

Act No. 200
Public Acts of 1996
Approved by the Governor
May 16, 1996
Filed with the Secretary of State
May 17, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Reps. Green, Horton, Gernaat, Jellema, Middaugh, Goschka, Rocca, Kukuk, Lowe, McManus, Rhead, Hill, LeTarte, Hammerstrom, McBryde, Ryan, Llewellyn, Voorhees, Gustafson, Alley and Gnodtke

ENROLLED HOUSE BILL No. 5556

AN ACT to amend sections 45902 and 48702 of Act No. 451 of the Public Acts of 1994, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," as added by Act No. 57 of the Public Acts of 1995, being sections 324.45902 and 324.48702 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 45902 and 48702 of Act No. 451 of the Public Acts of 1994, as added by Act No. 57 of the Public Acts of 1995, being sections 324.45902 and 324.48702 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 45902. (1) A person shall not propagate, rear, or have in possession for the purpose of offering for sale or selling any kind of game fish unless he or she has applied for and been issued a license as provided in this part. All such licenses are nontransferable and expire on December 31 of the year for which issued. A separate license is required for each place of business where game fish are propagated, reared, or possessed for the purpose of sale or offering for sale.

(2) This part does not apply to the following:

(a) The sale, offering for sale, or possession of dead, fresh, or frozen brook trout, brown trout, or rainbow trout lawfully taken in and exported from another state or country or that have been procured from a licensed dealer within this state.

(b) The propagation, rearing, possession, or sale of game fish pursuant to a registration or permit issued pursuant to the Michigan aquaculture development act.

Sec. 48702. (1) Except as otherwise provided in subsection (2), all fish, reptiles, amphibians, mollusks, and crustaceans found in this state are the property of the state and may only be taken at times and in a manner as provided in this part.

(2) Fish, reptiles, amphibians, mollusks, crustaceans, and any other aquaculture species propagated, reared, produced, or possessed pursuant to a registration or permit issued under the Michigan aquaculture development act are not the property of the state and may be taken, produced, purchased, acquired, lawfully exported or imported, or possessed only in compliance with that act.

(3) The department shall consider a registration under the Michigan aquaculture development act as equivalent to a game fish breeders license for purposes of obtaining a planting permit under this part.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.