



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 280 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Senator Gerald Van Woerkom

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:

- Revise the definition of "prohibited species" by removing yellow flag iris and a hybrid or genetically engineered variant of yellow flag iris; and including particular aquatic plant, bird, crustacean, mammal, mollusk, and fish species.
- Include particular mollusk species in the definition of "restricted species".
- Specify a legislative intent to list an organism as a prohibited species if it is not found in Michigan or is found only in limited locations; has the potential for causing harm to animals or human health or safety, or severe harm to the State's economy; and/or effective management or control techniques are not available.
- Specify a legislative intent to list an organism as a restricted species if the organism is commonly found in Michigan; has the potential to cause harm to animals or human health or safety, or severe harm to the State's economy; and/or effective management or control techniques are available.
- Include violations of Part 413 involving genetically engineered or nonnative birds, crustaceans, mammals, and mollusks in provisions establishing penalties.
- Require the Michigan Department of Agriculture to enforce Part 413 with regard to insect species, and require the Department of Natural Resources (DNR) to enforce Part 413 with regard to all other species.
- Repeal provisions establishing the Invasive Species Advisory Council, and transfer its duties to the DNR.

MCL 324.41301

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 the offenses involving restricted, nonnative, or genetically engineered 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.

Additional monitoring and enforcement duties of the Departments of Natural Resources and Agriculture would be covered by existing resources.

Date Completed: 3-24-09

Fiscal Analyst: Lindsay Hollander
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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.

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