



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4579 (Substitute S-4 as reported by the Committee of the Whole)

Sponsor: Representative Rebekah Warren

House Committee: Great Lakes and Environment

Senate Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 413 (Transgenic and Nonnative Species) of the Natural Resources and Environmental Protection Act to do the following:

- Authorize the Natural Resources Commission (NRC), after consulting with the Michigan Department of Agriculture (MDA), by order to add to or delete from the list of prohibited or restricted species any species other than an insect or plant.
- Authorize the Agriculture Commission, after consulting with the Department of Natural Resources (DNR), by order to add to or delete from the list of prohibited or restricted species any insect or plant species.
- Require the DNR or MDA, at least 30 days before a proposed order was issued, to post the order on the Department's website and submit a copy of it to the Legislature.
- Prescribe criteria for listing an organism as a prohibited or restricted species.
- Require the DNR or MDA, as applicable, in determining whether to grant or deny a permit application for introduction of a genetically engineered organism, to consider whether any application for a Federal permit or approval for the organism had been granted or denied.
- Extend criminal penalties to the illegal possession or introduction of a prohibited or restricted species with intent to harm human health.
- Authorize the MDA to administer and enforce Part 413 with respect to insect and plant species, and authorize the DNR to administer and enforce Part 413 regarding all other species.
- Replace references to the Invasive Species Advisory Council with references to the DNR.
- Delete a sunset date on annual reporting requirements.

The bill would take effect 90 days after it was enacted. It is tie-barred to Senate Bill 280, which would revise the definitions of "prohibited species" and "restricted species".

MCL 324.41301 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of unlawfully possessing or introducing restricted species. Local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$32,000. Additional penal fine revenue would benefit public libraries.

Existing resources would cover monitoring and enforcement duties of the DNR and MDA.

Date Completed: 5-19-09

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