

HOUSE BILL NO. 5743

February 15, 2022, Introduced by Reps. Steenland, Posthumus, Alexander, Hertel, Borton, Cambensy, Liberati, Roth, Filler and Bezotte and referred to the Committee on Agriculture.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 8507a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8507a. (1) To facilitate continued access to markets for
2 fertilizer, the department may do 1 or both of the following:
3 (a) At the request of a licensee or based upon records
4 voluntarily supplied by a licensee, inspect, audit, or certify
5 locations where fertilizer is manufactured in this state.

(b) Issue certificates of free sale under subsection (3).

(2) A licensee shall submit an application for a certificate of free sale on a form and in a manner prescribed by the department.

(3) The department shall grant or deny an application for a certificate of free sale within 10 business days after the department receives a completed application under subsection (2) and the application fee under subsection (4). If the department determines that the application meets the requirements of this part and the rules promulgated under this part, the department shall issue a certificate of free sale. If the department determines that the application does not meet the requirements of this part or the rules promulgated under this part, the department shall deny the application and send written notice to the licensee stating the reasons for the denial.

(4) A licensee shall pay the department the following fees, as applicable:

(a) An application fee, \$60.00.

(b) A duplicate copy of a certificate of free sale, \$10.00.

(5) A fee collected under subsection (4) must be deposited in the fertilizer control fund created in section 8514.

(6) A certificate of free sale issued under this section is valid for 1 year.

(7) As used in this section, "certificate of free sale" means a document that is issued by the department that verifies that the fertilizer listed is manufactured in this state and is legally sold or distributed in this state and on the open market with the approval of the department.