

HOUSE BILL NO. 4242

February 16, 2021, Introduced by Reps. Alexander and Beson and referred to the Committee on Natural Resources and Outdoor Recreation.

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

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

10 (b) Export out of this state any minnows, wigglers, or
11 crayfish, dead or alive, taken either in or outside of this state
12 unless that person holds a permit issued under this subdivision.
13 The department, upon receipt of a payment of \$25.00, may issue a
14 permit, revocable by the department, under any regulations the
15 department prescribes, to any resident licensed as provided for in
16 section 48732, enabling that person to transport outside of this
17 state minnows, wigglers, or crayfish. ~~that were harvested from~~
18 ~~waters outside of this state's jurisdictional border and imported~~
19 ~~wholesale across that border. Minnows, wigglers, and crayfish taken~~
20 ~~from waters over which this state has jurisdiction may not be~~
21 ~~exported from this state.~~ Imported wholesale minnows, wigglers, and
22 crayfish must be held separately from any minnows, wigglers, or
23 crayfish taken from waters over which this state has jurisdiction.
24 A person holding a permit as provided in this subdivision and
25 transporting wholesale minnows, wigglers, or crayfish shall produce
26 documentation that contains the origin of the shipment,
27 registration or permit copies, documentation demonstrating the
28 shipment's destination, and any other proof required by the
29 department, upon demand of the director or a law enforcement

1 officer. The department may revoke a permit issued under this
2 subdivision upon good cause. A permit issued under this subdivision
3 expires on December 31 following the date the license is issued
4 unless the license is revoked 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.

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

1 first procured a license as provided in section 48732.