



Senate Fiscal Agency
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House Bill 4847 (Substitute H-2 as reported by the Committee of the Whole)

Sponsor: Representative Harold Haugh

House Committee: Natural Resources, Tourism, and Outdoor Recreation

Senate Committee: Outdoor Recreation and Tourism

CONTENT

The bill would amend Part 801 (Marine Safety) of the Natural Resources and Environmental Protection Act to do the following:

- Establish requirements for the identification, lighting, and mooring of a barge.
- Authorize the Department of Natural Resources or a local authority to order a vessel to be moved, and to move a vessel that was not moved as ordered, if the vessel were moored in violation of the bill and posed a hazard to navigation.
- Provide that a barge owner who did not move a vessel as ordered would be responsible for any costs incurred by the State or a local unit of government in moving it.

A person who violated the bill's provisions would be guilty of a misdemeanor punishable by imprisonment for up to 90 days and/or a maximum fine of \$10,000. Each 24-hour period that a violation existed would constitute a separate violation.

The bill would take effect on November 1, 2012.

Proposed MCL 324.80143

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate, but in all likelihood negligible, fiscal impact on both State and local government. There are no data to indicate how many barge owner/operators could be found in violation of this statute, nor are there data to indicate how many of those found in violation would be penalized via fines or incarceration. Because a violation would be a misdemeanor, any incarceration costs would be incurred at the local unit level, but costs of community supervision would be incurred by the State. Increased penal fine revenue would benefit public libraries.

Date Completed: 2-23-12

Fiscal Analyst: Dan O'Connor
Josh Sefton