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Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 399 (as reported without amendment)  
Sponsor: Senator Dave Jaye  
Committee: Hunting, Fishing and Forestry

### **CONTENT**

The bill would amend the Natural Resources and Environmental Protection Act to provide that if an individual ventured onto ice for the purpose of ice fishing, including but not limited to placing or removing a shanty for fishing, and were rescued because of unsafe ice conditions, the individual would receive a warning for the first rescue; would be responsible for a State civil infraction and a \$500 fine for the second rescue; and would be responsible for a State civil infraction, a \$1,000 fine, and a three-year suspension of ice fishing privileges, as well as liable to the rescuing agency, for the third or subsequent rescue. These provisions would be repealed three years after the bill's effective date.

If a rescue or attempted rescue were made of more than one individual in a single incident, the actual cost incurred by the agency for an individual would have to be considered the total actual cost of the rescue effort by that rescuing agency divided by the number of individuals for whom a rescue or attempted rescue was made in that incident. ("Rescuing agency" would mean a Federal, State, or local entity responsible for rescuing an individual because of unsafe ice conditions.)

If a warning were given or if it were determined that a defendant was responsible for a State civil infraction after the effective date of rules promulgated under Senate Bill 398, notice of the warning or determination would have to be posted on the L.E.I.N. (law enforcement information network) under the rules.

The bill is tie-barred to Senate Bill 398, which would require that the policy and rules of the L.E.I.N. Policy Council ensure access to information on warnings and determinations of responsibility for State civil infractions under Senate Bill 399.

MCL 324.46501 et al.

Legislative Analyst: N. Nagata

### **FISCAL IMPACT**

Senate Bills 398 and 399 would have a minimal fiscal impact on the Department of State Police and the Department of Natural Resources. Under the bills, certain law enforcement agencies or other rescuing agencies could recoup the cost of rescue operations under certain conditions.

The bills would generate an indeterminate amount of fine revenue depending on the number of second and subsequent infractions involved.

Date Completed: 3-24-99

Fiscal Analyst: B. Baker  
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[floor/sb399](#)

Analysis available @ <http://www.michiganlegislature.org>

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.