

HOUSE BILL No. 4220

February 7, 1991, Introduced by Rep. Alley and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend the title and sections 1, 2, and 5 of Act No. 218 of the Public Acts of 1955, entitled as amended

"An act to prescribe the powers and duties of the conservation commission with respect to the suspension, abridgment, extension and modification of the provisions of the commercial fishing laws of 1929 and of any other statute regulating commercial fishing; and to prescribe penalties for violations of the provisions of this act,"

being sections 308.201, 308.202, and 308.205 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 1, 2, and 5 of Act
2 No. 218 of the Public Acts of 1955, being sections 308.201,
3 308.202, and 308.205 of the Michigan Compiled Laws, are amended
4 to read as follows:

TITLE

1

2 An act to prescribe the powers and duties of the
3 ~~conservation~~ commission OF CONSERVATION AND RECREATION with
4 respect to the suspension, abridgment, extension and modification
5 of ~~the provisions of~~ the commercial fishing laws of 1929 and of
6 any other statute regulating commercial fishing; and to prescribe
7 penalties for violations of ~~the provisions of~~ this act.

8 Sec. 1. ~~The provisions of~~ NOTWITHSTANDING any other act
9 to the contrary, ~~notwithstanding, the provisions of~~ any statute
10 or law of this state governing commercial fishing may be sus-
11 pended, abridged, extended, or modified by the ~~conservation~~
12 commission OF CONSERVATION AND RECREATION when, in the opinion of
13 ~~said~~ THE commission, such action is necessary for the better
14 protection, preservation, maintenance, and harvesting of such
15 fish. The existing statutes and laws regulating commercial fish-
16 ing shall remain in full force and effect unless suspended,
17 abridged, extended, or modified by order of the ~~conservation~~
18 commission OF CONSERVATION AND RECREATION in the manner ~~herein~~
19 provided IN THIS ACT, or by subsequent acts of the legislature.

20 Sec. 2. The effective date of any order promulgated by the
21 ~~conservation~~ commission OF CONSERVATION AND RECREATION under
22 authority of this act shall be not less than 30 days from and
23 after the date of its adoption. Within 10 days after the date of
24 its adoption, a copy of ~~said~~ THE order shall be sent by
25 first-class mail to all persons of record licensed under the
26 ~~provisions of~~ COMMERCIAL FISHING LAW OF 1929, Act No. 84 of
27 the Public Acts of 1929, as amended, being sections 308.1 to

1 308.51 of the MICHIGAN Compiled Laws, ~~of 1948,~~ who will be
2 affected by ~~such~~ THE order.

3 Sec. 5. Nothing in this act shall be construed to confer
4 upon the ~~conservation~~ commission OF CONSERVATION AND RECREATION
5 the power to alter any ~~provisions~~ PROVISION of the statutes
6 relating to forfeitures, penalties, or license fees.

7 Section 2. This amendatory act shall not take effect unless
8 all of the following bills of the 86th Legislature are enacted
9 into law:

10 (a) Senate Bill No. _____ or House Bill No. 4177 (request
11 no. 00827'91).

12 (b) Senate Bill No. _____ or House Bill No. 4173 (request
13 no. 00827'91a).