

HOUSE BILL NO. 5132

October 17, 2019, Introduced by Rep. Albert and referred to the Committee on Natural Resources and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 48703 and 48711 (MCL 324.48703 and 324.48711), as amended by 2018 PA 529, and by adding section 48703b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 48703. (1) ~~An~~**Except as otherwise provided in this part,**
2 **an** individual shall not take, catch, or kill or attempt to take,
3 catch, or kill a fish in the waters of this state with ~~a~~**any of the**



1 following:

2 (a) A grab hook, snag hook, or gaff hook. ~~by the use of a~~

3 (b) A set ~~or~~ line, night line, or a net. ~~or~~

4 (c) A firearm or an explosive substance or combination of
5 substances that have a tendency to kill or stupefy fish. ~~or by~~
6 any

7 (d) Any other means or device other than a single line or a
8 single rod and line while held in the hand or under immediate
9 control, and with a hook or hooks attached, baited with a natural
10 or artificial bait while being used for still fishing, ice fishing,
11 casting, or trolling for fish, which is a means of the fish taking
12 the bait or hook in the mouth.

13 (2) ~~An~~ Except as otherwise provided in this part, an
14 individual shall not use more than 3 single lines or 3 single rods
15 and lines, or a single line and a single rod and line, and shall
16 not attach more than 6 hooks on all lines. The commission may
17 decrease the number of rods per angler. However, the commission
18 shall not reduce the number of rods per angler to less than 2. For
19 the purposes of this part, a hook is a single, double, or treble
20 pointed hook. A hook, single, double, or treble pointed, attached
21 to a manufactured artificial bait is counted as 1 hook. The
22 commission may designate waters where a treble hook and an
23 artificial bait or lure having more than 1 single pointed hook must
24 not be used during the periods the commission designates.

25 (3) ~~(2)~~ An individual shall not set or use a tip-up or other
26 similar device for the purpose of taking fish through the ice
27 unless the name and address of the individual owning the tip-up or
28 other similar device is marked in legible English on the tip-up or
29 other similar device or securely fastened to it by a plate or tag.



1 (4) ~~(3)~~—The commission may issue an order to regulate the
2 taking of fish with a spear, bow and arrow, or crossbow in the
3 waters of this state.

4 (5) ~~(4)~~—The commission may issue an order to regulate the
5 taking of fish with nets in the waters of this state.

6 **Sec. 48703b. (1) An individual may use trotlines or juglines**
7 **on inland lakes and rivers in this state to take nongame fish and**
8 **snapping turtles.**

9 (2) An individual using trotlines or juglines shall not do any
10 of the following:

11 (a) Use live bait.

12 (b) Set the trotline or jugline within 600 feet of a dam.

13 (c) Use more than 10 trotlines.

14 (3) An individual shall not set or use a trotline or jugline
15 unless the name, address, and telephone number of the individual
16 owning the trotline or jugline is marked in legible English on the
17 trotline or jugline. For juglines, the juglines must also be
18 labeled with a reflective marker that encircles the juglines to
19 allow for visibility at night.

20 (4) An individual using trotlines or juglines shall do all of
21 the following:

22 (a) Check all trotlines at least once each day.

23 (b) Remove fish and animals caught in those trotlines or
24 juglines.

25 (c) Remove the trotlines or juglines when those lines are not
26 in use.

27 (d) For juglines, the juglines must be attended by or within
28 sight of anglers at all times.

29 (5) As used in this section:



1 (a) "Closed-cell construction" means a solid body incapable of
2 containing water.

3 (b) "Jugline" means a free-floating device that anchors a
4 single line with no more than 1 hook and whose float material is
5 constructed of plastic, wood, or foam with closed-cell
6 construction.

7 (c) "Trotline" means a line anchored at 1 point, with more
8 than 2 hooks and not more than 25 hooks, and not associated with a
9 hand-operated mechanical reel.

10 Sec. 48711. ~~An~~ Except as otherwise provided in this part, an
11 individual shall not have in his or her possession any net, set
12 lines, jack or other artificial light of any kind, dynamite, giant
13 powder, or other explosive substance or combination of substances,
14 hook and line, or any other contrivance or device to be used for
15 the purpose of taking fish in violation of this part or any other
16 act or part. Any such property, contrivance, or device found in the
17 possession of an individual or found in a boat, boathouse, or any
18 other place on any of the waters of this state or along the shores
19 of the waters of this state must be confiscated and disposed of in
20 the manner provided by law. An individual shall not have a gaff in
21 his or her possession on or along any trout stream in this state or
22 use, except from June 1 to Labor Day, on any trout stream a single
23 hook of any kind that is more than 3/8 inches between the point of
24 the hook and the shank. This section does not prohibit the use or
25 possession of minnow seines, minnow traps, or dip nets as provided
26 in section 48730 or the use and possession of seines, nets, spears,
27 or artificial lights for the use of which a lawful permit or
28 license has been issued by the department. Commercial anglers who
29 have licenses to take fish in the Great Lakes may have in their



1 possession nets or hook lines for that purpose only. In
2 prosecutions for the violations of this section, and in proceedings
3 for the confiscation of the property described in this section, the
4 possession of any such property, contrivance, or device or, when
5 not found in possession of any individual, the presence of any such
6 property in a boat, boathouse, or any other place on the waters of
7 this state or along the shores of the waters of this state is prima
8 facie evidence that the property is owned, possessed, or used for
9 the purpose of violating this part. The possession of any such
10 property, contrivance, or device on the waters of this state that
11 are closed to all fishing during the closed season on or along
12 those waters is prima facie evidence that the property is owned,
13 possessed, or used for the purpose of violating this part. This act
14 or any other act does not apply to the department in its program in
15 fisheries management or in the control of aquatic vegetation by
16 individuals under permit issued by the department when, in the
17 opinion of the department, that control is not inimical to the
18 public interest.

