



Senate Fiscal Agency
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Senate Bill 869 (as enacted)
Sponsor: Senator Goeff Hansen
Senate Committee: Outdoor Recreation and Tourism
House Committee: Natural Resources

PUBLIC ACT 145 of 2014

Date Completed: 7-7-14

RATIONALE

The Natural Resources and Environmental Protection Act (NREPA) prohibits a person from taking, catching, or killing, or attempting to take, catch, or kill any fish of certain species in any waters over which the State has jurisdiction except during prescribed open seasons. Public Act 21 of 2013, however, grants the Natural Resources Commission (NRC) the exclusive authority to regulate the taking of fish, by issuing orders. In the absence of a statutorily prescribed open season, this provision applies.

In the past, an open season was prescribed for black bass to prevent anglers from taking the species during spawning periods. Evidently, recent scientific data indicate that year-round fishing would not have a negative impact on the State's bass population. Thus, it was suggested that the specified open season should be eliminated, allowing the NRC to establish bass fishing regulations it considers appropriate, as authorized by Public Act 21.

CONTENT

The bill amended Part 487 (Sport Fishing) of the Natural Resources and Environmental Protection Act to eliminate the prescribed open season for black bass.

Generally, the open season for largemouth and smallmouth black bass was from the Saturday immediately preceding Memorial Day to December 31. In Lake St. Clair and the St. Clair and Detroit Rivers, however, the open season was from the third Saturday in June to December 31. The bill eliminated these provisions.

The bill took effect on June 3, 2014.

MCL 324.48716

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The statutory open season for black bass originally was implemented to ensure adequate reproduction of the species. Recent studies have shown, however, that such protection during spawning season is not necessary to maintain a healthy bass population. The bill eliminated a restriction that was no longer necessary and conflicted with Public Act 21 of 2013. Enabling the NRC to establish bass fishing regulations based on sound science will draw more people to Michigan, increase fishing license revenue, and boost economic activity through equipment sales and tourism. Evidently, Michigan was one of only four states with a limited bass season, and anglers had indicated interest in bass fishing prior to the traditional Memorial Day start. Allowing this will enhance the sport's positive impact on communities near bass lakes. According to a

survey by the U.S. Fish and Wildlife Service, 589,000 anglers fished for Michigan bass in 2011, contributing \$341.0 million in trip-related expenditures to the State and local economies.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill will have a minor, but likely positive, fiscal impact on the Department of Natural Resources (DNR), and no fiscal impact on local units of government. To the extent that allowing bass fishing year-round results in the sale of more fishing licenses, the DNR will receive additional Game and Fish Protection Fund revenue, which is derived from the sale of hunting and fishing licenses.

Fiscal Analyst: Josh Sefton

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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.