

Senate Fiscal Agency  
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**SFA**

BILL ANALYSIS

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Senate Bill 989 (Substitute S-2 as reported by the Committee of the Whole)  
Sponsor: Senator George A. McManus, Jr.  
Committee: Farming, Agribusiness and Food Systems

**CONTENT**

The bill would amend Part 83 (Pesticide Control) of the Natural Resources and Environmental Protection Act to do the following:

- Require the registration of all pesticides sold, distributed, or offered for sale in the State, including pesticides for which the offer to sell originated within the State or was directed by the offeror to people in the State and received by them.
- Prohibit a person who used, distributed, exposed, or offered to sell a pesticide from making false claims about its characteristics, benefits, or qualities.
- Exempt people wishing to apply pesticides for private agricultural purposes from certain certification and licensing requirements.
- Increase fees the Michigan Department of Agriculture collects for pesticide applicator certification, registration, and licensing.
- Increase criminal penalties for violations of Part 83; include attempted violations in the penalty provisions; and extend the penalties to any person who violated Part 83.

The bill would repeal Section 8307, which provides for the registration of pesticides, labeling, special local needs, and groundwater contamination. The bill would replace most of those provisions with new language regulating similar content.

MCL 324.8302 et al.

Legislative Analyst: Claire Layman

**FISCAL IMPACT**

The bill would increase State revenue resulting from the changes in fees proposed. The estimated annual increase would be \$502,500. The revenue would be deposited in the Pesticide Control Fund for administrative costs of the Department of Agriculture.

The bill could result in increased local revenue associated with the felony penalty provisions. Further, the bill could result in additional State revenue from the provision allowing the Attorney General to recover reasonable costs associated with an investigation involving a violation, or attempted violation, of Part 83. This revenue would offset investigation costs and therefore have no net fiscal impact.

There are no data to indicate how many more offenders would be convicted of misusing pesticides with the intent to cause harm to the environment by applying pesticides contrary to label instructions. An offender convicted would receive up to five years' probation or imprisonment and/or a fine of \$25,000-\$50,000. If one additional offender were convicted and received the longest minimum sentences, it would cost the State \$83,300.

Date Completed: 3-1-02

Fiscal Analyst: Craig Thiel  
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