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Senate Bill 876 (as enrolled)  
Sponsor: Senator Philip E. Hoffman  
Committee: Natural Resources and Environmental Affairs

Date Completed: 11-10-99

## **RATIONALE**

Michigan's forest system is made up of approximately 3.9 million acres of land, making it the largest State forest system in the nation. The forest system provides numerous recreational, economic, and ecological benefits to the State. Despite the value of this resource, the State's forest system has experienced reductions in funding and personnel. The State Forest Recreation Advisory Committee was formed in 1990 to address key recreation issues facing the State's forests. In 1995 the committee issued "Forest Recreation 2000", a report that confronted these issues and outlined a number of recommendations. It was suggested that some of the recommendations be implemented in order to establish and maintain forest recreation activities. In response, Public Act 418 of 1998 amended the Natural Resources and Environmental Protection Act to require the Department of Natural Resources (DNR) to develop an integrated recreation system, which included permitting the DNR Director to commission State forest officers to enforce State laws and rules on DNR-administered property. The State forest officers, however, cannot issue civil citations for violations unless the authority to do so is specified in the Revised Judicature Act.

## **CONTENT**

The bill would amend Chapter 88 of the Revised Judicature Act (RJA) to include in the definition of "law enforcement officer" a State forest officer commissioned under Part 831 (State Forest Recreation) of the Natural Resources and Environmental Protection Act.

Chapter 88 of the RJA authorizes law enforcement officers to issue citations for civil infractions and defines "law enforcement officer" as a sheriff or deputy sheriff; an officer of the police department or the marshal of a city, village, or township; an officer of the Michigan State Police; a conservation officer; a motor carrier officer; a State security employee; a public safety officer employed by a university; a constable of a political subdivision, if authorized by

its governing board; or a park and recreation officer.

MCL 600.8801

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The bill would enable commissioned forest officers to enforce the rules within the boundaries of State forests by giving them the authority to issue civil citations to individuals who violate those rules. Currently, if a forest officer observes someone committing a violation, such as operating a snowmobile off a trail, the officer can do little more than issue a warning. The bill would give the DNR better control over land use activities and improve the Department's ability to react quickly to violations.

Legislative Analyst: N. Nagata

## **FISCAL IMPACT**

This bill would have a threefold, though indeterminate, fiscal impact on the State and local units of government.

Today there are approximately 100 forest officers throughout the State. These officers provide fire protection and general maintenance services within State forests. These officers also enforce State land use statutes and regulations issued by the Department of Natural Resources. However, because forest officers are not commissioned under the RJA, they currently lack the authority to issue civil citations to individuals who violate those rules.

If this bill were approved, the Department anticipates that it would commission one to two forest officers from each of the 15 State forest management units. No new forest officers would be hired as a result of

this bill. Commissioning officers would result in additional training costs to the Forest Resource division within the Department of Natural Resources; however, those training costs cannot be determined.

Second, this bill could reduce the law enforcement burden on local units of government that currently respond to forest officers' requests for assistance. Finally, revenues generated on tickets issued by commissioned forest officers for State civil infractions would be directed to support local libraries, unless otherwise directed by law. These revenues would vary based on the number and type of tickets written each year.

Fiscal Analyst: P. Alderfer

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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.