



**House
Legislative
Analysis
Section**

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PERCH LIMIT

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MAY 23 1989

House Bill 4390 as introduced
First Analysis (4-10-89)

Sponsor: Rep. Marvin L. Knight
Committee: Tourism, Fisheries & Wildlife

Mich. State Law Library

THE APPARENT PROBLEM:

Public Act 267 of 1988 (House Bill 5002) set a daily perch limit on the east side of the state at 100 fish per day, and on the west side of the state and the Upper Peninsula at 50 per day. Citizens on the west side of the state have complained because the perch limit is not the same across the state. Since the Department of Natural Resources confirms that there is no biological reason for the difference in limits, the citizens on the west side think that they are being treated unfairly. Further, local businesses on the west side of the state complain that the inequitable law provides tourists with an incentive to shun the west side and spend their dollars in the east side of the state where tourists can take home more fish.

THE CONTENT OF THE BILL:

Currently, the daily limit for perch is 100 in Lake Huron south of the Mackinac Bridge, in the St. Clair River, Lake St. Clair, the Detroit River, and in Lake Erie and 50 in the Upper Peninsula and other waters of the state. The bill would amend the Michigan Sports Fishing Law to impose a daily limit of 50 perch in the Upper Peninsula and in Great Lakes waters within ten miles of a border of the Upper Peninsula and a daily limit of 100 perch in all other waters of the state.

MCL 303.4

BACKGROUND INFORMATION:

Prior to 1981, the act contained a catch limit of 50 perch per day per person in both the Upper and Lower Peninsulas. The daily limit of 50 was implemented in response to reports of out-of-state residents claiming to be sportsfishers who were harvesting large numbers of perch to sell in other states. The 50 perch per day limit was removed in 1981 for the lower peninsula because pressure on perch in the lower peninsula had decreased and it was felt that the enforcement of the limit was an added burden on the time of conservation officers. In 1988, the act was amended to establish a limit of 100 perch per day in certain areas to respond to changes in fishing pressure; however, the 50 perch per day limit was maintained for the Upper Peninsula where fishing pressure is still very strong.

FISCAL IMPLICATIONS:

According to the Department of Natural Resources, the bill would have no fiscal implications for the state. (4-6-89)

ARGUMENTS:

For:

Sportfishers on the west side of the state have complained that they are being treated unfairly. They want to have the same opportunity to catch fish that fishers on the east side of the state are given. They say that either a 50 perch per day limit or a 100 perch per day limit would be acceptable,

as long as everyone is treated equitably. The bill will ensure fair treatment among the state's fishers.

The tourism industry on the west side of the state has also voiced dismay over the unfair treatment that they think the law imposes upon their area. Some local areas on the west side depend upon the sportfishing industry for a major portion of their economy, and many have noticed a marked decrease in business since the enactment of last year's imposition of the perch limit. For instance, Lake Land Outfitters, Inc., a business that deals in fishing charters and tackle, ice shanties, and so forth, has experienced a \$20,000 loss for the first quarter of this year during a period that is normally quite busy for them. Company representatives think that the inequitable law will result in even greater losses during the peak season this summer. Perch fishing accounts for 35-40 percent of the tourist influx into the White Lake area during the winter. The annual White Lake Area Perch Festival, which promotes fishing and winter activities, is usually targeted to accommodate 1,000 people. Last winter 1,500 people registered for the event, and the area chamber of commerce expected even more people this year. However, only 900 people registered this year.

Against:

The limit of 100 perch per day is too high and should be changed to a limit of 50 perch per day statewide. A 50 perch per day limit would ensure the fair treatment of all citizens of the state. When fishing near a border where there are differences in limits, it is hard for both the public and DNR law enforcement officers to know the location of the border and whether an illegal taking has occurred. Further, if the limit for the lower peninsula is 100, commercial fishers may argue that the 100 fish per day limit constitutes evidence of an excessive perch population and that commercial fishers should be allowed to take more fish.

Against:

People normally fish where they have been successful at catching fish. Therefore, although the fishing limit may be more lenient on one side of the state, fishers won't necessarily travel to that area. The fishers want to go where they are sure that the fish will bite. In addition, most fishers rarely catch 50 perch in one day, so it's doubtful that they would actually travel to try to catch 100 perch in an unfamiliar area.

Response: If a fisher is visiting the state for the first time or has had bad luck in a certain area, the fisher may travel to the area with the largest limit in the hopes of finding a spot where the fish are biting so that a large number of fish may be taken home and the trip will be worthwhile.

POSITIONS:

The Department of Natural Resources supports the bill. (4-6-89)

Lake Land Outfitters, Inc. supports the bill. (4-6-89)

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OVER

The Muskegon Sport Fishing Association supports the bill.
(4-6-89)

The West Michigan Tourist Association supports the bill.
(4-6-89)

The White Lake Area Chamber of Commerce supports the bill.
(4-6-89)

The White Lake Area Perch Festival supports the bill.
(4-6-89)

The White River Steelheaders support the bill. (4-6-89)