

4

Assembly Hearing Slip

(Please print plainly)

Date: October 21, 1989
 Bill No. AB 506
 Or
 Subject Senator Roger Breske
 (Name)
 (Street Address or Route Number)
 (City & Zip Code)
 (Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
 Room 411 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-21-99
 Bill No. AB-506
 Or
 Subject Fish Health Certificates
 (Name)
John O'Brien
 (Street Address or Route Number)
P.O. Box 7882
MADISON WI 53707
 (City & Zip Code)
Sen. Dale Schultz
 (Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
 Room 411 West
 State Capitol
 Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10-21-99
 Bill No. _____
 Or
 Subject _____
 (Name)
HENRY RADMAN
 (Street Address or Route Number)
1321 S 66 ST
MEMORIE WI
 (City & Zip Code)
W A A
 (Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
 Room 411 West
 State Capitol
 Madison, WI 53702

AB506 6
14

1

Assembly Hearing Slip

(Please print plainly)

Date: 10/21/99
Bill No. AB 506
Or
Subject

Rep. Tom Sykora
(Name) 67th Assembly District
(Street Address or Route Number)

Author of bill
(City & Zip Code) -
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

2

Assembly Hearing Slip

(Please print plainly)

Date: Oct 20-99
Bill No. AB 506
Or
Subject

Charlene Sunday
(Name) Box 8911
(Street Address or Route Number) Madison WI

DATEP
(City & Zip Code)
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

3

Assembly Hearing Slip

(Please print plainly)

Date: 10-21-99
Bill No. AB-506
Or
Subject

Dr. Myron Kebus
(Name) WDATP
(Street Address or Route Number)

DIVISION OF ANIMAL HEALTH
(City & Zip Code)
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 10/21/99
Bill No. AB 506
Or
Subject _____

CARYL TERREN
(Name)
222 So Hamilton St #1
(Street Address or Route Number)
Madison WI 53703-3201
(City & Zip Code)

SIERRA CLUB - JOHN MAIR CHAPTER
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only; Neither for nor against:

Please return this slip to a messenger promptly

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

BULLFROG FISH FARM

715-664-8775

Herby Radmann/Bullfrog Business

N1321 Bullfrog Road/566th St.

Menomonie, WI 54751

MAY 3 '99

Tom Syhora
State Representative

I am writing as a board member of the Wisconsin Aquaculture Association (WAA) in regard to Wisconsin State Statute 95.60 (3) Animal Health.

This paragraph needs to be changed to reasonably fit the need of farmers, the services they offer & related concerns.

It is suggested the word SHALL, in the first sentence be replaced with MAY

or... that it reads, The Dept of Ag. is granted authority to develop and administer rules pertaining to fish health and movement.

Dr. Ehelnsfeldt of the Dept. of Ag/Animal Health & W.A.A. are in agreement for this change. With this change excessive costs and "hoop jumping" would be eliminated while remaining responsible to the statute purpose.

This minor change would give both the Dept of Ag. and the farmer major advantage of going about the business of developing the aquaculture industry.

Please contact Dr. Ehelnsfeldt at (608) 224-4880 for further questions or advantages...

I would also request your involving Dave Zien in making this important change.

cc. Dr. Ehelnsfeldt
Dave Zollan
MAC GRAHAM
DAVE ZIEN

Thank you
Herby Radmann
Buefroz FISH FARM & for
The Wisconsin Aquaculture Assoc.

AB 506

-

Oct. 21, 1999 - Public Hearing

① Tom Sykora - author

② / Dr. Clarence Siroky - DATCP

③ / Dr. Myron Kebus - DATCP

④ Herby Rodmann

~~⑤~~

Bullfrog Fish Farm / Eat My Fish
N1321 Bullfrog Road
Menomonie Wisconsin, 54751
(715) 664-8775
fax (715) 664-8870
www.eatmyfish.com

October 21, 1999

To The Assembly Agriculture Committee..

Through proper procedure of and *representing the Wisconsin Aquaculture Association (W.A.A.)*
I am requesting that *State Statue 95.60 (3) be changed as proposed* - referred to by W.A.A.
as "*shall to may legislation*" concerning fish health certification requirement.

Dr. Ehelnfeldt and Dr. Kebus of *Animal Health along with W.A.A.* have worked together
concerning this issue and *are in agreement*. This change would offer flexibility needed for a
diverse industry, opportunity for prioritizing needs, reduce cost, and *contribute to the growth of*
fish farming in Wisconsin... all while remaining *responsible to the purpose of this statue.*

Thank you,

Herby Radmann
Soul-Proprietor
Board Member - W.A.A.

Jermstad, Sara

From: Sykora, Tom
Sent: Wednesday, November 17, 1999 4:29 PM
To: Rep.Sykora
Subject: FW: AB 506.

From: Kluesner, Elizabeth M
Sent: Wednesday, November 17, 1999 4:36:43 PM
To: Sykora, Tom
Subject: AB 506.
Auto forwarded by a Rule

Here is the language that Secretary Meyer suggested on the Aquaculture bill:

95.60 (3) The department shall promulgate rules *with the concurrence of the Natural Resources Board*, applicable to person who operate fish farms, that require any evidence of fish health that the department determines is necessary.

Thank you for your time in considering this issue.

Elizabeth



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536
Telephone: (608) 266-1304
Fax: (608) 266-3830
Email: leg.council@legis.state.wi.us

DATE: January 24, 2000
TO: REPRESENTATIVE ALVIN OTT, CHAIRPERSON, ASSEMBLY
COMMITTEE ON AGRICULTURE
FROM: Mark Patronsky, Senior Staff Attorney
SUBJECT: Amendment to 1999 Assembly Bill 506, Relating to Fish Health

This memorandum contains a brief description of Assembly Substitute Amendment 1 to 1999 Assembly Bill 506, relating to the requirement that operators of fish farms provide evidence of fish health.

Under *current statutes* in s. 95.60, Stats., a person who operates a fish farm is required to obtain an annual health certificate from either a veterinarian or a person who has qualifications, specified by the Department of Natural Resources (DNR) by rule, to issue fish health certificates. The fish health certificate is required for any fish eggs present or any fish reared on the fish farm, except that a fish farm operator who does not sell, distribute, or release live fish or fish eggs may rely on health certificates obtained by persons from whom the fish farm operator receives the fish or eggs. The fish farm operator must provide the Department of Agriculture, Trade and Consumer Protection (DATCP) with a copy of the fish health certificate.

Assembly Bill 506 modifies the current statute by authorizing the DATCP to promulgate a rule to determine whether or not the operator of a fish farm is required to obtain an annual health certificate. The purpose of the bill is to provide some flexibility in the requirement to obtain an annual fish health certificate. Under the bill, the DATCP could exempt certain types of fish farms from the requirement of an annual fish health certificate, as warranted by the fish health needs of that type of fish farm.

The bill takes effect on the first day of the 13th month beginning after publication.

Assembly Substitute Amendment 1 provides additional flexibility regarding DATCP rules related to the evidence of fish health to be provided by persons who operate fish farms. Specifically, the substitute amendment includes the following provisions:

- The substitute amendment requires “evidence of fish health” rather than a fish health certificate. This will allow the DATCP to establish different methods of providing evidence of fish health.
- The requirement in the bill for an annual certificate is eliminated, so that DATCP may determine how often the evidence of fish health must be provided.
- DATCP is clearly authorized to require different kinds of evidence of fish health for different types of fish farms.
- The substitute amendment, like the bill, takes effect on the first day of the 13th month beginning after publication.

If I can provide further information on this subject, please feel free to contact me.

MCP:ksm:rv;wu



BILL SUMMARY

AB 506: Fish Farm Health Certification

Date: January 26, 2000

BACKGROUND

Under current law, a person who operates a fish farm must annually register the fish farm with the Department of Agriculture, Trade and Consumer Protection (DATCP). Current law also requires the operator of a fish farm to annually obtain a fish health certificate for any fish eggs present or any fish reared on the fish farm. However, an operator who does not sell, distribute or release live fish or fish eggs may rely on the health certificate of the person from whom the operator obtained fish or fish eggs.

SUMMARY OF AB 506 (AS AMENDED BY COMMITTEE)

Assembly Bill 506 eliminates the absolute requirement to obtain a fish health certificate and instead authorizes DATCP to require a fish farm operator to obtain an annual fish health certificate. Assembly Bill 506 was drafted at the request of the aquaculture industry in Wisconsin in hopes that the legislation will more aptly address food safety of fish products rather than fish in the wild. The former rule addresses fish health without serious concerns about food safety. The bill will create consistent interface to aquaculture and fish raised for human consumption. Annual registration still applies, but now fish farm operators only have to have each batch of fish certified once. This bill does not affect any rules relating to fish raised to be released into the wild. The Department of Natural Resources regulations still hold for fish released into the wild.

AMENDMENTS

Assembly Substitute Amendment 1 to Assembly Bill 506 was adopted to give DATCP more leeway to require fish farm operators to provide evidence of fish health. The amendment does not eliminate veterinarians from the health certification process, but allows for DATCP to promulgate rules to allow other qualified persons to provide evidence of fish health. The requirement for an annual health certificate is replaced by authority for DATCP to determine how often evidence of fish health must be provided. DATCP is also authorized to require different kinds of evidence of fish health for different types of fish farms. [adopted 12-0-2 (Representative Spillner and Representative Reynolds absent)]

FISCAL EFFECT

There is no state fiscal effect according to a fiscal estimate prepared by the Department of Agriculture, Trade and Consumer Protection.

PROS

1. The original fish health certificate can follow fish through the industry process; fish do not have to be re-certified.

2. This legislation creates market-based rules and inspection processes for production of aquaculture products that address more realistically and economically food production safety issues similar to the poultry and meat industries.
3. The bill offers fish farm operators market flexibility; they can deliver live or processed fish to restaurants or processors.
4. Assembly Bill 506 eliminates excessive costs and bureaucratic hoops to get aquaculture products to market.

CONS

None apparent

SUPPORTERS

Rep. Tom Sykora, author; Sen. Dale Schultz, lead co-sponsor; Wisconsin Aquaculture Association, Inc.; Dr. Clarence Siroky, DATCP; Dr. Myron Kibus, DATCP; Herby Radmann, Bullfrog Fish Farm.

OPPOSITION

Caryl Terrell, Sierra Club, John Muir Chapter

HISTORY

Assembly Bill 506 was introduced on October 5, 1999, and referred to the Assembly Committee on Agriculture. A public hearing was held on October 21, 1999. On November 18, 1999, the Committee voted 12-0-2 (Representative Spillner and Representative Reynolds absent) to recommend passage of AB 506 as amended.

CONTACT: Linda Narveson, Office of Rep. Al Ott

FISCAL ESTIMATE

DOA-2048 N(R10/98)

- ORIGINAL
- UPDATED
- CORRECTED
- SUPPLEMENTAL

1999 Session

LRB No. and Bill/Adm. Rule No.

LRB-3159/2, AB506

Amendment No. If Applicable

Subject

Fish Farm Requirements

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum certain appropriation

- Increase Existing Appropriation
- Decrease Existing Appropriation
- Create New Appropriation
- Increase Existing Revenues
- Decrease Existing Revenues

- Increase Costs - May be possible to Absorb Within Agency's Budget Yes No
- Decrease Costs

Local: No Local Government Costs

- 1. Increase Costs
- Permissive Mandatory
- 2. Decrease Costs
- Permissive Mandatory

- 3. Increase Revenues
- Permissive Mandatory
- 4. Decrease Revenues
- Permissive Mandatory

5. Types of Local Governmental Units Affected:
- Towns Villages Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Current law requires a person who operates a fish farm to annually register the fish farm with the Department of Agriculture, Trade and Consumer Protection (DATCP). Current law also requires the operator of a fish farm to annually obtain a fish health certificate for any fish eggs present or any fish reared on the fish farm, except that an operator who does not sell, distribute or release live fish or fish eggs may rely on the health certificates of the person from whom the operator obtained fish or fish eggs.

This bill eliminates the absolute requirements to obtain a fish health certificate and instead authorizes DATCP to require a fish farm operator to obtain an annual fish health certificate.

There is no fiscal effect.

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)

Dept of Agriculture, Trade & Consumer Protection

Martha Loy (608) 224-4875

Authorized Signature/Telephone No.

Barbara Knapp

Barbara Knapp (608) 224-4746

Date

10/13/99

Bill drafted at request of aquaculture industry

The original health certification can follow fish through the process. Does not have to be re-certified.

Less expensive, fewer unnecessary hurdles to get to end product (distribution)

Annual registration still applies but now only have to have each batch of fish certified once.

Veterinarians not eliminated but are one of persons who can do the health certification.

Request to eliminate excessive costs and bureaucratic hoops to get product to market.

Former rule addresses fish health without serious concerns about food safety.

Create market-based rules and inspection process for production of aquaculture products that address more realistically and economically food production safety issues similar to the poultry and meat industry.

Will more aptly address food safety of fish product rather than fish in the wild.

Directly addresses any fish raised for human consumption

DNR wildlife rules don't work for fish raised for human consumption

Will create consistent interface to aquaculture and fish raised for human consumption

Current law didn't address food safety issues – DATCP can now change rules to meet food safety standards

* Does not affect any fish raised to be released into the wild—DNR regulations still hold

Provides appropriate testing at various levels—fish eggs vs fish

Offers flexibility – Can deliver live fish or processed fish to restaurants/processors