Senate Bill 1479 (as introduced 9-26-02)
Sponsor: Senator Alan Sanborn
Committee: Hunting, Fishing and Forestry

Date Completed: 11-12-02

CONTENT

The bill would amend the Animal Industry Act to prohibit a person from importing into this State a genetically engineered organism that was a variant of an animal species, from an area under quarantine, without permission of the Director of the Michigan Department of Agriculture. The bill also provides that an order of the Director prohibiting the importation of a species, or requiring compliance with certain requirements, would apply to a genetically engineered organism that was a variant of the species identified in the order, unless it provided otherwise.

The bill would define "genetically engineered organism" as "an organism whose genome, chromosomal or extrachromosomal, is modified permanently and heritably using recombinant nucleic acid techniques". "Recombinant nucleic acid techniques" would mean "laboratory techniques through which genetic material is isolated and manipulated in vitro and then inserted into an organism".

The Act prohibits a person from importing into this State an animal species from an area under quarantine for that species for any infectious, contagious, or toxicological disease, unless the Director grants permission. Under the bill, this also would apply to a genetically engineered organism that was a variant of the species.

In addition, the Act prohibits the importation of any species having the potential to spread serious diseases or parasites, to cause serious physical harm, or otherwise to endanger native wildlife, human life, livestock, domestic animals, or property, as determined by the Director. The bill states that an order of the Director under this provision would apply to any genetically engineered organism that was a variant of the species identified in the order, unless the order expressly provided otherwise.

Under the Act, the Director may require compliance with requirements pertaining to physical examination, negative test results, and/or identification, before the importation of a wild animal or an exotic animal species not regulated by the Fish and Wildlife Service of the U.S. Department of Interior or the Michigan Department of Natural Resources. The bill specifies that an order of the Director under this provision would apply to any genetically engineered organism that was a variant of the species identified in the order, unless it expressly provided otherwise.

MCL 287.704 et al.   Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government.

Because unintentionally violating a quarantine under MCL 287.712 is currently a misdemeanor, there are no data to indicate how many offenders are convicted each year. To the extent that including genetically engineered species under this section could increase the number of offenders convicted, the bill would increase costs to local units of government. Local units would incur the costs of probation as well as incarceration, which varies by county from $27 to $65 per day.

According to the 1999 Department of Corrections Statistical Report, there were no offenders convicted of or serving time for intentionally violating a quarantine under MCL 287.712, which is a felony punishable by up to five years' imprisonment. The State would incur the cost of felony probation at $4.38 per day or incarceration in a State prison at an average annual cost of $25,000. To the extent that the past is representative of the future, including genetically engineered species under this section would have no fiscal impact on the State.

Fiscal Analyst: Bethany Wicksall