



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

BILL ANALYSIS



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

House Bill 5392 (as passed by the House)
Sponsor: Representative Brett Roberts
House Committee: Agriculture
Senate Committee: Agriculture

Date Completed: 4-20-16

CONTENT

The bill would amend the Michigan Seed Law to do the following:

- Allow, rather than require, the Director of the Department of Agriculture and Rural Development to maintain a seed testing laboratory and incur expenses to implement the Law.**
- Eliminate a requirement for the Director to establish inspection fees to enforce the Law.**

Currently, the Director is required to administer and enforce the Law, maintain a seed testing laboratory and facilities with all necessary equipment and personnel for proper enforcement, and incur expenses as necessary to carry out the Law's provisions. Under the bill, the Director would be allowed, instead of required, to maintain a seed testing laboratory and facilities with all necessary equipment and personnel, and to incur expenses as necessary to implement the Law.

The Director also is required to make purity, germination, and other seed tests for any person on request, promulgate rules governing those tests, prescribe fees for testing seed that do not exceed the actual cost of conducting the test, and establish inspection fees to enforce the Law. The bill would eliminate the requirements to make purity, germination, and other seed tests for any person and to establish inspection fees.

The bill would take effect 90 days after its enactment.

MCL 286.711

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. The Department of Agriculture and Rural Development reports that it has not maintained a seed testing laboratory for the enforcement of the Law for some years and that the removal of that requirement would not have any fiscal impact on departmental operations, as it simply would codify current practice. Most laboratory seed testing is performed by third parties for the agriculture industry. The bill would still allow the Department to maintain a seed lab if desired, either for contractual research or, if it became necessary, for regulatory purposes.

Fiscal Analyst: Bruce Baker

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