**Section 850.50 License Eligibility and License Provisions**

Lake Michigan Commercial Fishing License commences April 1 and expires March 31 and shall be valid for a period of 3 years. To be eligible for a license to fish commercially during a given fishing license year, the applicant, license holder, must meet the following requirements:

a) Be an individual who has actually resided in Illinois for one year immediately preceding his application for a license to be allowed to fish commercially and who does not claim residency for commercial fishing purposes in another state or country.

b) Be a corporation incorporated in Illinois for at least one year immediately preceding the application for a license to fish commercially during a given fishing year, or a corporation incorporated in Illinois by a currently licensed Lake Michigan Commercial Fisherman.

1) All stockholders of the corporations shall have been Illinois residents for at least one year immediately prior to owning any stock or interest in the corporation, and remain Illinois residents as long as they own such stock or interest.

2) Individuals licensed as Lake Michigan Commercial Fisherman who wish to place the license into corporate control must own a controlling interest in the corporation (owns or controls more than 50%) at the time of transfer. The corporations need not have been in existence for one year, but must meet all other requirements.

3) All transfers of ownership interest in the corporation must be reported to the Department within 10 days after transfer.

4) No such corporation may be wholly or partially owned by another corporation, and no individual shall own any part of more than one business entity holding a Lake Michigan Commercial Fishing License.

c) Have ownership or legal control of a vessel of at least 12 net tons as documented by the U. S. Coast Guard, showing an Illinois port of registration, having valid United States Coast Guard documentation in full force and effect, and in compliance with all State requirements established for such vessels in the Boat Registration and Safety Act [625 ILCS 45].

1) Any request for redesignation of a fishing vessel to be used by the license holder must be submitted in writing to and approved in writing by the Chief, Division of Fisheries. Approval will be granted if the requested vessel meets the U.S. Coast Guard documentation requirements and the license holder has a valid reason for redesignation, such as loss or damage of the designated vessel or purchase of another vessel. Such requests must clearly state the reasons for redesignation, and the anticipated period of use and shall be accompanied by a copy of the United States Coast Guard document for the requested vessel. Use of the vessel designated in Illinois for commercial fishing purposes in another state shall, upon verification, nullify the designated status of the vessel for commercial fishing purposes in Illinois.

2) When more than one license designates the same vessel under this subsection (c), only one license at a time may be fished until the entire quota under that license has been harvested. In addition, before any licensee commences fishing, he must submit a written request to fish from the designated boat, and receive written authorization from the Chief of the Division of Fisheries.

d) Have at least 6,000 feet of properly licensed gill netting possessing a diagonal stretched mesh measurement between 2⅜ inches through 2¾ inches.

e) Agree to keep accurate daily records of catch and must submit catch reports monthly to the Department by the 15th day of the following month on forms furnished by the Department (whether licensee did or did not catch fish). All monthly catch reports must be signed by the licensee or corporate chief executive officer. Failure to submit the required catch reports shall be grounds for suspension or revocation of the Lake Michigan Commercial Fishing License.

f) Submit a yearly operational plan by months clearly identifying the port from which the vessel will operate and the exact location at which all harvested fish will be transferred from the vessel to shore. Transfer of fish from the license vessel to another vessel or to shore at any other location not identified in the yearly operational plan shall be grounds for suspension or revocation of the Lake Michigan commercial fishing license.

g) Permit Department biologists and Conservation Police Officers to obtain information from fish harvested, such as lengths, weights, scale samples, sex, etc., as deemed necessary for management of Lake Michigan fish stocks.

h) License all of the commercial equipment as required by the Illinois Fish and Aquatic Life Code [515 ILCS 5] (Code) and this Part. A license holder shall not fish under the commercial fishing license of another person.

i) The captain of commercial fishing crews on board the vessel must be a resident of the State of Illinois in accordance with the definition in Section 1-80 of the Illinois Fish and Aquatic Life Code.

j) The designated captain of the commercial fishing crew shall obtain a sport fishing license in addition to his or her commercial fishing license, unless he or she is exempted by Section 15-5 of the Code from being required to obtain a sport fishing license. All individuals assisting a licensed commercial fisherman shall first obtain a sport fishing license, unless he or she is exempted by Section 15-5 of the Code from being required to obtain a sport fishing license.

k) The licensee shall notify the Chief, Division of Fisheries, of any changes (except captain) in commercial fishing crew members in writing within 14 days after the change. Changes in captains requires prior written Department approval by the Chief, Division of Fisheries, and all such requests must be submitted in writing to the Chief, Division of Fisheries. Approval will be given if the captain meets the requirements set forth in this Section.

l) A copy of the Lake Michigan Commercial Fishing license and a current listing of the captain and designated crew must be kept on board the fishing vessel at all times during the commercial fishing operations.

m) The licensee or the designated captain of the commercial fishing crew must be on board the vessel at all times during the commercial fishing operations. The licensee shall remain responsible for all obligations owed to the State of Illinois relating to the license, whether the licensee is on board the vessel or not.

(Source: Amended at 44 Ill. Reg. 4040, effective February 26, 2020)