



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



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

Senate Bill 1466 (as introduced 9-10-08)  
Sponsor: Senator Gerald Van Woerkom  
Committee: Natural Resources and Environmental Affairs

Date Completed: 9-17-08

### **CONTENT**

The bill would amend Part 413 (Transgenic and Nonnative Organisms) of the Natural Resources and Environmental Protection Act to remove yellow flag iris (*Iris pseudacorus*) and a hybrid or genetically engineered variant of yellow flag iris from the definition of "prohibited aquatic plant species".

Part 413 prohibits a person from possessing a prohibited species, including an aquatic plant species, except under one or more of the following circumstances:

- The person intends to present a specimen, for identification or similar purposes, to a certified or registered pesticide applicator, to a public or private institution of higher education, or to the Department of Natural Resources (DNR) or any other State, local, or Federal agency with responsibility for the environment or natural resources.
- The person has been presented with a specimen for identification purposes in accordance with Part 413.
- The person possesses the prohibited species in conjunction with otherwise lawful activity to eradicate or control it.
- The possession is pursuant to a permit issued by the DNR for education or research purposes.

A person who violates this prohibition is subject to a maximum civil fine of \$10,000. If a violator knows that the possession is unlawful, the offense is a felony punishable by imprisonment for up to two years and a mandatory fine of at least \$2,000 but not more than \$20,000. Part 413 prescribes additional criminal penalties for the introduction of prohibited species.

MCL 333.41301

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on the State. Delisting the yellow flag iris as a prohibited aquatic plant species could result in its being grown in nurseries for sale, which would be a positive economic increase. However, if the plant were to grow in the wild to a level at which it inhibited an ecosystem, it could require corrective action by the Department of Natural Resources.

Fiscal Analyst: Jessica Runnels

S0708\1466sa

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.