

# HOUSE BILL No. 4835

June 30, 2011, Introduced by Reps. Glardon, Shaughnessy, Rendon, Johnson, Daley, Hughes, Kurtz, Nesbitt, Lori, Lyons, Zorn, Brunner, Horn, Wayne Schmidt, Goike and Oakes and referred to the Committee on Transportation.

A bill to amend 1941 PA 205, entitled

"An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities,"

(MCL 252.51 to 252.64) by adding section 2a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 2A. (1) THE STATE TRANSPORTATION DEPARTMENT SHALL ALLOW  
2 THE CATEGORY OF MICHIGAN FARM MARKETS IN THE LOGO SIGNAGE PROGRAM  
3 AUTHORIZED UNDER SECTION 2 AND SHALL ESTABLISH QUALIFICATION  
4 CRITERIA FOR FACILITIES, ACTIVITIES, AND LOCATIONS DESIGNATED AS  
5 FARM MARKETS NOT IN CONFLICT WITH THIS SUBSECTION. AS USED IN THIS

1 SUBSECTION:

2 (A) "AGRICULTURAL PRODUCT" MEANS ANY AGRICULTURAL COMMODITY OR  
3 PRODUCT, WHETHER RAW OR PROCESSED, INCLUDING ANY COMMODITY OR  
4 PRODUCT DERIVED FROM LIVESTOCK THAT IS MARKETED FOR HUMAN OR  
5 LIVESTOCK USE OR CONSUMPTION.

6 (B) "CROP" MEANS A PLANT OR PART OF A PLANT MARKETED OR  
7 INTENDED TO BE MARKETED AS AN AGRICULTURAL PRODUCT OR FED OR  
8 INTENDED TO BE FED TO LIVESTOCK.

9 (C) "FARM MARKET" MEANS A LOCATION, WHETHER OR NOT ENCLOSED IN  
10 A TEMPORARY OR PERMANENT STRUCTURE, WHERE AGRICULTURAL PRODUCTS ARE  
11 SOLD TO CONSUMERS. ALL OF THE FOLLOWING APPLY TO A FARM MARKET:

12 (i) IT IS PART OF A FARM OPERATION.

13 (ii) NOT LESS THAN 50% OF THE PRODUCTS OFFERED FOR SALE ARE  
14 PRODUCED ON AND BY THE AFFILIATED FARM. THIS CALCULATION MAY BE AN  
15 AVERAGE OVER NOT MORE THAN 5 SEASONS.

16 (iii) IT MAY SELL AGRICULTURAL PRODUCTS IN THEIR NATURAL STATE  
17 OR IN A VALUE-ADDED FORM FOR DIRECT CUSTOMER SALES AS OTHERWISE  
18 PROVIDED BY LAW.

19 (iv) IT MAY OPERATE SEASONALLY OR YEAR-ROUND.

20 (v) IT MAY INCLUDE MARKETING ACTIVITIES AND SERVICES TO  
21 ATTRACT AND ENTERTAIN CUSTOMERS, UNLESS OTHERWISE PROHIBITED BY  
22 LAW.

23 (D) "VALUE-ADDED" MEANS THE ENHANCEMENT OR IMPROVEMENT OF THE  
24 OVERALL VALUE OF AN AGRICULTURAL COMMODITY OR OF AN ANIMAL OR PLANT  
25 PRODUCT INTO A PRODUCT OF HIGHER VALUE. THE ENHANCEMENT OR  
26 IMPROVEMENT INCLUDES, BUT IS NOT LIMITED TO, MARKETING,  
27 AGRICULTURAL PROCESSING, TRANSFORMING, OR PACKAGING.

1           (2) ANY REVENUE RECEIVED BY THE STATE TRANSPORTATION  
2 DEPARTMENT UNDER THIS SECTION SHALL BE DEPOSITED INTO THE STATE  
3 TRUNK LINE FUND ESTABLISHED UNDER SECTION 11 OF 1951 PA 51, MCL  
4 247.661.