



## 2011 SENATE BILL 537

1     **AN ACT** *to repeal* 29.733 (2) (c) 2., 29.733 (2) (c) 3., 29.733 (2) (c) 4. and 95.60 (2)  
2           (d); *to renumber and amend* 29.733 (2) (c) 1.; *to amend* 29.733 (1) (d), 29.733  
3           (2) (f), 95.60 (2) (a) and 95.60 (4) (c); and *to create* 29.733 (1) (c) 3., 29.733 (1m),  
4           36.58 (7), 95.60 (2) (e), 95.60 (4) (d), 283.31 (5m) and 299.15 (3) (f) of the statutes;  
5           **relating to:** the regulation of aquaculture.

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*Analysis by the Legislative Reference Bureau*

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

6           **SECTION 1.** 29.733 (1) (c) 3. of the statutes is created to read:  
7           29.733 (1) (c) 3. A body of water for which the department has issued a permit  
8           under s. 30.19, 30.195, or 31.04.

9           **SECTION 2.** 29.733 (1) (d) of the statutes is amended to read:

**SENATE BILL 537****SECTION 2**

1           29.733 (1) (d) ~~A~~ If the department has not issued a permit for the body of water  
2 under s. 30.19, 30.195, or 31.04, a permit for the body of water has been issued under  
3 sub. (2).

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

5           29.733 (1m) The department shall post notice of every application submitted  
6 to the department under this section on the department's Internet Web site.

7           **SECTION 4.** 29.733 (2) (c) 1. of the statutes is renumbered 29.733 (2) (c) and  
8 amended to read:

9           29.733 (2) (c) ~~The department, subject~~ Subject to s. 29.024 (2g) and (2r), shall  
10 renew a permit issued under this subsection does not expire unless the department  
11 determines that there has been a substantial change in circumstances that is related  
12 to a determination made under par. (a) for the natural body of water or that is related  
13 to the application of the criteria promulgated under par. (f) to the body of water.

14           **SECTION 5.** 29.733 (2) (c) 2. of the statutes is repealed.

15           **SECTION 6.** 29.733 (2) (c) 3. of the statutes is repealed.

16           **SECTION 7.** 29.733 (2) (c) 4. of the statutes is repealed.

17           **SECTION 8.** 29.733 (2) (f) of the statutes is amended to read:

18           29.733 (2) (f) The department shall promulgate rules to establish the fees,  
19 criteria and procedures to be used in issuing permits under this subsection. The  
20 rules may not require the department, before issuing a permit under this subsection,  
21 to hold a hearing or to provide notice to any person, other than the applicant, that  
22 the department will proceed on an application for a permit without a hearing.

23           **SECTION 9.** 36.58 (7) of the statutes is created to read:

24           36.58 (7) CONFIDENTIALITY OF RECORDS RELATING TO AQUACULTURE. Any  
25 information kept by the veterinary diagnostic laboratory that identifies the owners

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1 of farm-raised fish, as defined in s. 95.001 (1) (ah), and that relates to testing results  
2 or diagnosis is not subject to inspection or copying under s. 19.35 except as the  
3 veterinary diagnostic laboratory determines is necessary to protect the public  
4 health, safety, or welfare.

5 **SECTION 10.** 95.60 (2) (a) of the statutes is amended to read:

6 95.60 (2) (a) ~~No Except as provided in par. (e), no~~ person may bring any fish or  
7 fish eggs into this state for the purpose of introduction into the waters of the state,  
8 of use as bait or of rearing in a fish farm without an annual permit issued by the  
9 department.

10 **SECTION 11.** 95.60 (2) (d) of the statutes is repealed.

11 **SECTION 12.** 95.60 (2) (e) of the statutes is created to read:

12 95.60 (2) (e) A person bringing fish or fish eggs from a fish farm in another state  
13 to a fish farm in this state is not required to have a permit under par. (a) if the person  
14 has a fish health certificate that covers the fish or fish eggs and that complies with  
15 the requirements for fish health certificates specified by the department by rule.

16 **SECTION 13.** 95.60 (4) (c) of the statutes is amended to read:

17 95.60 (4) (c) ~~A Except as provided in par. (d), a~~ person who operates a fish farm  
18 shall keep records on purchases, sales and production of fish and fish eggs and any  
19 other records required by the department by rule. The department may inspect these  
20 records upon request.

21 **SECTION 14.** 95.60 (4) (d) of the statutes is created to read:

22 95.60 (4) (d) A person who operates a fish farm is not required to keep records  
23 on the sale of fish to an individual for the individual's personal use. A person who  
24 buys fish under this paragraph may not introduce the fish into a public water body.

25 **SECTION 15.** 283.31 (5m) of the statutes is created to read:

