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House Bill 6204 (as passed by the House)
Sponsor: Representative Jack O'Malley
House Committee: Oversight
Senate Committee: Oversight

Date Completed: 9-20-22

CONTENT

The bill would amend the Part 413 (Transgenic and Nonnative Organism) of the Natural Resources and Environmental Protection Act to require the relevant department to notify the Legislature within 24 hours after issuing an order or emergency that adds or deletes a species from the list of prohibited or restricted species.

Part 413 allows the relevant commission (i.e., the Natural Resources Commission or the Commission of Agricultural and Rural Development) to add or delete, by order, a species from the list of prohibited species or restricted species. Before either commission issues an order to do so, it must consult with the applicable department. After doing so, and at least 30 days before the relevant commission issues the order, the relevant department must post a copy of the proposed order on its website and submit a copy of the order to the entities specified in Part 413.

The bill also would require the relevant department to notify the Senate and House of Representatives, in writing, within 24 hours after issuing an order adding or deleting an organism from the prohibited or restricted species lists.

In addition, Part 413 authorizes a relevant department director to issue an emergency order designating an organism as a prohibited species or restricted species if the organism has the potential to harm human health or to severely harm natural, agriculture, or silvicultural resources. The department must do all of the following:

- Post a proposed emergency order on its website and otherwise publicize the proposed emergency order in a manner that ensures that interested parties are provided notice of the proposed emergency order, the reasons for the emergency order, and the proposed effective date of the order.
- Provide a copy of the proposed emergency order to each member of the standing committees of the Senate and the House of Representatives that consider legislation pertaining to conservation, the environment, recreation, tourism, or natural resources.
- Post the final emergency order on its website.

The bill also would require the relevant department to notify the Senate and House of Representatives of the final emergency order, in writing, within 24 hours after the order was issued.

In addition, the bill would prohibit the relevant director from designating an organism as a prohibited or restricted species if the same organism were previously designated by emergency order as a prohibited or restricted species.

MCL 324.41302 & 324.41303

Legislative Analyst: Olivia Ponte

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

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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.