



Senate Fiscal Agency
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House Bill 4199 (Substitute H-2 as passed by the House)
Sponsor: Representative Michael Lahti
First House Committee: Tourism, Outdoor Recreation and Natural Resources
Second House Committee: Great Lakes and Environment
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 7-15-09

CONTENT

The bill would amend Part 413 (Transgenic and Nonnative Organisms) of the Natural Resources and Environmental Protection Act to do the following:

- Prohibit the placement of a boat, boating equipment, or boat trailer in Michigan waters with an aquatic plant attached.**
- Require the owner of a public boating access site to post a notice of the prohibition.**
- Prescribe a civil fine for a violation of the aquatic plant prohibition and the notice requirement.**

Under the bill, a person could not place a boat, boating equipment, or boat trailer in the waters of this State if it had an aquatic plant attached. A law enforcement officer could order the owner or operator of the boat, equipment, or trailer to remove aquatic plants. The owner or operator would have to obey the order. A person who violated these provisions would be responsible for a State civil infraction and could be ordered to pay a civil fine of up to \$100.

The Department of Natural Resources would have to prepare a notice containing a summary of the bill's provisions and make copies of it available to owners of public boating access sites. The owner of a public boating access site would have to post and maintain the notice. An access site owner who violated the notice requirement would be responsible for a State civil infraction and could be ordered to pay a civil fine of up to \$100.

Under the bill, "aquatic plant" would mean a submergent, emergent, or floating-leaf plant, or a fragment or seed of such a plant. The term would not include wild rice (*Zizania aquatica*).

Proposed MCL 324.41325

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The Department of Natural Resources would absorb notice requirements, which would be minimal. Currently, civil fines collected for violations of Part 413 are deposited in the Invasive Species Fund and used to support administration of this part. (Beginning on September 21, 2009, this will apply only to violations of specific sections of Part 413.) Under the Revised Judicature Act, State civil infraction fine revenue is dedicated to public libraries, and a defendant is liable for a \$10 justice system assessment as well as costs.

Fiscal Analyst: Bill Bowerman

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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.