

Act No. 337
Public Acts of 2012
Approved by the Governor
October 16, 2012
Filed with the Secretary of State
October 16, 2012
EFFECTIVE DATE: October 16, 2012

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Reps. Shirkey, Somerville, Crawford, Haveman, Bumstead and Haugh

ENROLLED HOUSE BILL No. 5053

AN ACT to amend 1994 PA 451, 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, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 48729 (MCL 324.48729), as added by 1995 PA 57.

The People of the State of Michigan enact:

Sec. 48729. A person shall not do any of the following:

(a) Take or possess minnows, wigglers, or crayfish for commercial purposes from any of the waters over which this state has jurisdiction; import minnows, wigglers, or crayfish for commercial purposes from outside of this state; or transport minnows, wigglers, or crayfish without having first procured a license as provided in section 48732. A license, except a license to fish in the waters of this state as provided in part 435, is not required of persons taking minnows, wigglers, or crayfish for their individual use for bait. A person shall not set or use minnow traps for the taking of minnows, wigglers, or crayfish for any purpose unless the name and address of the user is on the trap.

(b) Export out of this state any minnows, wigglers, or crayfish, dead or alive, taken either in or outside of this state unless that person holds a permit issued under this subdivision. The department, upon receipt of a payment of \$25.00, may issue a permit, revocable by the department, under such regulations as the department prescribes, to any resident licensed as provided for in section 48732, enabling that person to transport outside of this state minnows, wigglers, or crayfish that were harvested from waters outside of Michigan's jurisdictional border and imported wholesale across that border. Minnows, wigglers, and crayfish taken from Michigan's jurisdictional waters may not be exported from this state. Imported wholesale minnows, wigglers, and crayfish shall be held separately from any minnows, wigglers, or crayfish taken from Michigan's jurisdictional waters. A person holding a permit as provided in this subdivision and transporting wholesale minnows, wigglers, or crayfish shall produce documentation that contains the origin of the shipment, registration or permit copies, documentation demonstrating the shipment's destination, and any other proof that may be required by the department, upon demand of the director or a law enforcement officer. A permit issued under this subdivision may be revoked by the department upon good cause and shall expire on December 31 following the date of issuance unless the license is revoked before that date.

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

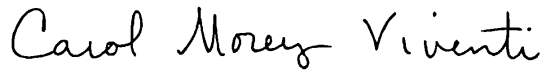
(d) Offer for sale or use lamprey for bait in fishing.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor