

WILDLIFE RISK MITIGATION

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Senate Bill 725

Sponsor: Sen. John Moolenaar

House Committee: Agriculture

Senate Committee: Agriculture

Complete to 12-6-11

A SUMMARY OF SENATE BILL 725 AS PASSED BY THE SENATE 12-1-11

The bill would amend the General Property Tax Act to specify that property would not lose its status as qualified agricultural property or its classification as agricultural real property because the property owner or lessee implemented a wildlife risk mitigation action plan.

"Wildlife risk mitigation action plan" would mean a written plan consisting of one or more "projects" to help reduce the risks of a communicable disease spreading between wildlife and livestock that is approved by the Department of Agriculture and Rural Development under the Animal Industry Act.

"Project" would mean certain risk mitigating measures, which could include, but are not limited to:

- Making it difficult for wildlife to access feed by storing livestock feed securely, restricting wildlife access to feeding and watering areas, and deterring or reducing wildlife presence around livestock feed by storing feed in an enclosed barn, wrapping bales or covering stacks with tarps, closing ends of bags, storing grains in animal-proof containers or bins, maintaining fences, practicing small mammal and rodent control, or feeding away from wildlife cover.
- Minimizing wildlife access to livestock feed access and water by feeding livestock in an enclosed area, feeding in open areas near buildings and human activity, removing extra or waste feed when livestock are moved, using hay feeders to reduce waste, using artificial water systems to help keep livestock from sharing water sources with wildlife, fencing off stagnant ponds, wetlands, or areas of wildlife habitats that pose a disease risk, and keeping mineral feeders near buildings and human activity or using devices that restrict wildlife usage.

Qualified Agricultural Property

Under the General Property Tax Act, qualified agricultural property is exempt from the tax levied by a local school district for school operating purposes as provided for in Section 122 of the Revised School Code. "Qualified agricultural property" means unoccupied property and related buildings classified as agricultural, or other unoccupied

property and related buildings located on that property devoted primarily to agricultural use.

The bill would specify that property would not lose its status as qualified agricultural property as a result of an owner or lessee implementing a wildlife risk mitigation action plan.

Agricultural Real Property

The act requires a local assessor to classify every item of assessable property according to definitions contained in Section 34c. One of those classifications of assessable real property is agricultural real property, which includes parcels used partially or wholly for agricultural operations, with or without buildings. Agricultural real property includes buildings on leased land used for agricultural operations.

The bill would specify that property would not lose its classification as agricultural real property as a result of an owner or lessee implementing a wildlife risk mitigation action plan.

MCL 211.7dd and 211.34c

FISCAL IMPACT:

As written, the bill would reduce property tax revenue dedicated to local schools by an indeterminate amount. To the extent that local school funding declines, expenditures from the School Aid Fund must increase to maintain the foundation allowance.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.