

HOUSE BILL No. 4216

February 16, 1989, Introduced by Reps. Bartnik, DeMars, Watkins, Stacey, Pridnia, Martin, Hoekman, Hertel, Spaniola, Owen, Allen, Niederstadt, Weeks, Rocca, Hart, DeBeaussaert, Hickner, Runco, Joe Young, Jr., Profit, Hoffman, Trim, Nye, Varga, Maynard, Gagliardi, Scott, Perry Bullard, Dunaskiss and Honigman and referred to the Committee on Tourism, Fisheries and Wildlife.

A bill to amend sections 22 and 24 of Act No. 84 of the Public Acts of 1929, entitled as amended "The commercial fishing law of 1929," being sections 308.22 and 308.24 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 22 and 24 of Act No. 84 of the Public
2 Acts of 1929, being sections 308.22 and 308.24 of the Michigan
3 Compiled Laws, are amended to read as follows:

4 Sec. 22. (1) ~~It shall be unlawful for any~~ EXCEPT AS PRO-
5 VIDED IN THIS SECTION, A person, firm, company, copartnership,
6 partnership, association, or corporation ~~to make use of~~ SHALL
7 NOT USE any kind of a boat, tug, or launch, ~~+~~ except when used
8 in hook and line fishing, ~~+~~ net or nets, set hook lines, or
9 commercial trolling rigs for the purpose of taking, catching,
10 killing, or transporting fish in ~~any of~~ the waters bordering

1 ~~on~~ this state, ~~regardless of whether~~ for commercial purposes
 2 or for personal use, without first ~~having applied~~ APPLYING for
 3 and ~~been~~ BEING issued a license ~~for same, in accordance with~~
 4 ~~the provisions of~~ UNDER this act. ~~Provided, That no~~

5 (2) A license, except as otherwise provided by law, shall
 6 NOT be required of ~~persons~~ A PERSON engaged in sport trolling
 7 in ~~these~~ THE waters BORDERING THIS STATE. ~~, except that the~~
 8 ~~owners of boats operated with either an inboard or outboard motor~~
 9 ~~and offered for hire in sport trolling for lake trout shall be~~
 10 ~~required to obtain a license for each said boat: Provided fur~~
 11 ~~ther, That no license, except~~

12 (3) EXCEPT as otherwise provided by law, A LICENSE shall NOT
 13 be required of ~~persons~~ A PERSON engaged in taking fish with set
 14 lines in lake St. Clair as provided in section 2. ~~of this act.~~

15 Sec. 24. (1) ~~The director of conservation when~~ UPON
 16 RECEIPT OF AN application ~~is made by any~~ AND THE FOLLOWING FEES
 17 FROM A person, firm, company, copartnership, partnership,
 18 association, or corporation THAT IS A RESIDENT OF THIS STATE, THE
 19 DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, in accordance
 20 with section 23, shall issue the license provided for in this
 21 act: ~~upon payment by the applicant, if a resident of this~~
 22 ~~state, of the following fees:~~

23 (a) For fishing with set hook lines or nets, with or without
 24 a boat not exceeding 16 feet in overall length, ~~or a boat used~~
 25 ~~in sport trolling for lake trout for hire,~~ \$16.00 per year.
 26 ~~Any~~ A person, firm, company, copartnership, partnership,
 27 association, or corporation using more than a single crew

1 consisting of not ~~to exceed 4 men~~ MORE THAN 4 PEOPLE in fishing
2 nets or hooks under the ice shall secure a license for each
3 crew. The director of ~~conservation~~ THE DEPARTMENT OF NATURAL
4 RESOURCES, upon proper application, ~~therefor,~~ shall issue with
5 each license to fish nets or set hook lines under the ice 4 iden-
6 tification cards bearing the number of the license and the year
7 for which THE LICENSE WAS issued. Each member of a single crew
8 SHALL CARRY A CARD ON HIS OR HER PERSON AT ALL TIMES WHILE
9 engaged in the setting, lifting, or pulling of nets, set hook
10 lines or other devices, set under the ice under authority of the
11 license, ~~shall carry such card on his person at all times while~~
12 ~~so engaged~~ and upon demand of ~~any~~ A conservation officer,
13 shall exhibit ~~such~~ THE card. Minnow seines and dip nets are
14 exempt from ~~the provisions of~~ this section.

15 (b) For each rowboat, sailboat, powerboat, motorboat,
16 steamboat, or scow used in catching, killing, taking, or trans-
17 porting fish caught with nets, set hook lines, or trolling rigs,
18 \$3.00 per foot overall length, and \$1.00 ~~per ton~~ additional PER
19 TON for each ton over 10 gross tons. ~~No~~ A license ~~shall be~~
20 IS NOT required for a scow used only in transporting nets. Each
21 license for a boat propelled by sail, steam, gas, or other
22 mechanical power shall entitle the licensee to operate a rowboat
23 not exceeding 16 feet in overall length. ~~Each such~~ THAT row-
24 boat shall bear the same identification as the boat for which the
25 license is issued and shall be used only while attending ~~said~~
26 THAT boat. ~~No~~ A resident person, firm, company, copartnership,

1 partnership, association, or corporation shall NOT pay less than
2 \$50.00 or more than \$200.00 on any 1 boat in any 1 license year.

3 (2) ~~If a nonresident of this state, the~~ THE fee FOR A
4 NONRESIDENT shall be 5 times the fee required of a resident in
5 accordance with the schedule prescribed in this section.
6 Beginning in ~~the year~~ 1966, ~~there will be a ban on the issu-~~
7 ~~ance of~~ licenses MAY NOT BE ISSUED under section 23 to nonresi-
8 dents for fishing in Lake Erie and Lake Huron except at the dis-
9 cretion of the ~~conservation~~ director OF THE DEPARTMENT OF NATU-
10 RAL RESOURCES.

11 (3) For the purpose of this act, a nonresident ~~shall be~~
12 ~~deemed to be any~~ IS A person who has not ~~actually~~ resided in
13 this state for THE 3 years immediately ~~prior to~~ PRECEDING the
14 date of application for a license; ~~, or, any~~ A person applying
15 for a license ~~for~~ TO use ~~of~~ nets or a boat registered or of
16 record at a port outside of the state; ~~, or, any~~ A firm, com-
17 pany, copartnership, partnership, association, or corporation in
18 which any of their stock, boats, nets, and fishing equipment
19 ~~has~~ HAVE been owned by A nonresident ~~persons~~ at any time
20 during the 3 years immediately ~~prior to~~ PRECEDING the date of
21 application for a license.