

# SENATE BILL No. 406

April 18, 2007, Introduced by Senators BRATER and SWITALSKI and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43509, 43532, 43533, 43536, and 48721 (MCL 324.43509, 324.43532, 324.43533, 324.43536, and 324.48721), sections 43509, 43533, and 43536 as amended by 1996 PA 585, section 43532 as amended by 2002 PA 108, and section 48721 as added by 1995 PA 57.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 43509. ~~(1) A person 17 years of age or older shall not~~  
2 ~~take aquatic species, except aquatic insects, in or upon any waters~~  
3 ~~over which this state has jurisdiction or in or upon any lands~~  
4 ~~within the state, or possess aquatic species, except aquatic~~  
5 ~~insects, without having in his or her possession a valid license as~~  
6 ~~provided in this part.~~

1 ~~——(2)~~ A person shall not ~~hunt, trap,~~ **TAKE** or possess a wild  
2 animal without having in his or her possession a ~~valid~~-**CURRENT**  
3 license as provided in this part.

4 Sec. 43532. (1) A person ~~17~~-16 years of age or older shall not  
5 take **OR POSSESS AN** aquatic species, except aquatic insects, in the  
6 waters over which this state has jurisdiction ~~without a license.~~  
7 ~~The fee for a resident restricted fishing license is \$15.00. The~~  
8 ~~fee for a nonresident restricted fishing license is \$34.00. UNLESS~~  
9 **THE PERSON HAS IN HIS OR HER POSSESSION A CURRENT FISHING LICENSE.**

10 (2) **A PERSON LESS THAN 16 YEARS OF AGE MAY TAKE AQUATIC**  
11 **SPECIES WITHOUT A FISHING LICENSE. HOWEVER, A PERSON LESS THAN 16**  
12 **YEARS OF AGE SHALL NOT RETAIN AQUATIC SPECIES, EXCEPT AQUATIC**  
13 **INSECTS, UNLESS 1 OF THE FOLLOWING APPLIES:**

14 (A) **THE PERSON IS IN POSSESSION OF A CURRENT ALL-SPECIES**  
15 **FISHING LICENSE, WHICH ENTITLES THE HOLDER TO RETAIN AND POSSESS**  
16 **AQUATIC SPECIES AS PRESCRIBED BY LAW.**

17 (B) **THE PERSON IS ACCOMPANIED BY 1 OR MORE PERSONS WHO ARE**  
18 **EACH IN POSSESSION OF A CURRENT FISHING LICENSE THAT AUTHORIZES THE**  
19 **TAKING OF THE AQUATIC SPECIES BEING RETAINED. THE COMBINED RETAINED**  
20 **CATCH OF EACH UNLICENSED PERSON LESS THAN 16 YEARS OF AGE AND EACH**  
21 **ACCOMPANYING LICENSED PERSON SHALL NOT EXCEED THE COMBINED**  
22 **POSSESSION LIMIT FOR THE ACCOMPANYING LICENSED PERSONS. A PARENT OR**  
23 **LEGAL GUARDIAN OF A PERSON LESS THAN 16 YEARS OF AGE SHALL NOT**  
24 **ALLOW THAT PERSON TO RETAIN AQUATIC SPECIES IN VIOLATION OF THIS**  
25 **SUBDIVISION.**

26 (3) ~~(2)~~ ~~The~~ **A** restricted fishing license entitles the licensee  
27 to take **AND POSSESS** aquatic species as prescribed by law, other

1 than trout, ~~or~~ salmon, LAKE STURGEON, LAKE HERRING, AMPHIBIANS,  
 2 REPTILES, OR CRUSTACEANS. THE FEE FOR A RESTRICTED FISHING LICENSE  
 3 IS AS FOLLOWS:

4 (A) FOR A RESIDENT:

5 (i) IN 2007, \$15.00.

6 (ii) IN 2008, \$16.25.

7 (iii) IN 2009, \$17.50.

8 (iv) IN 2010, \$18.75.

9 (v) BEGINNING IN 2011, \$20.00.

10 (B) FOR A NONRESIDENT, \$40.00.

11 ~~—— (3) A person under 17 years of age may take aquatic species in~~  
 12 ~~the waters over which this state has jurisdiction without a~~  
 13 ~~license. However, a person under 17 years of age may obtain an all-~~  
 14 ~~species fishing license. The fee for a resident or nonresident who~~  
 15 ~~is under 17 years of age, for an all-species fishing license is~~  
 16 ~~\$2.00. The department shall not sell or vendor the list of~~  
 17 ~~licensees under this subsection.~~

18 ~~—— (4) The fee for a resident all-species fishing license is~~  
 19 ~~\$28.00. The fee for a nonresident all-species fishing license is~~  
 20 ~~\$42.00.~~

21 (4) ~~(5) The~~ AN all-species fishing license entitles the  
 22 licensee to take all-species of AND POSSESS ALL aquatic species as  
 23 prescribed by law. THE FEE FOR AN ALL-SPECIES FISHING LICENSE IS AS  
 24 FOLLOWS:

25 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), FOR A RESIDENT:

26 (i) IN 2007, \$28.00.

27 (ii) IN 2008, \$31.00.

1 (iii) IN 2009, \$34.00.

2 (iv) IN 2010, \$37.00.

3 (v) BEGINNING IN 2011, \$40.00.

4 (B) FOR A PERSON WHO IS LESS THAN 16 YEARS OF AGE, \$2.00.

5 (C) EXCEPT AS PROVIDED IN SUBDIVISION (B), FOR A NONRESIDENT,  
6 \$80.00.

7 (5) ~~(6)~~ A person to whom a valid restricted fishing license  
8 has been issued may return the restricted license to the department  
9 or its authorized agent and receive an all-species fishing license  
10 by paying a fee equal to the difference in cost between the all-  
11 species fishing license and the restricted fishing license for  
12 which that person is eligible.

13 Sec. 43533. (1) A resident or nonresident may purchase a  
14 ~~limited 24-HOUR OR 72-HOUR~~ fishing license entitling that person to  
15 take, **FOR A DESIGNATED 24-HOUR OR 72-HOUR PERIOD, RESPECTIVELY, AND**  
16 **POSSESS** all aquatic species as prescribed by law. ~~Except as~~  
17 ~~provided in this section, the fee for a limited fishing license is~~  
18 ~~\$6.00 per designated consecutive 24 hour period. Except as provided~~  
19 ~~in this section, beginning in 2001, the fee for a limited fishing~~  
20 ~~license is \$7.00 per designated consecutive 24 hour period.~~  
21 ~~Notwithstanding any other provision of this section, the fee for a~~  
22 ~~limited fishing license for a senior citizen is \$3.00.~~

23 (2) **THE FEE FOR A 24-HOUR FISHING LICENSE IS AS FOLLOWS:**

24 (A) **EXCEPT FOR A SENIOR CITIZEN:**

25 (i) IN 2007, \$7.00.

26 (ii) IN 2008, \$9.00.

27 (iii) IN 2009, \$11.00.

1 (iv) IN 2010, \$13.00.

2 (v) BEGINNING IN 2011, \$15.00.

3 (B) FOR A SENIOR CITIZEN:

4 (i) IN 2007, \$3.00.

5 (ii) IN 2008, \$3.60.

6 (iii) IN 2009, \$4.40.

7 (iv) IN 2010, \$5.85.

8 (v) IN 2011, \$7.50.

9 (vi) IN 2012, \$8.25.

10 (vii) BEGINNING IN 2013, \$9.00.

11 (3) THE FEE FOR A 72-HOUR FISHING LICENSE, TO BE ISSUED  
12 BEGINNING IN 2008, IS AS FOLLOWS:

13 (A) EXCEPT FOR A SENIOR CITIZEN:

14 (i) IN 2008, \$21.00.

15 (ii) IN 2009, \$26.00.

16 (iii) IN 2010, \$31.00.

17 (iv) BEGINNING IN 2011, \$36.00.

18 (B) FOR A SENIOR CITIZEN:

19 (i) IN 2008, \$8.40.

20 (ii) IN 2009, \$10.40.

21 (iii) IN 2010, \$13.95.

22 (iv) IN 2011, \$18.00.

23 (v) IN 2012, \$19.80.

24 (vi) BEGINNING IN 2013, \$21.60.

25 Sec. 43536. ~~(1)~~—A resident of this state who is 65 years of  
26 age or older may obtain a senior restricted fishing license OR  
27 SENIOR ALL-SPECIES FISHING LICENSE. The fee for a senior restricted

1 fishing license is ~~discounted 60%~~ from the fee for a resident  
 2 ~~restricted fishing license.~~ **OR SENIOR ALL-SPECIES FISHING LICENSE**  
 3 **SHALL BE THE FOLLOWING PERCENTAGE OF THE FEE FOR THE CORRESPONDING**  
 4 **RESIDENT FISHING LICENSE, ROUNDED TO THE NEAREST 25 CENTS:**

5 (A) BEFORE 2010, 40%.

6 (B) IN 2010, 45%.

7 (C) IN 2011, 50%.

8 (D) IN 2012, 55%.

9 (E) BEGINNING IN 2013, 60%.

10 ~~—— (2) A resident of this state who is 65 years of age or older~~  
 11 ~~may obtain a senior all species fishing license. The fee for a~~  
 12 ~~senior all species fishing license is discounted 60% from the fee~~  
 13 ~~for a resident all species fishing license.~~

14 Sec. 48721. (1) Except as otherwise provided in an order  
 15 authorized under **THIS PART OR** part 411, a person shall not in a  
 16 single day catch, kill, or have in possession at any 1 time more  
 17 than the number of fish indicated as follows:

18 ~~—— (a) Brook trout, brown trout, rainbow trout, steelhead, lake~~  
 19 ~~trout, and splake, in any combination of species, 10 when taken~~  
 20 ~~from rivers and streams or 5 when taken from inland lakes or Great~~  
 21 ~~Lakes, but not more than 10 pounds and 1 fish.~~

22 ~~—— (b) Largemouth and smallmouth black bass, 5.~~

23 ~~—— (c) Bluegills, sunfish, warmouth bass, rock bass, and~~  
 24 ~~crappies, 25 aggregate of any 1 species or in any combination of~~  
 25 ~~species.~~

26 ~~—— (d) Pike perch, 5. Any person may take and possess 10 pike-~~  
 27 ~~perch when legally taken in the connecting waters or the waters of~~

1 ~~the Great Lakes.~~

2 ~~—— (e) Saugers, 20, when taken from the waters commonly known as~~  
 3 ~~the Portage canal and including Portage lake and Torch lake, all in~~  
 4 ~~Houghton county. Saugers when so taken shall not be bought or sold.~~

5 ~~—— (f) Northern pike, 5.~~

6 ~~—— (g) Landlocked salmon, 5.~~

7 ~~—— (h) White bass, 10; 25 when taken from the Great Lakes or~~  
 8 ~~connecting waters.~~

9 ~~—— (i) Whitefish, 12.~~

10 ~~—— (j) Sturgeon, 2 per season. A person shall not possess~~  
 11 ~~sturgeon on or along the shores of an inland water except during~~  
 12 ~~the months of January and February.~~

13 ~~—— (k) Perch, 50 in the Upper Peninsula and all waters of the~~  
 14 ~~Great Lakes that are within the jurisdiction of this state and are~~  
 15 ~~10 or fewer miles from a border of the Upper Peninsula; in all~~  
 16 ~~other waters of the state, 100.~~

17 **POSSESS MORE THAN THE DAILY**  
 18 **POSSESSION LIMIT OR AGGREGATE DAILY POSSESSION LIMIT, AS**  
 19 **APPLICABLE, OF FISH AT THE PLACE WHERE THE FISH WERE TAKEN OR IN**  
 20 **ROUTE FROM THAT PLACE TO EITHER OF THE FOLLOWING:**

21 **(A) HIS OR HER AUTOMOBILE OR OTHER PRINCIPAL MEANS OF LAND**  
 22 **TRANSPORTATION.**

23 **(B) HIS OR HER RESIDENCE OR TEMPORARY PLACE OF LODGING.**

24 (2) A person shall not in a single day catch, kill, or possess  
 25 more than a combined total of 5 largemouth or smallmouth bass,  
 26 pike-perch, and northern pike, except that a person may take and  
 27 possess a combined total of 10 of those fish when taken in the  
 connecting waters or the waters of the Great Lakes.

1           (3) IN ADDITION TO 1 DAY'S POSSESSION LIMIT OF FISH, A PERSON  
2 MAY POSSESS AN ADDITIONAL DAY'S POSSESSION LIMIT OF FISH THAT ARE  
3 PROCESSED BY ANY OF THE FOLLOWING METHODS:

4           (A) CANNING IN A SEALED CONTAINER.

5           (B) CURING BY SMOKING OR DRYING.

6           (C) FREEZING IN A SOLID STATE.

7           (4) A PERSON'S PROCESSED FISH ABOARD A VESSEL, ON THE WATER OR  
8 AT DOCKSIDE, SHALL BE CONSIDERED TO BE IN THE PERSON'S POSSESSION  
9 FOR THE PURPOSES OF SUBSECTION (3).

10          (5) ~~(3)~~—A person shall not possess a fish illegally taken.