



**House
Legislative
Analysis
Section**

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MONTHLY CATCH REPORT FOR CHARTER BOATS

House Bill 4215 (Substitute H-2)
First Analysis (3-8-89)

RECEIVED
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Sponsor: Rep. Jerry C. Bartnik
Committee: Tourism, Fisheries, & Wildlife

Mich. State Law Library

THE APPARENT PROBLEM:

Hiring a charter boat has become a popular way to fish the Great Lakes. From the mid-seventies to the present, the number of licensed charter operators in Michigan has burgeoned from under 200 to over 1,000. Much of this increase is directly related to the expansion of the salmonoid (salmon and lake-running trout) fishing industry on the Great Lakes, particularly Lake Michigan, since the early eighties. Lake Michigan charters currently represent nearly two-thirds of the state's charter industry. Since 1986, however, annual salmonoid catches on Lake Michigan have dropped. Reasons given for this decline range from the theory that lampreys — the eel-like predator which crippled lake trout populations in the sixties — have increased, to the fact that Walleye fishing on Lake Erie has made a dramatic comeback over the last decade, which in turn may have lured sportsfishers away from the state's western Great Lake.

A special task force, the Lake Michigan Salmonoid Task Force, was created to study the downturn in fishing success on the lake. Currently, most information on all the lakes' fish catches is gathered from anglers who patronize public access sites and various popular coastal areas where fishing pressure is greatest. Charter creel censuses in this state are rarely utilized although every other state surrounding Lake Michigan requires charters to regularly report their catches to the proper authorities. One of a number of recommendations of the task force is that Michigan follow suit and require charter operators to report creel information to the Department of Natural Resources (DNR) on a monthly basis in order to ensure greater statistical accuracy of Lake Michigan's, and the other Great Lakes', fish catch reports.

THE CONTENT OF THE BILL:

The bill would amend the Charter and Livery Boat Safety Act to allow the Department of Natural Resources to conduct research into the availability of fish in state waters that are used by charter boats. The department would be required to develop a system that insured that each charter boat operator completed a "catch activity form" monthly but that protected the confidentiality of the contributing charter boat operator. A catch activity committee formed by the DNR would be responsible for developing a form to record the number, type, and location of fish taken from charter boats and participate in research regarding information contained on the forms. The committee would be composed of two individuals from the department and two representatives from the Michigan Charter Boat Association. The form would have to be made available to all charter boat operators in the state. The bill says that the department would require monthly catch activity forms to be completed and returned before a certificate of inspection could be issued for a charter boat. The DNR would also be required to compile a report, available to the public, using the returned catch activity forms. The report could not disclose the identity of charter boat

operators who disclosed information. The bill's provisions would be repealed two years after taking effect.

MCL 281.578a

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the Department of Natural Resources would incur minimal costs to implement the bill. (3-2-89)

ARGUMENTS:

For:

Of the state's waters, Lake Michigan ranks first in the number of salmon caught, and for having the most licensed charter boats. Although still considered good, fishing success on the lake has declined since 1986. Much of this drop may be due to the successful rebound of Lake Erie's Walleye fishery — once considered lost due to the lake's massive pollution problem in the early seventies — which may be diverting fishing attention from the western side of the state. Although DNR records indicate the number of "angler hours" (i.e. estimated angler fishing time) on Lake Michigan has decreased since 1986, fishing success, particularly of Chinook, has fallen off disproportionately. Statistics for total fish take, however, may be skewed since current DNR fish census figures are gathered primarily from anglers fishing popular spots along the lake's coast, while charter catches are overlooked for the most part. This failure to count charter fish catches seems unusual since these certainly account for a substantial portion of the state's entire catch; in fact, all other coastal states surrounding the lake require this information. The bill would require the DNR to distribute catch forms to charter operators, and would require the operators to report the number, type and location of fish taken while chartering. This would allow the state to better monitor fish populations to determine what may be causing the smaller salmon take. Further, while the bill would protect individual charter operators' catch totals from public disclosure, it would permit disclosure of catch totals for an area which could be helpful in telling anglers where fish may be caught.

Against:

The bill's reporting requirement is yet another intrusion into the lives of individuals and the operation of businesses. Furthermore, many people go fishing for the enjoyment of the activity, not out of some compulsion to catch more and more fish.

POSITIONS:

The Department of Natural Resources supports the bill. (3-2-89)

The Michigan Recreation and Park Association supports the bill. (3-2-89)

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The following groups, which have representatives on the Lake Michigan Salmonoid Task Force, support the bill: The Boating Industries Association (3-2-89)

The Michigan Charter Boat Association (3-2-89)

The Michigan United Conservation Clubs (3-2-89)

Michigan Steelheaders of Paw Paw (3-2-89)

Trout Unlimited, Lansing chapter, (3-6-89)

The Sportsmen's Alliance of Michigan opposes the bill.
(3-2-89)