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BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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House Bill 4390 (as reported with amendment)

Sponsor: Representative Marvin L. Knight

House Committee: Tourism, Fisheries, and Wildlife

Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 5-26-89

RATIONALE

Public Act 267 of 1988 (House Bill 5002) set a daily perch limit on the east side of the Lower Peninsula at 100 fish per day, and on the west side of the Lower Peninsula and all of the Upper Peninsula at 50 per day. Citizens on the west side of the state have complained because the perch limit is not the same across the State, and local businesses there claim that the inequitable law provides tourists with an incentive to shun the west side and spend their dollars in the east side of the State where tourists can take more fish. Since the Department of Natural Resources confirms that there is no biological reason for the difference in limits, the citizens on the west side think that they are being treated unfairly. Further, if there is to be an equitable statewide limit, many argue that anything greater than 50 would lead to commercialization.

CONTENT

The bill would amend the Michigan Sports Fishing Law to specify that the daily catch limit on perch would be 50. Currently, pursuant to Public Act 267 of 1988, the Act provides for a limit of 100 in Lake Huron south of "a line beginning at the center of the Mackinac Bridge...eastward on a straight line to the Poe Reef light in Lake Huron...and thence eastward on a straight line to Kitchener Island, Ontario", the St. Clair River, Lake St. Clair, the Detroit River, and Lake Erie; and a limit of 50 in all other State waters. The bill would replace this provision.

MCL 303.4

SENATE COMMITTEE ACTION

The Senate Committee on Natural Resources and Environmental Affairs adopted an amendment to the bill to impose a statewide daily perch limit of 50. As passed by the House, the bill would impose a daily perch limit of 100 throughout the Lower Peninsula and retain the current limit of 50 in the Upper Peninsula.

BACKGROUND

Prior to 1981, the Act contained a statewide catch limit of 50 perch per day per person. The daily limit was reportedly implemented in response to reports of out-of-state residents claiming to be sportsfishers who were harvesting large numbers of perch to sell in other states. The 50-perch-per-day limit was removed in 1981 because the taking of perch in the Lower Peninsula had decreased and some felt that the enforcement of the limit was an added burden on conservation officers. As a compromise between those who desired a statewide 50-perch limit and those who wanted a statewide 100-perch limit, Public Act 267 of 1988 mandated the current standard of 100 in the eastern Lower Peninsula and 50 throughout the rest of the State.

FISCAL IMPACT

According to the Department of Natural Resources (4-6-89), the bill would have no fiscal implications for the State.

H.B. 4390 (5-26-89)

ARGUMENTS

Supporting Argument

Sportsfishers on the west side of the Lower Peninsula have complained that they are being treated unfairly. They want to have the same opportunity to catch fish as fishers on the east side. In addition, representatives of the tourism industry on the west side of the Lower Peninsula have also voiced dismay over the unfair treatment that they think the current law imposes upon their area. Some local areas on the west side depend upon the sportfishing industry for a major portion of their economy, and many claim to have experienced a marked decrease in business since last year's enactment of the perch limit.

Supporting Argument

A perch limit of 50 fish constitutes a generous day's catch and would be a reasonable limit for people interested in fishing for sport. According to some advocates of sports fishing, when people catch more than 50 fish in a day they have a tendency to sell them. The proposed limit would exclude the possibility of harvesting numbers of fish that would approach commercial catches in the name of sport.

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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.