

SUBSTITUTE FOR
HOUSE BILL NO. 4787

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 46502, 46507, and 46508 (MCL 324.46502,
324.46507, and 324.46508), as added by 1995 PA 57; and to repeal
acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 46502. (1) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION**
2 **(3), A** person shall not set, place, erect, ~~or~~ cause to be set,
3 placed, or erected, or use a fishing shanty at any time upon the
4 ice in waters over which ~~the~~ **THIS** state has jurisdiction, unless
5 ~~the name and address of~~ **INFORMATION IDENTIFYING** the owner **AS**
6 **PRESCRIBED IN THIS SUBSECTION** is affixed to each side of the
7 outside of the fishing shanty in legible ~~letters~~ **ALPHANUMERIC**
8 **CHARACTERS** not less than 2 inches in height. The ~~letters shall~~

1 **ALPHANUMERIC CHARACTERS MUST** be readily visible and consist of
2 materials that are not soluble in water. **THE INFORMATION**
3 **IDENTIFYING THE OWNER UNDER THIS SUBSECTION MUST BE 1 OF THE**
4 **FOLLOWING:**

5 (A) **THE OWNER'S NAME AND ADDRESS.**

6 (B) **THE OWNER'S DRIVER LICENSE NUMBER.**

7 (C) **THE NUMBER OF THE OWNER'S SPORTCARD ISSUED UNDER SECTION**
8 **43522.**

9 (2) Placing the ~~owner's name and address~~ **INFORMATION**
10 **IDENTIFYING THE OWNER** on a piece of wood, plastic, or other
11 material and affixing that piece of material to the fishing shanty
12 ~~is~~ **DOES** not ~~compliance with~~ **SATISFY THE REQUIREMENTS OF** this
13 section.

14 (3) **THE IDENTIFICATION REQUIREMENT IN SUBSECTION (1) DOES NOT**
15 **APPLY TO A TENT OR OTHER TEMPORARY SHELTER IF THE TENT OR SHELTER**
16 **IS REMOVED FROM THE ICE AT THE CONCLUSION OF EACH DAY'S FISHING**
17 **ACTIVITY.**

18 Sec. 46507. (1) A person who sets, places, erects, or causes
19 to be set, placed, or erected any fishing shanty upon the ice of
20 ~~lake St. Clair~~ **ANY WATER** within the jurisdiction of this state
21 shall remove the fishing shanty before ice conditions are unsafe
22 for its removal or before ~~sundown on the first Sunday after~~
23 ~~February 20~~ **THE DATE SET BY THE DEPARTMENT UNDER SUBSECTION (2)** and
24 on a daily basis following that date. Failure to remove a fishing
25 shanty within the time specified in this section is a violation of
26 this part, and the department or the local unit of government may
27 then authorize the removal and storage or destruction of the

1 fishing shanty.

2 **(2) THE DEPARTMENT SHALL SET THE DATE BY WHICH A FISHING**
3 **SHANTY MUST BE REMOVED UNDER THIS SECTION.**

4 Sec. 46508. A local unit of government shall not pass an
5 ordinance, rule, or regulation regulating the placement, use,
6 marking, or removal of a fishing shanty on the ice of any waters
7 over which this state has jurisdiction. An ordinance, rule, or
8 regulation described in this section that is in effect on April 1,
9 1994 is void. However, if a person fails to remove a fishing shanty
10 within the time specified ~~in sections 46503, 46504, and 46505,~~ **BY**
11 **THE DEPARTMENT UNDER SECTION 46507,** a local unit of government may
12 remove the fishing shanty from the ice or water and store or
13 destroy the fishing shanty.

14 Enacting section 1. Sections 46503, 46504, 46505, and 46506 of
15 the natural resources and environmental protection act, 1994 PA
16 451, MCL 324.46503, 324.46504, 324.46505, and 324.46506, are
17 repealed.