigan Administrative Code, which provides for the financial regulation and licensing of grain dealers.

House Bill 5212

The bill would rescind all of the following administrative rules:

- R 285.607, which provides for tomato seed certification.
- R 285.611, which provides for the inspection and certification of gladiolus.
- R 285.613, which provides for the control of Dutch elm disease, and requires certain infested trees to be destroyed by burning.
- R 285.618, which provides for the inspection and certification of dahlia growers

Proposed MCL 290.668b (H.B. 5206)
MCL 289.631-289.646 (H.B. 5207)
Proposed MCL 290.635 (H.B. 5208)
Proposed MCL 285.146 (H.B. 5209)
Proposed MCL 290.668a (H.B. 5210)
Proposed MCL 285.89 (H.B. 5211)
Proposed MCL 286.223b (H.B. 5212)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

Fiscal Analyst: Bruce Baker

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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.