

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Reps. Cole, Lauwers, Victory, Vaupel, Alexander, Howell, Wentworth, Calley, Barrett and Frederick

ENROLLED HOUSE BILL No. 6216

AN ACT to amend 1996 PA 199, entitled "An act to define, develop, and regulate aquaculture as an agricultural enterprise in this state; to provide powers and duties of certain state agencies and departments; and to provide for certain penalties and remedies," by amending sections 6 and 8 (MCL 286.876 and 286.878).

The People of the State of Michigan enact:

Sec. 6. (1) A person shall not engage in aquaculture unless he or she obtains a registration from the department as an aquaculture facility, obtains an aquaculture research permit, or unless otherwise exempt by rule or law. If the activity in which the aquaculture facility is engaged is required to be regulated under any act, registration under this act does not exempt the person or aquaculture facility from requirements imposed under any local, state, or federal regulation.

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

- (a) Retail bait outlets.
- (b) Retail ornamental fish facilities.
- (c) Persons using privately controlled waters for noncommercial purposes.
- (d) Public aquariums or zoos.
- (e) Portable retail fishing concessions.

(3) A person registered or permitted under this act shall keep and maintain records of production, purchases, or imports in order to establish proof of ownership. A person transporting aquaculture species shall produce documentation that contains the origin of shipment, registration or permit copies or documentation, documentation demonstrating shipping destination, and any other proof that may be required under the animal industry act, 1988 PA 466, MCL 287.701 to 287.747, upon demand of the director or a law enforcement officer.

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

Sec. 8. (1) Research of an aquaculture species not on the approved list is allowed and shall be conducted pursuant to an aquaculture research permit in a confinement research facility.

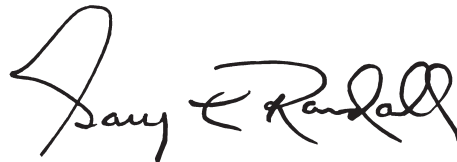
(2) A person who holds an aquaculture research permit shall not import aquaculture species that are the subject of the research unless he or she complies with the animal industry act, 1988 PA 466, MCL 287.701 to 287.747.

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

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

Enacting section 2. This amendatory act does not take effect unless House Bill No. 6205 of the 99th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor