

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994
Subpart III
OPEN SEASONS

324.48715-324.48720 Repealed. 2018, Act 529, Imd. Eff. Dec. 28, 2018.

Compiler's Notes: The repealed sections pertained to and open and closed seasons based on location and fish species.

Popular Name: Act 451

Popular Name: NREPA

324.48721 Possession limits of fish.

Sec. 48721.

(1) The commission shall issue an order under part 411 establishing possession limits of fish consistent with this section. An individual shall not possess more than the daily possession limit or aggregate daily possession limit, as applicable, of fish at the place where the fish were taken or in route from that place to either of the following:

(a) His or her automobile or other principal means of land transportation.

(b) His or her residence or temporary place of lodging.

(2) In addition to 1 day's possession limit of fish, an individual may possess an additional 2 days' possession limit of fish that are processed by any of the following methods:

(a) Canning in a sealed container.

(b) Curing by smoking or drying.

(c) Freezing in a solid state.

(3) An individual's processed fish aboard a vessel, on the water or at dockside, are considered to be in the individual's possession for the purposes of subsection (2).

(4) An individual shall not possess a fish illegally taken.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995 ;-- Am. 2010, Act 30, Eff. Apr. 1, 2011 ;-- Am. 2018, Act 529, Imd. Eff. Dec. 28, 2018

Popular Name: Act 451

Popular Name: NREPA

324.48722 Game fish; carried as open hand baggage; transportation.

Sec. 48722.

A resident or nonresident who holds an unexpired fishing license issued in his or her name may carry as open hand baggage not more than 1 day's legal catch of fish. However, any person holding an unexpired fishing license may obtain only 1 permit from the department authorizing that person to ship 1 day's legal catch of any species of game fish or combination of species. The catch of 2 or more licensed anglers may be combined in a single package. However, the permit of each angler whose catch is combined in the package shall be attached to the package.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

324.48723 Purchase, sale, transportation or possession of certain fish prohibited; exceptions.

Sec. 48723.

A person shall not purchase, buy, or sell, attempt to purchase, buy, or sell, transport to any point outside of this state at any time, or possess during the periods in which the taking or catching of the fish is prohibited, any species of fish taken on a sport fishing license or any species of fish taken without a commercial fishing license. Any lawfully taken fish may be possessed for 60 days after the close of the respective open seasons. A person possessing a nonresident fishing license may take from this state a day's legal catch of fish in accordance with his or her license. This section does not apply to or conflict with the possession, sale, or transportation of fish taken legally under the commercial fishing laws and regulations of this state.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

324.48724 “Fish cleaning station” defined; license to purchase, sell, or exchange anything of value for raw or unprocessed salmon eggs; prohibited conduct; compliance with requirements; selling or buying chemically treated salmon eggs; violation; order; injunctive relief.

Sec. 48724.

(1) As used in this section, "fish cleaning station" means an operation or location used to clean salmon for sport fishers.

(2) Except as provided in subsection (3)(c), a person shall not purchase, sell, or otherwise exchange anything of value for raw or unprocessed salmon eggs unless the person is licensed pursuant to section 47333 and the sale, purchase, or exchange of the raw or unprocessed salmon eggs is made with another person who is also licensed pursuant to section 47333.

(3) A person who operates or is the agent of an operator of a fish cleaning station shall not do any of the following:

(a) Accept raw or unprocessed salmon eggs except from whole salmon, known as salmon in the round, or eggs salvaged from salmon cleaned at the station.

(b) Operate a fish cleaning station that sells raw or unprocessed salmon eggs without a current and valid permit issued by the department.

(c) Buy, barter, or otherwise exchange anything of value for raw or unprocessed salmon eggs. This subdivision does not prohibit the operator of a fish cleaning station or his or her agents from exchanging the service of cleaning salmon in exchange for the eggs in the salmon's carcasses or from charging a fee for cleaning salmon.

(d) Buy or sell salmon carcasses taken by a person licensed under part 435.

(4) A person issued a permit to operate a fish cleaning station shall comply with all of the following requirements:

(a) Raw or unprocessed salmon eggs may only be collected and stored at the location of the fish cleaning station specified in the permit.

(b) The fish cleaning station shall be licensed in accordance with the food processing act of 1977, Act No. 328 of the Public Acts of 1978, being sections 289.801 to 289.810 of the Michigan Compiled Laws, and operated in compliance with the Michigan food law of 1968, Act No. 39 of the Public Acts of 1968, being sections 289.701 to 289.727 of the Michigan Compiled Laws, only when the salmon eggs or salmon, or both, are sold or given to another person for human consumption.

(c) Disposal of offal and unwanted salmon carcasses shall be in a manner approved by the local health department.

(d) A permit holder shall accept from sport fishers all salmon carcasses that are brought to the station and shall hold and dispose of them and their offal only in a manner approved by the local health department.

(e) As a condition of his or her permit, a permit holder whose fish cleaning station is located on state owned land shall provide free access to the fish cleaning station facilities to anglers who wish to use the facilities to clean their own salmon catch.

(5) This section shall not be construed to prohibit the selling or buying of chemically treated salmon eggs in the form of spawn sacks or spawn bags.

(6) If the department finds that a person is in violation of this section or a permit issued under this section, the department may issue an order requiring the person to comply with the permit. In addition to the penalties provided for in this part, the department or its agent, the attorney general, or a person may seek injunctive relief for a violation of this section or a permit issued under this section.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995
Popular Name: Act 451
Popular Name: NREPA

324.48725 Repealed. 2018, Act 529, Imd. Eff. Dec. 28, 2018.

Compiler's Notes: Repealed. 2018, Act 529, Imd. Eff. Dec. 28, 2018.
Popular Name: Act 451
Popular Name: NREPA

324.48726 Repealed. 2008, Act 291, Imd. Eff. Oct. 6, 2008.

Compiler's Notes: The repealed section pertained to adoption of orders relating to harvesting of salmon and trout.
Popular Name: Act 451
Popular Name: NREPA

324.48727 Repealed. 2018, Act 529, Imd. Eff. Dec. 28, 2018.

Compiler's Notes: The repealed section pertained to snagging fish and management of fisheries on Pere Marquette river.
Popular Name: Act 451
Popular Name: NREPA