

HOUSE BILL No. 4223

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

A bill to amend sections 3 and 7 of Act No. 261 of the Public Acts of 1915, entitled as amended

"An act to regulate the taking, catching or killing of mussels in any of the inland waters of this state, and to provide an open and closed season for taking same; to provide for the issuing of licenses and permits pertaining thereto and the disposition of the moneys derived therefrom, and to provide penalties for the violation of the provisions of this act,"

being sections 307.53 and 307.57 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 3 and 7 of Act No. 261 of the Public
2 Acts of 1915, being sections 307.53 and 307.57 of the Michigan
3 Compiled Laws, are amended to read as follows:

4 Sec. 3. The director of ~~conservation~~ THE DEPARTMENT OF
5 NATURAL RESOURCES shall, upon receipt of ~~such~~ AN application
6 and the proper fee, issue a license to take, catch, or kill
7 mussels. All ~~such~~ OF THESE licenses shall begin July 1 and

1 expire on ~~the thirtieth day of~~ September 30 following ~~their~~
2 ~~issue~~ ISSUANCE. Licenses shall be consecutively numbered as
3 issued and a record shall be kept thereof in the office of the
4 department of ~~conservation~~ NATURAL RESOURCES. ~~Such~~ THE
5 license shall state whether it is a resident or ~~non-resident~~
6 NONRESIDENT license, the address of the licensee, and the amount
7 paid for the license. ~~Said~~ THE license shall also state what
8 waters have been closed to the capture of mussels by the
9 ~~conservation~~ commission OF CONSERVATION AND RECREATION. Every
10 person while taking, catching, or killing mussels shall have
11 ~~such~~ THE license in his OR HER possession and shall exhibit the
12 ~~same~~ LICENSE when requested to do so by an authorized officer.

13 Sec. 7. The ~~conservation~~ commission OF CONSERVATION AND
14 RECREATION may from time to time as may be required for the con-
15 servation of the mussel resources of the state ~~—~~ prescribe
16 areas in any part of the state from which mussels shall not be
17 taken for such a period as may be specified by the commission.
18 It shall be unlawful to take, catch, or kill mussels in THE
19 CLOSED waters. ~~so closed.~~ All orders of the ~~conservation~~ com-
20 mission OF CONSERVATION AND RECREATION affecting mussels shall be
21 published once a year in a newspaper of general circulation, pub-
22 lished within each county containing or having on its boundary
23 waters affected by ~~such~~ THE order. All ~~such~~ OF THE orders
24 shall take effect at the time fixed ~~therein~~ WITHIN THE ORDER,
25 but not less than 21 days after the publication ~~thereof~~ OF THE
26 ORDER. The ~~conservation~~ commission OF CONSERVATION AND

1 RECREATION may extend the time within which ~~such~~ AN order shall
2 take effect.

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

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

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