

**Michigan Office of Administrative Hearings and Rules**  
**Administrative Rules Division (ARD)**

MOAHR-Rules@michigan.gov

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Natural Resources

**2. Bureau:**

Fisheries Division

**3. Promulgation type:**

MCL 24.244 (1)

**4. Title of proposed rule set:**

Use of Trawls

**5. Rule numbers or rule set range of numbers:**

R 299.701 - R 299.705

**6. Estimated time frame:**

6 months

**Name of person filling out RFR:**

Seth Herbst

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**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

The ruleset that the Department is requesting to rescind describes the use of trawls through departmental permitting for state-licensed commercial fishing. The ruleset allows for the use of permits to use a trawl, describes regulations for use of trawls, and describes the other regulatory aspects of using trawls for commercial fishing.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

The Department Director has the authority to promulgate rules regarding commercial fishing activities within the State of Michigan.

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

MCL 324.47305 and MCL 324.46701.

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

No.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The rules do not conflict with or duplicate any rules or compliance requirements at any regulatory level.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

No.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

Yes.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

MCL 24.244 (1)

**A. Explain why the rules are being promulgated under 24.244.**

The rules will be rescinded under Section 44 of the Administrative Procedures Act of 1969. The rules are obsolete because relevant statute has been amended via Public Act 34 of 2022 and incorporates the content of the rules into statute.