

SENATE BILL No. 1396

June 22, 2010, Introduced by Senator VAN WOERKOM and referred to the Committee on Agriculture and Bioeconomy.

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 8 (MCL 285.68), as amended by 2002 PA 80; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. (1) A grain dealer shall pay a license fee to the
2 department with an application for a license or renewal of a
3 license. The license fee is the sum of all of the following that
4 apply to the grain dealer:

- 5 (a) For each receiving point of the grain dealer that
- 6 has total bushel capacity of:
- 7 (i) 100,000 or less..... \$150.00
- 8 (ii) More than 100,000 and 200,000 or less..... \$225.00

1	(iii) More than 200,000 and 300,000 or less.....	\$300.00
2	(iv) More than 300,000 and 400,000 or less.....	\$375.00
3	(v) More than 400,000.....	\$450.00
4	(b) For vehicles owned by a farm produce trucker:	
5	(i) For 1 vehicle.....	\$200.00
6	(ii) For each additional vehicle.....	\$100.00
7	(c) For a grain merchandiser's license.....	\$450.00

8 (2) The grain dealer's fees fund is created in the state
9 treasury. The department shall deposit license fees and
10 administrative fines received under this act in the grain
11 dealer's fees fund, to be used pursuant to legislative
12 appropriation by the director in carrying out those duties
13 required by law. After the payment of the amounts appropriated by
14 the legislature for the necessary expenses incurred in the
15 administration of this act, the money remaining in the grain
16 dealer's fees fund shall not revert or be credited to the general
17 fund at the close of the fiscal year but shall remain in the
18 grain dealer's fees fund. **THE DEPARTMENT SHALL BE THE**
19 **ADMINISTRATOR OF THE FUND FOR AUDIT PURPOSES.**

20 (3) A license fee determined pursuant to subsection (1) is
21 the fee for a 1-year license. If the department has issued a
22 license for a period of longer than 1 year under section ~~4(3)~~,
23 **4(4)**, it shall require a license fee increased on a proportionate
24 basis to reflect the longer term of the license.

25 (4) Every ~~3 years~~, **YEAR**, the department may adjust the fee
26 schedule in subsection (1) by an amount determined by the state
27 treasurer to reflect the cumulative annual percentage change in

1 the Detroit consumer price index over the ~~3-year~~**1-YEAR** period.
2 An adjustment under this subsection shall not exceed 5% even if
3 the amount determined by the state treasurer to reflect the
4 cumulative annual percentage change over the ~~3-year~~**1-YEAR** period
5 is more than 5%. A fee adjusted under this subsection shall be
6 rounded to the nearest ~~whole dollar~~**\$5.00 INCREMENT**. As used in
7 this subsection, "Detroit consumer price index" means the most
8 comprehensive index of consumer prices available for the Detroit
9 area from the bureau of labor statistics of the United States
10 department of labor.

11 Enacting section 1. Section 27 of the grain dealers act,
12 1939 PA 141, MCL 285.87, is repealed.