

**STATE OF MICHIGAN**  
**88TH LEGISLATURE**  
**REGULAR SESSION OF 1996**

**Introduced by Reps. Prusi, Anthony, Kelly, DeMars, Kaza, Martinez, Agee, Rhead, LaForge, Gernaat and Middaugh**

# **ENROLLED HOUSE BILL No. 6060**

AN ACT to amend sections 46503, 46506, and 46508 of Act No. 451 of the Public Acts of 1994, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," as added by Act No. 57 of the Public Acts of 1995, being sections 324.46503, 324.46506, and 324.46508 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Sections 46503, 46506, and 46508 of Act No. 451 of the Public Acts of 1994, as added by Act No. 57 of the Public Acts of 1995, being sections 324.46503, 324.46506, and 324.46508 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 46503. A person who sets, places, erects, or causes to be set, placed, or erected a fishing shanty upon the ice of any waters of counties located within the Upper Peninsula, or the waters of the Great Lakes adjacent to the Upper Peninsula, shall remove the fishing shanty before ice conditions are unsafe for its removal.

Sec. 46506. (1) Based on weather conditions, the department may issue an order extending the date after which a fishing shanty may not remain on the ice under section 46504, 46505, or 46507. The order shall only apply to a single ice fishing season. The department may subsequently issue an order amending or revoking the extension order. An order issued under this section shall not relieve the person placing a fishing shanty of the responsibility of assuring that ice conditions are safe, nor shall such order serve to make the state liable for damages which may result from the placing or attempting to place a fish shanty pursuant to an order issued under this section.

(2) After the date listed in section 46504, 46505, or 46507, as applicable, and subject to any extension of that date under subsection (1), a person may place and use a fishing shanty for the purposes of fishing if the fishing shanty is removed from the ice at the conclusion of each day's fishing activity.

Sec. 46508. A local unit of government shall not pass an ordinance, rule, or regulation regulating the placement, use, marking, or removal of a fishing shanty on the ice of any waters over which this state has jurisdiction. An ordinance, rule, or regulation described in this section that is in effect on April 1, 1994 is void. However, if a person fails to remove a fishing shanty by the date specified in section 46504, 46505, or 46507, as applicable, and subject to any extension of that date under section 46506(1), a local unit of government may remove the fishing shanty from the ice or water and store or destroy the fishing shanty.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.

