



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 964 (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 specify that a person who violated Senate Bill 963 would be guilty of a misdemeanor, punishable by imprisonment for up to 93 days, or a fine of not less than \$500 or more than \$1,000, or both, and the costs of prosecution. A second or subsequent violation would be punishable by imprisonment for up to one year, a fine of at least \$1,000 but not more than \$2,500, or both, plus the costs of prosecution. In addition, any permit or license issued by the Department of Natural Resources authorizing the person to take aquatic species would be revoked. A prosecution under these provisions would not preclude prosecution or other action under any other criminal or civil statute.

If petitioned by an aggrieved person or a person who reasonably could be aggrieved by a violation of the provisions of Senate Bill 963, a court of competent jurisdiction, upon a showing that a person was engaged in and threatened to continue to engage in illegal conduct under that bill, could enjoin the conduct.

Senate Bill 964 specifies that the provisions of Senate Bill 963 would not apply to a peace officer while he or she performed his or her lawful duties.

The bill is tie-barred to Senate Bill 963, which would amend the Act to prohibit a person from obstructing, or interfering with, the lawful taking of aquatic species.

Proposed MCL 324.48702b

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 bills could generate increased revenues to the State from criminal fines and penalties.

Date Completed: 4-25-96

Fiscal Analyst: G. Cutler
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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.