

# SENATE BILL NO. 177

March 07, 2019, Introduced by Senators ANANICH and DALEY and referred to the Committee on Agriculture.

A bill to amend 1996 PA 199, entitled  
"Michigan aquaculture development act,"  
by amending sections 6 and 8 (MCL 286.876 and 286.878).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 6. (1) A person shall not engage in aquaculture unless he  
2 or she obtains a registration from the department as an aquaculture  
3 facility, obtains an aquaculture research permit, or unless  
4 otherwise exempt by rule or law. If the activity in which the  
5 aquaculture facility is engaged is required to be regulated under

1 any act, registration under this act does not exempt the person or  
 2 aquaculture facility from requirements imposed under any local,  
 3 state, or federal regulation.

4 (2) The following are exempt from registration as an  
 5 aquaculture facility:

6 (a) Retail bait outlets.

7 (b) Retail ornamental fish facilities.

8 (c) Persons using privately controlled waters for  
 9 noncommercial purposes.

10 (d) Public aquariums or zoos.

11 (e) Portable retail fishing concessions.

12 (3) A person registered or permitted under this act shall keep  
 13 and maintain records of production, purchases, or imports in order  
 14 to establish proof of ownership. A person transporting aquaculture  
 15 species shall produce documentation that contains the origin of  
 16 shipment, registration or permit copies or documentation,  
 17 documentation demonstrating shipping destination, and any other  
 18 proof that may be required under the animal industry act, ~~of 1987,~~  
 19 ~~Act No. 466 of the Public Acts of 1988, being sections 287.701 to~~  
 20 ~~287.747 of the Michigan Compiled Laws, 1988 PA 466, MCL 287.701 to~~  
 21 **287.745**, upon demand of the director or a law enforcement officer.

22 (4) An aquaculture facility in existence before January 1,  
 23 1997 is required to obtain a registration or permit, or both, if  
 24 applicable, by January 1, 1999 in order to continue to engage in  
 25 aquaculture. Any person engaging in aquaculture beginning on or  
 26 after January 1, 1997 is required to obtain a registration or  
 27 permit under this act, or both, if applicable, in order to engage  
 28 in aquaculture.

29 Sec. 8. (1) Research of an aquaculture species not on the

1 approved list is allowed and shall be conducted pursuant to an  
2 aquaculture research permit in a confinement research facility.

3 (2) A person who holds an aquaculture research permit shall  
4 not import aquaculture species that are the subject of the research  
5 unless he or she complies with the animal industry act, ~~of 1987,~~  
6 ~~Act No. 466 of the Public Acts of 1988, being sections 287.701 to~~  
7 ~~287.747 of the Michigan Compiled Laws.~~ **1988 PA 466, MCL 287.701 to**  
8 **287.745.**

9 (3) The director shall approve the protocol of the aquaculture  
10 species, including disposition, for the proposed research period.  
11 The applicant for the aquaculture research permit shall submit the  
12 protocol to the department with the initial or renewal aquaculture  
13 research permit application.

14 Enacting section 1. This amendatory act takes effect 90 days  
15 after the date it is enacted into law.

16 Enacting section 2. This amendatory act does not take effect  
17 unless Senate Bill No.174 of the 100th Legislature is enacted into  
18 law.