

SENATE BILL No. 887

January 11, 2012, Introduced by Senators GREEN and KAHN and referred to the Committee on Appropriations.

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 8 (MCL 285.68), as amended by 2010 PA 264; 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~~ \$ 500.00
- 8 (ii) More than 100,000 and 200,000

1	or less.....	\$225.00 —\$	625.00
2	(iii) More than 200,000 and 300,000		
3	or less.....	\$300.00 —\$	750.00
4	(iv) More than 300,000 and 400,000		
5	or less.....	\$375.00 —\$	875.00
6	(v) More than 400,000.....	\$450.00 —\$	1,000.00
7	(b) For vehicles owned by a farm produce trucker:		
8	(i) For 1 vehicle.....	\$200.00 —\$	500.00
9	(ii) For each additional vehicle.....	\$100.00 —\$	200.00
10	(c) For a grain merchandiser's		
11	license.....	\$450.00 —\$	1,000.00

12 (2) The grain dealer's fees fund is created in the state
13 treasury. The department shall deposit license fees and
14 administrative fines received under this act in the grain
15 dealer's fees fund, to be used pursuant to legislative
16 appropriation by the director in carrying out those duties
17 required by law. After the payment of the amounts appropriated by
18 the legislature for the necessary expenses incurred in the
19 administration of this act, the money remaining in the grain
20 dealer's fees fund shall not revert or be credited to the general
21 fund at the close of the fiscal year but shall remain in the
22 grain dealer's fees fund. The department shall be the
23 administrator of the fund for audit purposes.

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

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

13 ~~———(5) Notwithstanding section 27(1), grain dealers that file~~
14 ~~an audited financial statement that complies with section 9 and~~
15 ~~that reports a current asset to current liability ratio of 1.2 to~~
16 ~~1 and an equity ratio (equity/(total liability + equity)) of 0.25~~
17 ~~or greater are not required to have a bond as required by section~~
18 ~~27(1).~~

19 Enacting section 1. Section 27 of the grain dealers act,
20 1939 PA 141, MCL 285.87, is repealed.