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BILL ANALYSIS

Senate Fiscal Agency

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House Bill 4321 (as reported without amendment)**Sponsor: Representative Tom Alley****House Committee: Tourism and Recreation****Senate Committee: Natural Resources and Environmental Affairs****Date Completed: 6-4-87****RATIONALE**

Residents on the shores of several Michigan inland lakes have complained of problems with minnow dealers. Reported problems include dealers' taking minnows on swimming beaches, trespassing on private docks, and taking game fish in addition to minnows. Some have argued that additional regulation of the bait business is needed to clarify standards and practices of the industry and to eliminate archaic provisions of existing law.

CONTENT

The bill would amend the Michigan Sportsmen Fishing Act to do the following:

- Raise to \$25 from \$5 the fee for a permit to export bait out of State, or for a retail minnow license.
- Raise to \$100 from \$25 the fee for a resident wholesale minnow dealers license.
- Create a new \$50 minnow catchers license.
- Create a new \$500 nonresident wholesale minnow dealers license.
- Add crayfish as a regulated bait.
- Provide that bait dealers could no longer catch bait in addition to selling it.

The bill would change the retail and wholesale licenses so that dealers would no longer be able to catch bait in addition to selling it. It would require that motor vehicles used by minnow catchers be identified by conspicuous marking. The bill would increase to 125 by 16 feet, from 30 by eight feet, the maximum size of a minnow seine that may be used in the waters of the State. Minnow seines would be prohibited from being used in trout streams at any time, but glass or wire minnow traps would be permissible during open season. The bill also would increase to eight square feet from three square feet, the allowable size of hand nets that could be used for taking minnows for personal use. Minnow seines up to a size of 12 feet by 4 feet would also be permitted for personal use. The bill would delete references to specific lakes, while continuing to grant the Director of the Department of Natural Resources the authority to designate which State waters could be used for the commercial taking of bait.

The bill also specifies that all licenses would expire on December 31 following the date of issuance, if not revoked upon just cause.

MCL 304.1 et al.

FISCAL IMPACT

This bill would generate additional revenues of about \$50,000. Currently, the Department issues about 1,000 retail licenses and 200 wholesale licenses generating about

\$11,000. If the number of licenses remained the same, the bill would generate about \$70,000; however, because of the increased cost of the licenses, many marginal operators presumably would not apply. Currently, nonresidents are not allowed a license to catch or sell minnows at wholesale. This bill would permit a nonresident wholesaler's license. Presumably, there would be few nonresidents who would apply because of the cost (\$500), and this would have little fiscal impact.

ARGUMENTS**Supporting Argument**

The bill would streamline the regulation of commercial catching and sale of bait in the State. The bill would allay some of the fears of those who believe that bait catchers are also taking game fish, because it would clarify the conditions under which minnows may be taken from trout streams. The number of minnow catchers would be reduced by requiring dealers who desire to catch bait as well as to sell it to acquire a minnow catchers license in addition to a dealers license. The bill also would help identify legal minnow catchers by making more stringent the requirements for the marking of catching trucks, reducing the number of violators of bait taking laws who would otherwise be unidentified.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

H.B. 4321 (6-4-87)