

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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NOV 16 1989

Senate Bill 66 (as reported with amendments)

Sponsor: Senator Joseph S. Mack

Committee: Natural Resources and Environmental Affairs

Mich. State Law Library

*encl. 10-10-89*

Date Completed: 10-16-89

**RATIONALE**

Under the Wildlife Conservation Act, the Natural Resources Commission can make recommendations to the Legislature regarding animals that should be added to or deleted from the category of "game", meaning that the animal can be taken only as provided in the Act. The Act also authorizes the Commission to designate an animal as a "protected animal", meaning that the animal cannot be taken. It has been pointed out that while deer can be taken legally as game, there is no provision in the Act to restrict the taking of a rare albino deer, nor has the Commission designated albino deer as a *protected animal*. The Department of Natural Resources (DNR) reports that about one in every 500,000 deer is an albino. Reportedly, an albino buck that was one of three albino deer born to a single doe was shot in 1987 in the Upper Peninsula, and others have been shot at other times. Requests to the Commission to designate albino deer as protected apparently have not thus far been successful. It has been suggested that the Act be amended to protect the rare albino deer.

**CONTENT**

The bill would amend the Wildlife Conservation Act to include in the definition of "protected animal" a deer that "has hair that is entirely white", and to exclude such a deer from the Act's definition of "game".

MCL 300.254

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

**ARGUMENTS****Supporting Argument**

Albino deer are extremely rare, attractive, and intriguing animals. The State should see to it that, in those few instances when a white deer is alive and roaming the woods, it is protected.

**Opposing Argument**

The Wildlife Conservation Act allows the Natural Resources Commission to designate certain animals as protected. This power gives the Commission and the DNR the flexibility necessary to manage wildlife in response to changing conditions. By specifying a protected animal in statute, the bill would reduce the flexibility that was built into the Act for the Commission. If the Commission felt that albino deer should be protected, it could do so, without the bill.

**Response:** Some people feel that albino deer should be protected, but the Commission has not responded to requests to protect them. Protecting albino deer through legislation is an alternative to waiting for the Commission to act.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 66 (10-10-89)