

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.48701 Definitions.

Sec. 48701.

As used in this part:

- (a) "Amphibian" means any frog, toad, or salamander of the class amphibia.
- (b) "Crustacea" means any freshwater crayfish, shrimp, or prawn of the order decapoda.
- (c) "Dip net" means a square net that is constructed from a piece of webbing of heavy twine, hung on heavy cord or frame so as to be without sides or walls, and suspended from the corners and attached in such a manner that when the net is lifted no part is more than 4 feet below the plane formed by the imaginary lines connecting the corners from which the net is suspended. As used in fishing, it shall be lowered and raised vertically as nearly as possible.
- (d) "Game fish" includes all of the following:
 - (i) Lake trout (*Salvelinus namaycush*).
 - (ii) Brook trout (*Salvelinus fontinalis*).
 - (iii) Brown trout (*Salmo trutta*).
 - (iv) Rainbow or steelhead trout (*Oncorhynchus mykiss*).
 - (v) Atlantic landlocked salmon (*Salmo salar sebago*).
 - (vi) Grayling (*Thymallus arcticus*).
 - (vii) Largemouth bass (*Micropterus salmoides*).
 - (viii) Smallmouth bass (*Micropterus dolomieu*).
 - (ix) Bluegill (*Lepomis macrochirus*).
 - (x) Pumpkinseed or common sunfish (*Lepomis gibbosus*).
 - (xi) Black crappie and white crappie, also known as calico bass and strawberry bass (*Pomoxis nigromaculatus* and *Pomoxis annularis*).
 - (xii) Yellow perch (*Perca flavescens*).
 - (xiii) Walleye (*Sander vitreus*).
 - (xiv) Northern pike (*Esox lucius*).
 - (xv) Muskellunge (*Esox masquinongy*).
 - (xvi) Lake sturgeon (*Acipenser fulvescens*).
 - (xvii) Splake (*Salvelinus namaycush* x *Salvelinus fontinalis*).
 - (xviii) Coho salmon (*Oncorhynchus kisutch*).
 - (xix) Chinook (King) salmon (*Oncorhynchus tshawytscha*).
 - (xx) Pink salmon (*Oncorhynchus gorbuscha*).
- (e) "Genetically engineered" refers to a fish whose genome, chromosomal or extrachromosomal, is modified permanently and heritably, using recombinant nucleic acid techniques.
- (f) "Hand net" means a mesh bag of webbing or wire suspended from a circular, oval, or rectangular frame attached to a handle.
- (g) "Inland waters of this state" means the waters within the jurisdiction of the state except Saginaw river, Lakes Michigan, Superior, Huron, and Erie, and the bays and the connecting waters. The connecting waters between Lake Superior and Lake Huron are that part of the Straits of St. Mary in this state extending from a line drawn from Birch Point Range front light to the most westerly point of Round Island, thence following the shore of Round Island to the most northerly point thereof, thence from the most northerly point of Round Island to Point Aux Pins light, Ontario, to a line drawn due east and west from the most southerly point of Little Lime Island. The connecting waters of Lake Huron and Lake Erie are all of the St. Clair river, all of Lake St. Clair, and all of the Detroit river extending from Fort Gratiot light in Lake Huron to a line extending due east and west of the most southerly point of Celeron Island in the Detroit river.
- (h) "Mollusks" means any mollusk of the classes bivalvia and gastropoda.
- (i) "Nongame fish" includes all kinds of fish except game fish.
- (j) "Nonresident" means a person who is not a resident.
- (k) "Nontrot streams" means all streams or portions of streams other than trout streams.
- (l) "Open season" means the time during which fish may be legally taken or killed and includes both the first and last day of the season or period designated by this part.
- (m) "Recombinant nucleic acid techniques" means laboratory techniques through which genetic material is isolated and manipulated in vitro and then inserted into an organism.
- (n) "Reptiles" means any turtle, snake, or lizard of the class reptilia.
- (o) "Resident" means either of the following:

- (i) A person who resides in a settled or permanent home or domicile with the intention of remaining in this state.
- (ii) A student who is enrolled in a full-time course at a college or university within this state.

(p) "Trout lake" means a lake designated by the department in which brook trout, brown trout, or rainbow trout are the predominating species of game fish. The department may designate certain trout lakes in which certain species of fish are not desired and in which it is unlawful to use live fish of any kind for bait.

(q) "Trout stream" means any stream or portion of a stream that contains a significant population of any species of trout or salmon as determined by the department. The department shall designate not more than 212 miles of trout streams in which only lures or baits as the department prescribes may be used in fishing, and the department may prescribe the size and number of fish that may be taken from those trout streams. The department shall not restrict children under 12 years old from taking a minimum of 1 fish, except for lake sturgeon (*Acipenser fulvescens*), in any trout stream. Any trout stream in a county that includes a city with a population of 750,000 or more shall be so designated. In addition, the department shall issue an order adopting criteria for determining which trout streams should be so designated. Before the department issues the order, the department shall submit the proposed order to the commission. The commission shall receive public comment on the proposed order. The department shall consider any guidance provided by the commission on the proposed order and may make changes to the proposed order based on that guidance.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995 ;-- Am. 2002, Act 434, Imd. Eff. June 10, 2002 ;-- Am. 2003, Act 270, Eff. Mar. 30, 2004 ;-- Am. 2008, Act 291, Imd. Eff. Oct. 6, 2008

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