

Legislative Analysis



MINNOWS: ALLOW CHARTER FISHING GUIDES TO POSSESS WITHOUT A LICENSE

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<http://www.house.mi.gov/hfa>

House Bill 6355 (H-1) as reported from committee

Sponsor: Rep. Triston Cole

Committee: Natural Resources

Complete to 12-2-18

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 643 of 2018)

SUMMARY:

House Bill 6355 would amend the Natural Resources and Environmental Protection Act (NREPA) to add an exception to the general licensing requirements regarding minnows, wigglers, and crayfish.

Currently under NREPA, a license is generally needed to take, possess, or import *minnows*, *wigglers*, or *crayfish* for commercial purposes or to transport or export minnows, wigglers, or crayfish.

Minnows means chubs, shiners, suckers, when of a size ordinarily used for bait in hook and line fishing, dace, stonerollers, muddlers, and mudminnows.

Wigglers means mayfly nymphs or any aquatic insect nymphs or larvae.

Crayfish means any arthropod of the decapoda family. [The decapoda family includes crayfish, crabs, lobsters, and shrimp.]

The bill would add an exception to allow a person who operates as a charter fishing guide in Michigan to transport and possess minnows, wigglers, and crayfish, but only for exclusive use by the person's clients as bait while on a fishing trip.

A charter fishing guide would not need an additional permit or license as long as the guide bought the minnows, wigglers, or crayfish from a wholesale or retail outlet that holds a permit or license to take, possess, or transport minnows, wigglers, or crayfish for commercial purposes. The charter fishing guide would have to keep the receipt and present it upon request of a peace officer until the minnows, wigglers, or crayfish were no longer in the charter fishing guide's possession. The receipt would have to show the quantity purchased and the wholesale or retail establishment where the purchase was made.

The charter fishing guide would not be able to sell or furnish minnows, wigglers, or crayfish for any purpose other than that described above. If the charter fishing guide chose to do so, then that person would need a license.

The bill would take effect 90 days after enactment.

MCL 324.48729

FISCAL IMPACT:

House Bill 6355 may reduce revenue for the Department of Natural Resources (DNR) by providing an exemption to current minnow dealer's license restrictions. These license fees range from \$25 to \$500, depending on the size and scale of the commercial operation. The DNR presently receives an estimated \$1,250 in annual revenue from commercial minnow dealer's licenses purchased by the fishing guides exempted in the bill. The bill would not affect local government costs or revenues.

POSITIONS:

The Department of Natural Resources indicated support for the bill as substituted.
(11-28-18)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.