

My name is Dave Mast. I am the co-owner of Andy Mast greenhouses. We have 3 locations in west Michigan totaling 19 acres of greenhouse space and 20 acres of outdoor field production of flowering plants. Currently we have 119 employees. Our sales are in excess of 20 million dollars annually. I am also the President of the Michigan Greenhouse Growers Council. Michigan has 48,900,000 square feet of greenhouses. MI is the 3rd largest greenhouse state in the country. Michigan greenhouses contribute 741 million to our economy. In Michigan, 62 of its 83 counties contain greenhouses.

We would like to comment on the House Bill 6199. The state has the power and authority to protect the population as a whole. We would like to acknowledge the responsibility it has forthright. When the state deems necessary to use the emergency powers in the act, it would stand to reason they do so for the good of the public as a whole. Protecting other crops, especially food crops we consume. Ralstonia is an example of a virus threatening to our potato crops.

In the current law, there are contradicting statements. The struck part on page 4 line 4-11 states no damage shall be awarded. Line 27 on page 4 says Owner shall be recompensed for actual value. That is contradicting. The new wording, as struck and added for clarity, in same places. Page 4 line 4-11 and page 4 line 27 and following shows clarity. I'm thankful to see the legislature taking steps to clarify the wording and pay damages to the grower. This is the correct view. Which one of us does not understand eminent domain, the compensation of property for the greater good? Should not the grower be compensated when, through no fault of their own they are required to dispose of diseased plants, and other plants grown near the infected plants, for the greater good of the whole population?

Here's an example from a real greenhouse with real business implications. In 2003, Glass Corner greenhouse, was found to have Ralstonia virus on geranium cuttings they shipped. Not in his greenhouse, but in a greenhouse, they shipped to. Multiple tests were done to detect the virus in his greenhouse. Never once did a test turn up positive. But because it showed up in a greenhouse they shipped to, his crop was destroyed to protect the potato growers and our food supply. 1.5 million rooted cuttings thrown away. Not to mention their production plans for the remaining 5.5 million cuttings were stopped. That owner, along with Goldsmith plants the supplier of the cuttings, spent a ½ a million dollars and a year's time fighting to be reimbursed by the federal government. At the time, no one was helping them. The USDA and APHIS would not give compensation as this was an unprecedented occurrence and the legislation did not address it. This currently is being worked on in the last farm bill to rectify. Under current Michigan law the grower would be only compensated for infected plants. We are glad the legislature is including plant infected and plants destroyed to prevent the spread for compensation.

We'd like to comment on a couple of more items of concern in this bill the legislature may wish to consider reviewing on a later date.

1. The 3000-foot destruction mandate on page 4 line 21. Would this include a neighboring greenhouse within 3,000 feet of someone's facility? My neighbor is less than 300 feet from my greenhouse. Would his crop be culled if I have a problem? There are several areas in Michigan with a high concentration of greenhouses. In Comstock, near Kalamazoo, there are 12 different greenhouses in a mile. If something happened in the middle of that, a rule reading bureaucrat could force the dumping of millions of dollars of plants in multiple businesses.
2. The appeals process should be reviewed. Should our first and only option be an appeal to the director of MDARD? Should he have the only say in an appeal? Should this not be a panel of 3 similar to the wording on compensation on page 5 of the bill?

Thank you for your time and consideration.