



Senate Fiscal Agency  
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BILL ANALYSIS

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House Bill 4199 (Substitute S-2 as reported by the Committee of the Whole)

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

## **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, include it in relevant Department publications, and post it on the Department's website. 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*). "Boat" would mean vessel as that term is used in Section 80104, i.e., every description of watercraft used or capable of being used as a means of transportation on water.

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.

Date Completed: 8-26-09

Fiscal Analyst: Josh Sefton