

HOUSE BILL No. 5481

September 29, 2009, Introduced by Reps. Hansen, Hildenbrand, Haveman, Horn, Stamas, Caul, Mayes, Kowall, Knollenberg, Byrum, Simpson, Marleau, Crawford, Kurtz, Sheltroun, Ball, Meekhof, Terry Brown, Lindberg, Booher, McDowell, LeBlanc, Pavlov, Daley, Calley, Denby, Genetski, Espinoza, Proos, Elsenheimer, Moore, Moss, Tyler, Pearce, Opsommer, Walsh, Bolger, Wayne Schmidt, Lund, Rocca, McMillin and Neumann and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 43509, 43532, 43533, and 48721 (MCL 324.43509, 324.43532, 324.43533, and 324.48721), sections 43509 and 43533 as amended by 1996 PA 585, section 43532 as amended by 2002 PA 108, and section 48721 as added by 1995 PA 57.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 43509. (1) A person 17 years of age or older shall not
2 take aquatic species, except aquatic insects, in or upon any waters
3 over which this state has jurisdiction or in or upon any lands
4 within the state, or possess aquatic species, except aquatic
5 insects, without having in his or her possession a valid license as
6 provided in this part.

7 (2) A person shall not ~~hunt, trap,~~ **TAKE** or possess a wild

1 animal without having in his or her possession a valid license as
2 provided in this part.

3 Sec. 43532. (1) A person 17 years of age or older shall not
4 take **OR POSSESS AN** aquatic species, except aquatic insects, in the
5 waters over which this state has jurisdiction without a license.
6 The fee for a resident restricted fishing license is \$15.00. The
7 fee for a nonresident restricted fishing license is \$34.00.

8 (2) ~~The-A~~ restricted fishing license entitles the licensee to
9 take **AND POSSESS** aquatic species as prescribed by law, other than
10 trout, ~~ex-salmon~~, **LAKE STURGEON, LAKE HERRING, AMPHIBIANS,**
11 **REPTILES, OR CRUSTACEANS.**

12 (3) A person under 17 years of age may take aquatic species in
13 the waters over which this state has jurisdiction without a
14 license. However, a person under 17 years of age may obtain an all-
15 species fishing license. The fee for a resident or nonresident who
16 is under 17 years of age, for an all-species fishing license is
17 \$2.00. The department shall not sell or vendor the list of
18 licensees under this subsection.

19 (4) The fee for a resident all-species fishing license is
20 \$28.00. The fee for a nonresident all-species fishing license is
21 \$42.00.

22 (5) ~~The-AN~~ all-species fishing license entitles the licensee
23 to take ~~all-species-of~~ **AND POSSESS ALL** aquatic species as
24 prescribed by law.

25 (6) A person to whom a valid restricted fishing license has
26 been issued may return the restricted license to the department or
27 its authorized agent and receive an all-species fishing license by

1 paying a fee equal to the difference in cost between the all-
 2 species fishing license and the restricted fishing license for
 3 which that person is eligible.

4 Sec. 43533. (1) A resident or nonresident may purchase a
 5 ~~limited-24-HOUR OR 72-HOUR~~ fishing license entitling that person to
 6 take, **FOR A DESIGNATED 24-HOUR OR 72-HOUR PERIOD, RESPECTIVELY, AND**
 7 **POSSESS** all aquatic species as prescribed by law. ~~Except as~~
 8 ~~provided in this section, the fee for a limited fishing license is~~
 9 ~~\$6.00 per designated consecutive 24-hour period.~~ Except as provided
 10 in this section, ~~beginning in 2001,~~ the fee for a limited fishing
 11 license is \$7.00 per designated consecutive 24-hour period.
 12 Notwithstanding any other provision of this section, the fee for a
 13 limited fishing license for a senior citizen is \$3.00.

14 **(2) THE FEE FOR A 72-HOUR FISHING LICENSE, TO BE ISSUED**
 15 **BEGINNING IN 2010, IS AS FOLLOWS:**

16 **(A) EXCEPT FOR A SENIOR CITIZEN, \$21.00**

17 **(B) FOR A SENIOR CITIZEN, \$9.00**

18 Sec. 48721. (1) Except as otherwise provided in an order
 19 authorized under **THIS PART OR** part 411, a person shall not ~~in a~~
 20 ~~single day catch, kill, or have in possession at any 1 time more~~
 21 ~~than the number of fish indicated as follows:~~

22 ~~—— (a) Brook trout, brown trout, rainbow trout, steelhead, lake~~
 23 ~~trout, and splake, in any combination of species, 10 when taken~~
 24 ~~from rivers and streams or 5 when taken from inland lakes or Great~~
 25 ~~Lakes, but not more than 10 pounds and 1 fish.~~

26 ~~—— (b) Largemouth and smallmouth black bass, 5.~~

27 ~~—— (c) Bluegills, sunfish, warmouth bass, rock bass, and~~

~~erappies, 25 aggregate of any 1 species or in any combination of species.~~

~~—— (d) Pike perch, 5. Any person may take and possess 10 pike perch when legally taken in the connecting waters or the waters of the Great Lakes.~~

~~—— (e) Saugers, 20, when taken from the waters commonly known as the Portage canal and including Portage lake and Torch lake, all in Houghton county. Saugers when so taken shall not be bought or sold.~~

~~—— (f) Northern pike, 5.~~

~~—— (g) Landlocked salmon, 5.~~

~~—— (h) White bass, 10; 25 when taken from the Great Lakes or connecting waters.~~

~~—— (i) Whitefish, 12.~~

~~—— (j) Sturgeon, 2 per season. A person shall not possess sturgeon on or along the shores of an inland water except during the months of January and February.~~

~~—— (k) Perch, 50 in the Upper Peninsula and all waters of the Great Lakes that are within the jurisdiction of this state and are 10 or fewer miles from a border of the Upper Peninsula; in all other waters of the state, 100.~~

**POSSESS MORE THAN THE DAILY
POSSESSION LIMIT OR AGGREGATE DAILY POSSESSION LIMIT, AS
APPLICABLE, OF FISH AT THE PLACE WHERE THE FISH WERE TAKEN OR IN
ROUTE FROM THAT PLACE TO EITHER OF THE FOLLOWING:**

**(A) HIS OR HER AUTOMOBILE OR OTHER PRINCIPAL MEANS OF LAND
TRANSPORTATION.**

(B) HIS OR HER RESIDENCE OR TEMPORARY PLACE OF LODGING.

(2) A person shall not in a single day catch, kill, or possess

1 more than a combined total of 5 largemouth or smallmouth bass,
2 pike-perch, and northern pike, except that a person may take and
3 possess a combined total of 10 of those fish when taken in the
4 connecting waters or the waters of the Great Lakes.

5 (3) IN ADDITION TO 1 DAY'S POSSESSION LIMIT OF FISH, A PERSON
6 MAY POSSESS AN ADDITIONAL 2 DAYS' POSSESSION LIMIT OF FISH THAT ARE
7 PROCESSED BY ANY OF THE FOLLOWING METHODS:

8 (A) CANNING IN A SEALED CONTAINER.

9 (B) CURING BY SMOKING OR DRYING.

10 (C) FREEZING IN A SOLID STATE.

11 (4) A PERSON'S PROCESSED FISH ABOARD A VESSEL, ON THE WATER OR
12 AT DOCKSIDE, SHALL BE CONSIDERED TO BE IN THE PERSON'S POSSESSION
13 FOR THE PURPOSES OF SUBSECTION (3).

14 (5) ~~(3)~~—A person shall not possess a fish illegally taken.