

SUBSTITUTE FOR
HOUSE BILL NO. 6355

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 48729 (MCL 324.48729), as amended by 2012 PA
337.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 48729. (1) ~~A~~**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
9 to fish in the waters of this state as provided in part 435, is not

1 required of persons taking minnows, wigglers, or crayfish for their
2 individual use for bait. A person shall not set or use minnow traps
3 for the taking of minnows, wigglers, or crayfish for any purpose
4 unless the name and address of the user is on the trap.

5 (b) Export out of this state any minnows, wigglers, or
6 crayfish, dead or alive, taken either in or outside of this state
7 unless that person holds a permit issued under this subdivision.
8 The department, upon receipt of a payment of \$25.00, may issue a
9 permit, revocable by the department, under ~~such~~**ANY** regulations as
10 the department prescribes, to any resident licensed as provided for
11 in section 48732, enabling that person to transport outside of this
12 state minnows, wigglers, or crayfish that were harvested from
13 waters outside of ~~Michigan's~~**THIS STATE'S** jurisdictional border and
14 imported wholesale across that border. Minnows, wigglers, and
15 crayfish taken from ~~Michigan's jurisdictional waters~~ **OVER WHICH**
16 **THIS STATE HAS JURISDICTION** may not be exported from this state.
17 Imported wholesale minnows, wigglers, and crayfish ~~shall~~**MUST** be
18 held separately from any minnows, wigglers, or crayfish taken from
19 ~~Michigan's jurisdictional waters~~ **OVER WHICH THIS STATE HAS**
20 **JURISDICTION**. A person holding a permit as provided in this
21 subdivision and transporting wholesale minnows, wigglers, or
22 crayfish shall produce documentation that contains the origin of
23 the shipment, registration or permit copies, documentation
24 demonstrating the shipment's destination, and any other proof ~~that~~
25 ~~may be~~ required by the department, upon demand of the director or a
26 law enforcement officer. ~~A~~**THE DEPARTMENT MAY REVOKE A** permit
27 issued under this subdivision ~~may be revoked by the department upon~~

1 good cause. ~~and shall expire~~ **A PERMIT ISSUED UNDER THIS SUBDIVISION**
2 **EXPIRES** on December 31 following the date of ~~issuance~~ **THE LICENSE**
3 **IS ISSUED** unless the license is revoked before that date.

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

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

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

11 (2) **A PERSON WHO OPERATES AS A CHARTER FISHING GUIDE ON EITHER**
12 **THE GREAT LAKES OR THE INLAND WATERS OF THIS STATE MAY TRANSPORT**
13 **AND POSSESS MINNOWS, WIGGLERS, AND CRAYFISH FOR EXCLUSIVE USE BY**
14 **THEIR CLIENTS AS BAIT WHILE ON A FISHING TRIP WITHOUT AN ADDITIONAL**
15 **PERMIT OR LICENSE IF THAT PERSON HAS PURCHASED THE MINNOWS,**
16 **WIGGLERS, OR CRAYFISH FROM A WHOLESALE OR RETAIL OUTLET THAT HOLDS**
17 **A PERMIT OR LICENSE AS PROVIDED IN SECTION 48732 TO TAKE, POSSESS,**
18 **OR TRANSPORT MINNOWS, WIGGLERS, OR CRAYFISH FOR COMMERCIAL**
19 **PURPOSES. A PERSON WHO OPERATES AS A CHARTER FISHING GUIDE THAT**
20 **PURCHASES AND PROVIDES LIVE MINNOWS, WIGGLERS, OR CRAYFISH TO THEIR**
21 **CLIENTS, MUST RETAIN A RECEIPT SHOWING THE QUANTITY PURCHASED AND**
22 **THE WHOLESALE OR RETAIL ESTABLISHMENT THE MINNOWS, WIGGLERS, OR**
23 **CRAYFISH WERE PURCHASED FROM AND MUST POSSESS AND PRESENT THAT**
24 **RECEIPT UPON REQUEST OF A PEACE OFFICER UNTIL THE MINNOWS,**
25 **WIGGLERS, OR CRAYFISH ARE NO LONGER IN POSSESSION OF THAT PERSON. A**
26 **PERSON WHO OPERATES AS A CHARTER FISHING GUIDE MAY NOT SELL OR**
27 **FURNISH MINNOWS, WIGGLERS, OR CRAYFISH FOR ANY OTHER PURPOSE**

1 OUTSIDE THE CONTEXT DESCRIBED IN THIS SUBSECTION WITHOUT HAVING
2 FIRST PROCURED A LICENSE AS PROVIDED IN SECTION 48732.

3 Enacting section 1. This amendatory act takes effect 90 days
4 after the date it is enacted into law.