

Legislative Analysis



MICHIGAN SEED LAW: TESTING LABORATORY

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House Bill 5392 as enacted
Public Act 258 of 2016
Sponsor: Rep. Brett Roberts
House Committee: Agriculture
Senate Committee: Agriculture

Analysis available at
<http://www.legislature.mi.gov>

Complete to 7-13-17

SUMMARY:

House Bill 5392, enacted as Public Act 258 of 2016, amends Section 11 of the Michigan Seed Law with regard to responsibilities assigned to the director of the Michigan Department of Agriculture and Rural Development (MDARD). The section had required the director to, among other things, maintain a seed testing laboratory and facilities with all necessary equipment and analysts, inspectors, assistants, and other personnel necessary for proper enforcement of the act, and to incur expenses as necessary for the act. The bill would instead allow, rather than require, these efforts. The director would continue to have a statutory obligation to sample, inspect, analyze, and test any seed defined in the act that is sold or offered for sale in Michigan.

The bill would take effect 90 days after enactment.

MCL 286.711

BACKGROUND AND DISCUSSION:

According to testimony presented in committee, MDARD no longer uses its seed lab, but instead contracts out needed testing. The department had not had a dedicated seed testing program since FY 2008-09 when the program was eliminated as a result of budget constraints; MDARD said it still carries out any required tests, just not in its facilities. The bill would eliminate the current requirement that the department maintain a seed testing lab and facilities.

FISCAL IMPACT:

The bill would have no direct fiscal impact. The bill would amend Seed Law program requirements to conform to the current MDARD program.

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