

SENATE BILL No. 480

May 14, 2003, Introduced by Senator BRATER and referred to the Committee on Appropriations.

A bill to amend 1931 PA 189, entitled
 "The insect pest and plant disease act,"
 by amending section 9 (MCL 286.209), as amended by 1982 PA 157.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9. (1) A person, firm, partnership, association, or
 2 corporation growing or desiring to sell nursery stock in this
 3 state shall, on or before October 31, 1982 and October 31 of each
 4 year, ~~thereafter,~~ apply to the director for a license. The
 5 annual nursery license fee shall be ~~-\$50.00-~~ **\$100.00**. The annual
 6 license fee for plant growers or plant dealers shall be ~~-\$20.00-~~
 7 **\$100.00**. The annual license fee for nursery dealers shall be
 8 ~~-\$50.00-~~ **\$100.00**. **For persons growing less than 1/4 acre of**
 9 **nursery stock or utilizing less than 200 square feet of**
 10 **greenhouse space, the fee for a license is \$40.00.** License fees
 11 provided for in this act shall become due and payable at the

1 office of the director on or before October 31 of each year.

2 ~~Fees~~

3 (2) Except as otherwise provided in this section, fees
4 collected under this act shall be paid into the general fund of
5 the state and shall be used in enforcement of this act.

6 (3) The horticulture fund is created within the state
7 treasury. The state treasurer may receive money or other assets
8 from any source for deposit into the fund. Up to \$70,000.00 of
9 the funds generated through licensing shall be deposited into the
10 horticulture fund each year. The state treasurer shall direct
11 the investments of the horticulture fund. The state treasurer
12 shall credit interest and earnings from fund investments to the
13 fund. Assets in the fund at the close of the fiscal year shall
14 remain in the fund and shall not lapse to the general fund. The
15 director shall administer the fund and shall expend money from
16 the fund, upon appropriation, to provide for research projects,
17 to develop and improve training programs, and to develop outreach
18 materials for the purposes of safeguarding plants and plant
19 products from unwanted plant pests. The director shall
20 administer the fund with advice and consultation from a
21 horticultural advisory committee.

22 (4) There is created a horticulture advisory committee.
23 Members of this committee, to be named by the director, shall
24 include representatives from the horticulture industry.

25 (5) This section ~~shall~~ does not apply to persons engaged
26 in fruit growing who are not nurserymen but desire to sell or
27 exchange surplus small fruit plants of their own growing, or to

1 farmers or other persons who may sell or give away native shade
2 trees, native shrubs, native vines, native hardy perennials, or
3 native evergreens from their own premises.