

NREPA: DEFINITION OF NATIVE SWINE

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House Bill 5432

Sponsor: Rep. Greg MacMaster

Committee: Agriculture

Complete to 6-3-14

A SUMMARY OF HOUSE BILL 5432 AS INTRODUCED 3-26-14

House Bill 5432 would amend Sections 41301 and 41302 of the Natural Resources and Environmental Protection Act to add several definitions relevant to the regulation of native and nonnative swine.

Currently, under Section 41302 of NREPA, the Natural Resources Commission can by order add species to or delete species from the list of prohibited or restricted species in the statute, except for insect and plant species. House Bill 5432 would add "livestock" and "farm products" to those exceptions, and would add definitions of those terms to Section 41302. (This means the NRC could not add or delete livestock or farm products from the statutory list of prohibited and restricted species.)

The definition of "livestock" would be added, as follows: "those species of domestic animals used for human food or fiber or those species of domestic animals used for service to humans. Livestock includes, but is not limited to, cattle, sheep, new world camelids, goats, bison, privately owned cervids, ratites, native swine, equines, poultry, aquaculture species, and rabbits. Livestock does not include dogs or cats or feral or wild swine." [This is similar to the definition of the term in the Animal Industry Act, except that the bill refers to "native swine" rather than simply "swine."]

"Native swine" [contained within the definition of livestock] would be defined as "swine born and raised in this state or legally imported into this state." "Feral or wild swine" would be defined as "swine that have lived their life or any part of their life as free roaming or not under the husbandry of humans."

For the definition of the term "farm product" the bill would cite the definition of that term found in Section 2 of the Michigan Right to Farm Act, where it is defined as "those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan Commission of Agriculture."

The term "aquaculture species" would be defined as "a species on the approved list of aquaculture species under Section 5 of the Michigan Aquaculture Development Act . . . or a species not on the approved list that is the subject of research conducted under an aquaculture research permit in a confinement research facility, as described in Section 8" of that act.

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact.

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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.