

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4242**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 48729 (MCL 324.48729), as amended by 2018 PA
643.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

1 to fish in the waters of this state as provided in part 435, is not
2 required of persons taking minnows, wigglers, or crayfish for their
3 individual use for bait. A person shall not set or use minnow traps
4 for the taking of minnows, wigglers, or crayfish for any purpose
5 unless the name and address of the user is on the trap.

6 (b) Export out of this state any minnows, wigglers, or
7 crayfish, dead or alive, taken either in or outside of this state
8 unless that person holds a permit issued under this subdivision.

9 The department, upon receipt of a payment of ~~\$25.00,~~ **\$500.00**, may
10 issue a permit, revocable by the department **with reason**, under any
11 regulations the department prescribes, to any ~~resident person~~
12 licensed as provided for in section 48732, enabling that person to
13 transport outside of this state minnows, wigglers, or crayfish.

14 ~~that were harvested from waters outside of this state's~~
15 ~~jurisdictional border and imported wholesale across that border.~~
16 ~~Minnows, wigglers, and crayfish taken from waters over which this~~
17 ~~state has jurisdiction may not be exported from this state. A~~

18 **person holding a permit as provided in this subdivision shall**
19 **provide a monthly report in a manner and format determined by the**
20 **department that includes, but is not limited to, the quantity of**
21 **exported minnows, wigglers, or crayfish by species that were taken**
22 **from waters over which this state has jurisdiction.** Imported
23 wholesale minnows, wigglers, and crayfish must be held separately
24 from any minnows, wigglers, or crayfish taken from waters over
25 which this state has jurisdiction. A person holding a permit as
26 provided in this subdivision and transporting wholesale minnows,
27 wigglers, or crayfish shall produce documentation that contains the
28 origin of the shipment, registration or permit copies,
29 documentation demonstrating the shipment's destination, and any

1 other proof required by the department, upon demand of the director
2 or a law enforcement officer. The department may revoke a permit
3 issued under this subdivision upon good cause. A permit issued
4 under this subdivision expires on December 31 following the date
5 the license is issued unless the license is revoked before that
6 date.

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

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

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

14 (2) A person who operates as a charter fishing guide on either
15 the Great Lakes or the inland waters of this state may transport
16 and possess minnows, wigglers, and crayfish for exclusive use by
17 their clients as bait while on a fishing trip without an additional
18 permit or license if that person has purchased the minnows,
19 wigglers, or crayfish from a wholesale or retail outlet that holds
20 a permit or license as provided in section 48732 to take, possess,
21 or transport minnows, wigglers, or crayfish for commercial
22 purposes. A person who operates as a charter fishing guide that
23 purchases and provides live minnows, wigglers, or crayfish to their
24 clients, must retain a receipt showing the quantity purchased and
25 the wholesale or retail establishment the minnows, wigglers, or
26 crayfish were purchased from and must possess and present that
27 receipt upon request of a peace officer until the minnows,
28 wigglers, or crayfish are no longer in possession of that person. A
29 person who operates as a charter fishing guide may not sell or

- 1 furnish minnows, wigglers, or crayfish for any other purpose
- 2 outside the context described in this subsection without having
- 3 first procured a license as provided in section 48732.