

**SUBSTITUTE FOR
HOUSE BILL NO. 5053**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 48729 (MCL 324.48729), as added by 1995 PA 57.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 48729. A person shall not do any of the following:
- 2 (a) Take or possess minnows, wigglers, or crayfish for
- 3 commercial purposes from any of the waters over which this state
- 4 has jurisdiction; import minnows, wigglers, or crayfish for
- 5 commercial purposes from outside of this state; or transport
- 6 minnows, wigglers, or crayfish without having first procured a
- 7 license as provided in section 48732. A license, except a license
- 8 to fish in the waters of this state as provided in part 435, is not
- 9 required of persons taking minnows, wigglers, or crayfish for their

1 individual use for bait. A person shall not set or use minnow traps
2 for the taking of minnows, wigglers, or crayfish for any purpose
3 unless the name and address of the user is on the trap.

4 (b) ~~Transport outside~~ **EXPORT OUT** of this state any minnows,
5 wigglers, or crayfish, dead or alive, taken either in or outside of
6 this state **UNLESS THAT PERSON HOLDS A PERMIT ISSUED UNDER THIS**
7 **SUBDIVISION.** The department, upon receipt of a payment of \$25.00,
8 may issue a permit, revocable by the department, under such
9 regulations as the department prescribes, to any resident licensed
10 as provided for in section 48732, enabling that person to transport
11 outside of this state minnows, wigglers, or crayfish ~~preserved in~~
12 ~~liquid and bottled for fish bait. The department may limit to 15 or~~
13 ~~fewer days of any 1 year the taking of minnows by a licensed person~~
14 ~~for preservation for fish bait purposes.~~ **THAT WERE HARVESTED FROM**
15 **WATERS OUTSIDE OF MICHIGAN'S JURISDICTIONAL BORDER AND IMPORTED**
16 **WHOLESALE ACROSS THAT BORDER. MINNOWS, WIGGLERS, AND CRAYFISH TAKEN**
17 **FROM MICHIGAN'S JURISDICTIONAL WATERS MAY NOT BE EXPORTED FROM THIS**
18 **STATE. IMPORTED WHOLESALE MINNOWS, WIGGLERS, AND CRAYFISH SHALL BE**
19 **HELD SEPARATELY FROM ANY MINNOWS, WIGGLERS, OR CRAYFISH TAKEN FROM**
20 **MICHIGAN'S JURISDICTIONAL WATERS.** A person holding a permit as
21 provided in this subdivision ~~shall allow the department to inspect~~
22 ~~his or her books and records at any reasonable time.~~ **AND**
23 **TRANSPORTING WHOLESALE MINNOWS, WIGGLERS, OR CRAYFISH SHALL PRODUCE**
24 **DOCUMENTATION THAT CONTAINS THE ORIGIN OF THE SHIPMENT,**
25 **REGISTRATION OR PERMIT COPIES, DOCUMENTATION DEMONSTRATING THE**
26 **SHIPMENT'S DESTINATION, AND ANY OTHER PROOF THAT MAY BE REQUIRED BY**
27 **THE DEPARTMENT, UPON DEMAND OF THE DIRECTOR OR A LAW ENFORCEMENT**

1 **OFFICER.** A permit issued ~~pursuant to~~ **UNDER** this subdivision may be
2 revoked by the department upon good cause and shall expire on
3 December 31 following the date of issuance unless the license is
4 revoked ~~prior to~~ **BEFORE** that date.

5 (c) Use or attempt to use live goldfish or carp for bait in
6 fishing.

7 (d) Offer for sale or use lamprey for bait in fishing.

8 (e) Take, possess, or transport minnows, wigglers, or crayfish
9 for commercial purposes from any of the waters over which this
10 state has jurisdiction unless the taker is a resident of this state
11 and holds a permit or license as required by law.