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House Bill 5481 (Substitute H-3 as passed by the House)

House Bill 5662 (as passed by the House)

Sponsor: Representative Goeff Hansen (H.B. 5481)

Representative Dave Hildenbrand (H.B. 5662)

House Committee: Tourism, Outdoor Recreation and Natural Resources

Senate Committee: Hunting, Fishing and Outdoor Recreation

Date Completed: 2-25-10

CONTENT

<u>House Bill 5481 (H-3)</u> would amend Part 487 (Sport Fishing) of the Natural Resources and Environmental Protection Act (NREPA) to do the following:

- -- Eliminate specific daily taking and possession limits on particular fish species.
- -- Prohibit a person from exceeding daily possession limits where the fish were taken and en route to his or her means of land transportation, residence, or place of lodging.
- -- Allow a person to possess an additional two days' possession limit of fish processed by certain methods.

<u>House Bill 5662</u> would amend Part 435 (Hunting and Fishing Licensing) of NREPA to do the following:

- -- Include the possession of aquatic species in certain provisions applicable to the taking of aquatic species.
- -- Include lake sturgeon, lake herring, amphibians, reptiles, and crustaceans among the aquatic species that may not be taken with a restricted fishing license.
- -- Allow a person to purchase a 72-hour fishing license, and establish a license fee.

House Bill 5481 (H-3) would take effect on April 1, 2010. The bills are tie-barred to each other.

House Bill 5481 (H-3)

Under Part 487, except as otherwise provided by an order of the Department of Natural Resources and Environment providing protection to a species in danger of depletion or extermination, a person may not in a single day catch, kill, or possess at any one time more than the number of fish indicated as follows:

-- Brook trout, brown trout, rainbow trout, steelhead, lake trout, and splake, in any combination of species, 10 when taken from rivers and streams or five when taken from inland lakes or Great Lakes, but not more than 10 pounds and one fish.

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- -- Largemouth and smallmouth black bass, five.
- -- Bluegills, sunfish, warmouth bass, rock bass, and crappies, 25 aggregate of any one species or in any combination of species.
- -- Northern pike, five.
- -- Landlocked salmon, five.
- -- White bass, 10; or 25 when taken from the Great Lakes or connecting waters.
- -- Whitefish, 12.
- -- Perch, 50 in the Upper Peninsula and all waters of the Great Lakes that are within Michigan's jurisdiction and are a maximum of 10 miles from the border of the Upper Peninsula; or 100 in all other waters of the State.
- -- Pike-perch, five.
- -- Saugers, 20, when taken from the waters commonly known as the Portage Canal, including Portage Lake and Torch Lake, in Houghton County.
- -- Sturgeon, two per season.

Also, a person may take and possess 10 pike-perch when taken legally in the connecting waters or the waters of the Great Lakes. Saugers taken as described above may not be bought or sold. In addition, a person may not possess sturgeon on or along the shores of an inland water except during January and February.

The bill would delete all of these provisions. Instead, a person could not possess more than the daily possession limit or aggregate daily possession limit, as applicable, of fish at the place where they were taken or en route from that place to either of the following:

- -- His or her automobile or other principal means of land transportation.
- -- His or her residence or temporary place of lodging.

Part 487 prohibits a person in a single day from catching, killing, or possessing more than a combined total of five largemouth or smallmouth bass, pike-perch, and northern pike, except that a person may take and possess a combined total of 10 of those fish when taken in the connecting waters or the waters of the Great Lakes. The bill would retain this provision.

Under the bill, in addition to one day's possession limit of fish, a person could possess an additional two days' possession limit of fish that were processed by any of the following methods:

- -- Canning in a sealed container.
- -- Curing by smoking or drying.
- -- Freezing in a solid state.

The bill specifies that a person's processed fish aboard a vessel, on the water or at dockside, would be considered to be in his or her possession for the purposes of this provision.

House Bill 5662

Part 435 prohibits a person who is at least 17 years old from taking aquatic species, except aquatic insects, in the waters over which the State has jurisdiction without a license. Under the bill, this prohibition also would apply to the possession of aquatic species.

Currently, a restricted fishing license entitles the licensee to take aquatic species as prescribed by law, other than trout or salmon. The bill also would exclude lake sturgeon, lake herring, amphibians, reptiles, and crustaceans. In addition, this provision also would apply to the possession of aquatic species.

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Part 435 provides for an all-species fishing license that entitles a person to take aquatic species as prescribed by law. Under the bill, the all-species fishing license also would entitle the licensee to possess aquatic species as prescribed by law.

Currently, a resident or nonresident may purchase a limited fishing license entitling him or her to take all aquatic species as prescribed by law. The fee is \$7 for a designated 24-hour period.

The bill would refer to a 24-hour or 72-hour fishing license, instead of a limited license. The license would entitle the person to take, for a designated 24-hour or 72-hour period, respectively, and possess aquatic species. The current \$7 fee would apply to the 24-hour license. The fee for a 72-hour fishing license, to be issued beginning in 2010, would be \$9 for senior citizens and \$21 for all others.

MCL 324.48721 (H.B. 5481) 324.43509 et al. (H.B. 5662)

FISCAL IMPACT

House Bill 5481 (H-3)

The bill would change guidelines for the number and manner in which fish may be possessed. This would have little fiscal impact on the State.

House Bill 5662

The bill would change how time-limited fishing licenses are purchased. Currently, residents and nonresidents can purchase a limited fishing license for \$7 (\$3 for senior citizens) per 24-hour period. The bill would change these licenses, allowing two types of licenses to be purchased: a 24-hour license, and a 72-hour license. The price for these licenses is essentially unchanged; \$7 (\$3 for seniors) for the 24-hour license, and \$21 (\$9 for seniors) for the 72-hour license. Since the 72-hour license is priced at exactly three times the 24-hour license, the license scheme in the bill should result in minimal change in the amount of revenue the Department collects.

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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.