

SFA

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5000

MAY 23 1989

Mich. State Law Library

House Bill 4215 (Substitute H-2 as reported without amendment)
Sponsor: Representative Jerry C. Bartnik
House Committee: Tourism, Fisheries, and Wildlife
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 4-20-89

RATIONALE

Charter boat fishing is becoming increasingly popular on the Great Lakes. Since the mid-1970s, the number of licensed charter operators in Michigan reportedly has burgeoned from under 200 to over 1,000. Much of that increase has been attributed to the expansion of the salmonoid (salmon and lake-running trout) fishing industry on the Great Lakes, particularly Lake Michigan. 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 1960s--have increased, to the claim that increased fishing on Lake Erie may have lured sportsfishers away from the State's western shores.

The Lake Michigan Salmonoid Task Force was created to study the downturn in fishing success on Lake Michigan. 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 activity is greatest. Charter creel censuses in this State are rarely used although every other State surrounding Lake Michigan requires charters to report their catches regularly to the proper authorities. One of the recommendations of the task force is that Michigan 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.

CONTENT

The bill would amend the Charter and Livery Boat Safety Act to provide for the monthly reporting of fish taken from Michigan waters by charter boats.

The bill would allow the DNR to "conduct research into the availability of fish" in Michigan waters that are used by charter boats. The DNR also would have to form a "Catch Activity Committee" composed of two DNR employees and two representatives of the Michigan Charter Boat Association. The Committee would have to develop a form for the reporting of the number, type, and location of fish taken from Michigan charter boats and participate in research pertaining to information contained in the forms. The DNR would have to make the form available to all charter boat operators in the State.

After distributing the form, the DNR would have to require that it be completed and returned prior to issuing a certificate of inspection. The DNR also would have to develop a system to ensure that each charter boat operator completed a catch activity form monthly. That system would have to "protect the confidentiality of the identity of the contributing charter boat operator". Returned catch activity forms would have to be used by the DNR to compile a report to be made available to the public. The report could not disclose the identity of charter boat operators who contributed specific information.

The bill would be repealed two years after its effective date.

Proposed MCL 281.578a

FISCAL IMPACT

The bill would have a minimal fiscal impact on the State.

The DNR would have some increased activity in developing and monitoring the catch activity form, and in compiling a research report based on the form. No funding would be provided for the Catch Activity Committee or its members.

ARGUMENTS

Supporting Argument

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 decrease may be due to the successful rebound of Lake Erie's Walleye stock--once considered lost due to the lake's massive pollution problem in the early 1970s--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 generally overlooked. This failure to count charter fish catches seems unusual since such catches likely account for a substantial portion of the State's entire catch. By requiring the DNR to distribute catch forms to charter operators and requiring the operators to report the number, type and location of fish taken while fishing, the bill would improve the State's ability to 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 of locations in which fish may be more plentiful.

Legislative Analyst: P. Affholter
Fiscal Analyst: G. Cutler

H8990/S4215A

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.