



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 963 (Substitute S-2 as reported)
Sponsor: Senator Robert Geake
Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 487 (Sport Fishing) of the Natural Resources and Environmental Protection Act to prohibit a person from obstructing or interfering in the lawful taking of aquatic species by another person. "Aquatic species" would mean fish, reptiles, mollusks, crustaceans, minnows, wigglers, and amphibians of the class amphibia. A person would be in violation of this prohibition if he or she knowingly or intentionally:

- Operated a vessel, or a device designed to be used on the water, in a manner likely to alter significantly the behavior of aquatic species; waded or swam in a manner or at a location likely to alter significantly the behavior of aquatic species; tossed, dropped, or threw inert material; or drove, herded, or disturbed any aquatic species to disrupt a lawful taking.
- Blocked, impeded, or harassed another person who was engaged in the process of lawfully taking an aquatic species, or interjected himself or herself into the area where nets, fishing lines, or traps could be placed by a person lawfully taking aquatic species.
- Used a natural or artificial visual, aural, olfactory, gustatory, or physical stimulus to affect aquatic species behavior in order to hinder or prevent the lawful taking of an aquatic species.
- Erected barriers to areas where the lawful taking of aquatic species could occur.
- Affected the condition or placement of property intended for use in the lawful taking of an aquatic species in order to impair its usefulness or prevent its use.
- Entered or remained upon private lands without the permission of the owner or the owner's agent, with intent to violate these provisions.
- Engaged in any other act or behavior with intent to violate these provisions.

The bill is tie-barred to Senate Bill 964, which would provide for penalties for a violation of Senate Bill 963.

Proposed MCL 324.48702a

Legislative Analyst: L. Burghardt

FISCAL IMPACT

The bill would have no fiscal impact on the Department of Corrections, yet could result in increased local costs for prosecuting and sanctioning convicted violators of the bill. There are no data currently available that might indicate the expected number of annual violations.

The bill would have an indeterminate fiscal impact on the Department of Natural Resources, depending on the number of potential violations and the amount of fishing law enforcement activities required.

Date Completed: 4-25-96

Fiscal Analyst: G. Cutler
M. Hansen

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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.