

STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012

Introduced by Senators Booher, Jones, Robertson and Green

ENROLLED SENATE BILL No. 897

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 48703 (MCL 324.48703), as amended by 2008 PA 291.

The People of the State of Michigan enact:

Sec. 48703. (1) A person shall not take, catch, or kill or attempt to take, catch, or kill a fish in the waters of this state with a grab hook, snag hook, or gaff hook, by the use of a set or night line or a net or firearm or an explosive substance or combination of substances that have a tendency to kill or stupefy fish, or by any other means or device other than a single line or a single rod and line while held in the hand or under immediate control, and with a hook or hooks attached, baited with a natural or artificial bait while being used for still fishing, ice fishing, casting, or trolling for fish, which is a means of the fish taking the bait or hook in the mouth. A person shall not use more than 3 single lines or 3 single rods and lines, or a single line and a single rod and line, and shall not attach more than 6 hooks on all lines. The department shall have the authority to decrease the number of rods per angler. However, the department shall not reduce the number of rods per angler to less than 2. For the purposes of this part, a hook is a single, double, or treble pointed hook. A hook, single, double, or treble pointed, attached to a manufactured artificial bait shall be counted as 1 hook. The department may designate waters where a treble hook and an artificial bait or lure having more than 1 single pointed hook shall not be used during the periods the department designates. In the Great Lakes or recognized smelt waters, any numbers of hooks, attached to a single line, may be used for the taking of smelt, alewife, or other bait fish.

(2) A person shall not set or use a tip-up or other similar device for the purpose of taking fish through the ice unless the name and address of the person owning the tip-up or other similar device is marked in legible English on the tip-up or other similar device or securely fastened to it by a plate or tag.

(3) The department may issue an order to regulate the taking of fish with a spear, bow and arrow, or crossbow in the waters of this state.

(4) A hand net may be used from March 1 to May 31 for taking smelt, suckers, mullet, carp, dogfish, and garpike. The department may designate the waters where the fish may be taken and the time within the dates when the fish may be taken.

(5) A dip net without sides or walls and not exceeding 9 feet square may be used in the nontrout rivers and streams and in other rivers and streams or portions of the rivers and streams designated by the department from April 1 to May 31 in the Lower Peninsula and during the month of May in the Upper Peninsula for the purpose of taking suckers, mullet, smelt, carp, dogfish, and garpike.

(6) A person desiring to fish with a dip net shall first obtain a permit from the department. A dip net shall not be erected or fished within 100 feet of a dam. The name and address of the person setting, using, or having control over the dip net equipment, including frame, boom, supporting members, and temporary buildings, shall be plainly marked in legible English on the dip net equipment or securely fastened to it by a plate or tag. Dip net equipment and a temporary building erected and used under this subsection that are located on public land or the land of another person shall be removed before June 10 of each year unless maintained with proper permission of the landowner. This subsection does not authorize the erection or fishing of a dip net on the land or premises of another person without proper permission from the landowner.

(7) A setover net not exceeding 5 feet in diameter may be used from March 15 to May 15 for the purpose of taking suckers from an inland lake designated by the department.

(8) A trammel net not exceeding 12 feet in length may be used from April 1 to May 31 for taking carp, suckers, redhorse, mullet, dogfish, and other nongame fish in the Tittabawassee river and its tributaries down from the dam at Sanford, down from the dam at St. Louis, and down from the dam at Mt. Pleasant, and in the Shiawassee river and its tributaries down from the dam at Chesaning in Saginaw county. A person shall not take more than 100 of these fish in 1 day.

(9) A hoop net may be used between the dates of December 15 and February 28 in the river or stream or portion of a river or stream designated by the department for the taking of burbot (lawyers).

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Ray E. Randall

Clerk of the House of Representatives

Approved

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Governor