



# SENATE BILL No. 963

April 18, 1996, Introduced by Senators GEAKE, BENNETT, DUNASKISS, MC MANUS, GAST, BOUCHARD, DINGELL, DE BEAUSSAERT, KOIVISTO, CHERRY, YOUNG, HOFFMAN, NORTH, BERRYMAN, GOUGEON, SHUGARS, STEIL, EMMONS, CISKY, STILLE, CONROY, MILLER, PETERS, CARL, BYRUM and ROGERS and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend Act No. 451 of the Public Acts of 1994, entitled "Natural resources and environmental protection act," as amended, being sections 324.101 to 324.90106 of the Michigan Compiled Laws, by adding section 48702a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Act No. 451 of the Public Acts of 1994, as  
2 amended, being sections 324.101 to 324.90106 of the Michigan  
3 Compiled Laws, is amended by adding 48702a to read as follows:

4 SEC. 48702A. (1) AS USED IN THIS SECTION AND SECTION  
5 48702B, "AQUATIC SPECIES" MEANS FISH, MOLLUSKS, CRUSTACEANS, MIN-  
6 NOWS, WIGGLERS, AND AMPHIBIANS OF THE CLASS AMPHIBIA.

7 (2) A PERSON SHALL NOT OBSTRUCT OR INTERFERE IN THE LAWFUL  
8 TAKING OF AQUATIC SPECIES BY ANOTHER PERSON.

1 (3) A PERSON VIOLATES THIS SECTION WHEN THE PERSON  
2 INTENTIONALLY OR KNOWINGLY DOES ANY OF THE FOLLOWING:

3 (A) DRIVES OR DISTURBS AN AQUATIC SPECIES FOR THE PURPOSE OF  
4 DISRUPTING A LAWFUL TAKING.

5 (B) BLOCKS, IMPEDES, OR HARASSES ANOTHER PERSON WHO IS  
6 ENGAGED IN THE PROCESS OF LAWFULLY TAKING AN AQUATIC SPECIES.

7 (C) USES A NATURAL OR ARTIFICIAL VISUAL, AURAL, OLFACTORY,  
8 GUSTATORY, OR PHYSICAL STIMULUS TO AFFECT AQUATIC SPECIES BEHAV-  
9 IOR IN ORDER TO HINDER OR PREVENT THE LAWFUL TAKING OF AN AQUATIC  
10 SPECIES.

11 (D) ERECTS BARRIERS WITH THE INTENT TO DENY INGRESS OR  
12 EGRESS TO AREAS WHERE THE LAWFUL TAKING OF AQUATIC SPECIES MAY  
13 OCCUR. THIS SUBDIVISION DOES NOT APPLY TO A PERSON WHO ERECTS  
14 BARRIERS TO PREVENT TRESPASSING ON HIS OR HER PROPERTY.

15 (E) INTENTIONALLY INTERJECTS HIMSELF OR HERSELF INTO THE  
16 AREA WHERE NETS, FISHING LINES, OR TRAPS MAY BE PLACED BY A  
17 PERSON LAWFULLY TAKING AQUATIC SPECIES.

18 (F) AFFECTS THE CONDITION OR PLACEMENT OF PERSONAL OR PUBLIC  
19 PROPERTY INTENDED FOR USE IN THE LAWFUL TAKING OF AN AQUATIC SPE-  
20 CIES IN ORDER TO IMPAIR THE USEFULNESS OF THE PROPERTY OR PREVENT  
21 THE USE OF THE PROPERTY.

22 (G) ENTERS OR REMAINS UPON PRIVATE LANDS WITHOUT THE PERMIS-  
23 SION OF THE OWNER OR THE OWNER'S AGENT, WITH INTENT TO VIOLATE  
24 THIS SECTION.

25 (H) ENGAGES IN ANY OTHER ACT OR BEHAVIOR WITH INTENT TO VIO-  
26 LATE THIS SECTION.

1       Section 2. This amendatory act shall not take effect unless  
2 Senate Bill No. 964  
3 of the 88th Legislature is enacted into law.