

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4427 (Substitute S-1 as reported by the Committee of the Whole)
House Bill 4428 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Representative Michael Green
House Committee: Agriculture and Resource Management
Senate Committee: Farming, Agribusiness and Food Systems

CONTENT

House Bill 4427 (S-1) would create the "Privately Owned Cervidae Producers Marketing Act" to prohibit a person from engaging in a cervidae livestock operation without obtaining a cervidae livestock facility registration from the Michigan Department of Agriculture. The bill also would provide for the renewal and revocation of a registration; establish application fees; establish criminal penalties for violations of the bill; and provide for declaratory and injunctive remedies.

House Bill 4428 (S-1) would amend the Natural Resources and Environmental Protection Act (NREPA) to exempt from the NREPA's definition of "game" privately owned cervidae species located on a registered cervidae livestock facility; and to permit, rather than require, the Department of Natural Resources to issue licenses authorizing the possession of game. In addition, the bill would repeal the December 31, 2004, sunset date on Public Act 66 of 1999, which added Section 40111a to the NREPA to require the Natural Resources Commission to issue an order banning deer and elk feeding in the Lower Peninsula except for recreational viewing, and establishing criteria for deer feeding in the Upper Peninsula. Public Act 66 also amended applicable definitions in Sections 40102 and 40103. Under the bill, only Section 40111a would be repealed on December 31, 2004.

The bills are tie-barred to each other and would take effect June 1, 2001.

MCL 324.40103 et al. (H.B. 4428)

Legislative Analyst: L. Arasim

FISCAL IMPACT

The fiscal impact on State government is indeterminate. The bills would result in additional State administrative costs to the Departments of Agriculture, Natural Resources, and Environmental Quality associated with the registration, inspection, and monitoring of captive cervid operations. The bills also would increase State revenues resulting from the collection of registration fees. The amount of State revenue would be contingent on the number and type of each operation registered. Based on departmental figures, the bills would generate approximately \$170,000 in State revenues from the three-year registration fee. Presumably these revenue are designed to cover the administrative costs of the Department of Agriculture.

The bills also would have an indeterminate fiscal impact on State and local government for costs of incarceration. There are no data available to determine how many people would be convicted of allowing cervidae livestock to escape or abandoning a registered facility without notification. These would be misdemeanors meaning that local units of government would receive fine revenues or incur the costs of incarceration. If an offender intentionally committed the above acts, the result would be a felony charge with a maximum penalty of up to four years' imprisonment.

Date Completed: 5-24-00

Fiscal Analyst: C. Thiel