

State of Wisconsin



2013 Assembly Bill 352

Date of enactment: **December 12, 2013**
Date of publication*: **December 13, 2013**

2013 WISCONSIN ACT 75

AN ACT *to amend* 30.206 (1) (a) and 95.60 (2) (a) (intro.); and *to create* 29.733 (3), 30.01 (4o), 30.12 (3) (b) and 95.60 (9) of the statutes; **relating to**: allowing placement of net pens in navigable waters under a statewide general permit and exceptions for certain requirements that apply to fish farms.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 29.733 (3) of the statutes is created to read:

29.733 (3) This section does not apply to a person who places a net pen in a natural body of water for the purpose of holding or rearing fish in accordance with a general permit issued under s. 30.12 (3) (b).

SECTION 2. 30.01 (4o) of the statutes is created to read:

30.01 (4o) "Net pen" means an enclosure placed in a body of water and used to hold or rear fish.

SECTION 3. 30.12 (3) (b) of the statutes is created to read:

30.12 (3) (b) 1. The department shall issue a statewide general permit under s. 30.206 that authorizes a person to place a net pen in a Great Lakes water body or a tributary of a Great Lakes water body if all of the following apply:

- a. The net pen is placed for the purpose of holding or rearing fish for noncommercial purposes.
- b. The fish held or reared in the net pen are stocked by the department or by a person who is in compliance with s. 29.736.
- c. The fish held or reared in the net pen are released by the department or by a person who is in compliance

with s. 29.736 into the same body of water in which the net pen is placed.

2. A general permit issued for the purpose described in this section shall authorize a person to place a net pen in a Great Lakes water body or a tributary of a Great Lakes water body for a period not to exceed 8 weeks. The general permit may not limit the number of times that a person may place a net pen in a Great Lakes water body or a tributary of a Great Lakes water body under the authority of that general permit.

SECTION 4. 30.206 (1) (a) of the statutes is amended to read:

30.206 (1) (a) The department shall issue the statewide general permits required under ss. 30.12 (3) (a) and (b), 30.123 (7), 30.19 (3r), and 30.20 (1t) (a).

SECTION 5. 95.60 (2) (a) (intro.) of the statutes is amended to read:

95.60 (2) (a) (intro.) Except as provided in sub. (9) and par. (e), no person may bring any fish or fish eggs into this state for the purpose of introduction into the waters of the state, of use as bait or of rearing in a fish farm without an annual permit issued by the department.

SECTION 6. 95.60 (9) of the statutes is created to read:
95.60 (9) (a) Subsections (2) and (3m) do not apply to a person who places a net pen in a Great Lakes water body or a tributary of a Great Lakes water body under the

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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authority of a general permit issued under s. 30.206 for the purpose described in s. 30.12 (3) (b).

(b) After the date on which fish are placed in a net pen under the authority of a general permit issued under s.

30.206 for the purpose described in s. 30.12 (3) (b), the department's authority to regulate fish farms under this section does not apply to the fish that are held in that net pen.
