

Legislative Analysis



REPEAL OF AGRICULTURE-RELATED BILLS

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House Bill 5050 as introduced
Sponsor: Rep. Dave Pagel

House Bill 5051 as introduced
Sponsor: Rep. Edward J. Canfield

House Bill 5052 as introduced
Sponsor: Rep. Triston Cole

House Bill 5053 as introduced
Sponsor: Rep. Holly Hughes

House Bill 5054 as introduced
Sponsor: Rep. Martin Howrylak

House Bill 5055 as introduced
Sponsor: Rep. John Bizon, M.D.

House Bill 5056 as introduced
Sponsor: Rep. Bruce R. Rendon

House Bill 5057 as introduced
Sponsor: Rep. Brett Roberts

House Bill 5058 as introduced
Sponsor: Rep. Dan Lauwers

House Bill 5059 as introduced
Sponsor: Rep. Tom Barrett

House Bill 5060 as introduced
Sponsor: Rep. Jason M. Sheppard

Committee: Agriculture
Complete to 1-19-16

SUMMARY:

Taken together, these bill would repeal 11 acts, or sections of acts, which are considered outdated, duplicative of other sections of Michigan law, or are now covered by federal statute. Each of the bills would take effect 90 days after enactment. A complete listing of the acts being repealed by the bills follows.

House Bill 5050 would repeal Public Act 72 of 1929, which does the following:

- Encourages the breeding of horses.
- Regulates the public service of stallions.
- Requires the registration of stallions.
- Provides for the compilation and publication of statistics relative to horse breeding, for liens, and for penalties for the violation of this act.

House Bill 5051 would repeal PA 226 of 1889, which does the following:

- Provides for the collection of specific taxes from corporations, co-partnerships, parties or persons, subject under any laws of this state to the payment of such taxes.
- Fixes the time when such taxes become a lien upon the property of such corporations, co-partnerships, parties or persons.
- Defines the property to which such a lien would be attached.

House Bill 5052 would repeal PA 340 of 1913, which prevents and punishes the sale of immature and unwholesome calves, pigs, kids and lambs.

House Bill 5053 would repeal Sections 1-7 of PA 309 of 1939. The repealed sections relate to the tattooing of dogs for identification and registration purposes. The bill would retain Section 8 of the act, which says that:

Any person who steals or takes without the consent of the owner and without lawful authority, any dog registered under the provisions of this act, or any person other than dog wardens, who harbor or hold in his possession any stray dog of which he is not the owner and does not report such possession to the sheriff of the county or the police department of the city in which he is holding such dog within 48 hours after coming into possession of said dog, is guilty of a misdemeanor. If the value of the dog is greater than \$100, upon conviction an individual would be fined at least \$50 but not more than \$500, or imprisoned in the county jail for not more than 1 year, or both, at the court's discretion.

[Note: The first part of this section would become obsolete, as dogs could no longer be registered under this act if House Bill 5053 were to take effect.]

House Bill 5054 would repeal Section 12 of the Insect Pest and Plant Disease Act (MCL 286.212), which involves licenses to sell nursery stocks.

Presently Section 12 states that each agent of a resident or nonresident nurseryman, dealer or grower, who solicits or takes orders for or sells nursery stock in this state, must carry an agent's permit issued by the director upon payment by the principal employing such agent or agents of a \$5 license fee for each permit issued upon the request of the agent's principal. The agent's permit expire annually on October 31.

Every nurseryman, dealer or grower, who solicits or takes orders or sells nursery stock in this state through resident or nonresident agents, must also file and maintain in the office of the director a complete and current list of the names and addresses of all such agents. The list of filed agents is confidential and cannot be divulged by employees of the state Department of Agriculture, except in case of judicial or quasi-judicial proceedings. Agents' permits may not be transferred.

House Bill 5055 would repeal PA 220 of 1983, which pertains to silos treated with polychlorinated biphenyls (PCBs). The original act stems from a Department of Agriculture finding in 1982 that several thousand silos erected by the former Michigan Silo Company may have been coated with a material containing PCB's, a known carcinogen. The act provided for the removal and remediation of affected silos and created a fund to that end.

House Bill 5056 would repeal PA 280 of 1965, which relates to slaughterhouses; and to edible rendering, wholesale fabricating, processing, and storage establishments.

House Bill 5057 would repeal Section 11 of the Michigan Seed Law. Section 11 gives the director of the Michigan Department of Agriculture and Rural Development responsibility for maintaining a testing facility for seeds.

House Bill 5058 would repeal PA 162 of 1955, which regulates the use of liming material.

House Bill 5059 would repeal PA 213 of 1962, which was intended to encourage the raising of started pullets; that is, any domestic fowl of the species *gallus domesticus* between the ages of 7 to 24 weeks intended to be used for the purpose of egg production.

House Bill 5060 would repeal PA 134 of 1929, which regulates the sale of livestock and poultry remedies; that is, all condimental feeds, medicated stock foods, medicinal stock foods, stock food tonics, stock powders, condition powders, conditioners, animal regulators, proprietary medicines, or any preparations of like nature in either solid or liquid form used for any animal except man, and administered internally for the purported purpose of stimulating, invigorating, curing ailments, or other reasons. The act does not apply to remedies prescribed and used by a licensed veterinarian for use in connection with his or her own practice, or to the preparation and sale of remedies by registered pharmacist or registered assistant pharmacists operating in licensed drug stores.

FISCAL IMPACT:

A fiscal analysis is in progress.

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Fiscal Analyst: William E. Hamilton

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.