

Legislative Analysis



GAME BREEDER LICENSES: ISSUANCE AND REVOCATION

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 1615

Sponsor: Sen. Raymond E. Basham

House Committee: Tourism, Outdoor Recreation and Natural Resources

Senate Committee: Natural Resources and Environmental Affairs

Complete to 12-8-08

A SUMMARY OF SENATE BILL 1615 AS PASSED BY THE SENATE 12-4-08

The bill would make the following changes to Part 427 (Breeders and Dealers) of the Natural Resources and Environmental Protection Act dealing with licenses issued by the Department of Natural Resources (DNR) for the captive breeding and sales of game:

- Require the Department of Natural Resources (DNR) to deny an application for a *new* license if the applicant does not own or rent the premises to be used for the licensed activity.
- Beginning on the bill's effective date, require the DNR to notify the applicable city, township, or village in writing and forward a copy of a license application when the premises are not zoned for agricultural use.
- Require the DNR to deny a license application if the relevant local unit of government notifies the DNR within 30 days that the use proposed in the license application would violate a local ordinance that (1) bans captive game animals and (2) does not violate the Michigan Right to Farm Act.
- Allow the DNR to suspend or revoke a license, after providing an opportunity for an administrative hearing, if: (1) the premises are located in an area of a city or village (but not township) that is zoned residential; (2) the licensed use is a nonconforming, and (3) the licensee has committed a crime or a civil infraction relating to the captivity of **pheasants** on the premises. (Current grounds—a violation of Part 427 or failure to provide reports and records within reasonable time limits— would be retained, as would a provision that allows a game breeder's license to be suspended or not renewed if the licensee is convicted of a violation of the state game laws.)

FISCAL IMPACT:

There may be an indeterminate revenue loss to the Game and Fish Protection Fund, depending on the number of breeders/dealers unable to renew or secure a license to breed and/or sell game. There would be no fiscal impact on local governmental units.

Legislative Analyst: Shannan Kane

Fiscal Analyst: Kirk Lindquist

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