SENATE AMENDMENT 2,

TO 1997 SENATE BILL 436

March 19, 1998 – Offered by Senator SCHULTZ.

1   At the locations indicated, amend the bill as follows:

2   **1.** Page 9, line 9: after "fish;" insert "private fishing preserves; fish farms;".

3   **2.** Page 60, line 5: after that line insert:

4   "**SECTION 63m.** 29.01 (11d) of the statutes is repealed.".

5   **3.** Page 62, line 20: after that line insert:

6   "**SECTION 68f.** 29.51 (3m) (b) of the statutes, as created by 1997 Wisconsin Act

7   27, is amended to read:

8   29.51 **(3m)** (b) Paragraph (a) does not authorize the department of natural

9   resources to remove fish or fish eggs from a self–contained fish rearing facility or

10   from a preexisting fish rearing facility ~~that is barrier equipped and~~ that is an

11   artificial body of water unless the department of agriculture, trade and consumer

12   protection has requested that the department of natural resources remove the fish

13   or fish eggs to address a problem affecting fish health.

1   **SECTION 68m.** 29.514 (1) (c) of the statutes is created to read:

2   29.514 **(1)** (c) The registrant held a private fish hatchery license under s. 29.52,

3   1995 stats., on December 31, 1997, that applied to the body of water being registered

4   as a private fishing preserve.

5   **SECTION 68s.** 29.521 (1) (c) 2. of the statutes, as created by 1997 Wisconsin Act

6   27, is amended to read:

7   29.521 **(1)** (c) 2. A preexisting fish rearing facility ~~that is barrier equipped~~.".

8   **4.** Page 63, line 9: after that line insert:

9   "**SECTION 70g.** 29.522 of the statutes is created to read:

10   **29.522 Barriers required for fish farms.** No person may use any body of

11   water as a fish farm or as part of a fish farm unless the body of water is equipped with

12   barriers that prevent the passage of fish between it and the other waters of the state.

13   **SECTION 70r.** 29.53 (1) (c) of the statutes, as created by 1997 Wisconsin Act 27,

14   is amended to read:

15   29.53 **(1)** (c) "Waters of the state" does not include ~~self–contained fish rearing~~

16   ~~facilities or~~ preexisting fish rearing facilities ~~that are barrier equipped and~~ that are

17   artificial bodies of water <u>or self–contained fish rearing facilities</u>.".

18   **5.** Page 68, line 20: after that line insert:

19   "**SECTION 82m.** 29.62 (1) of the statutes, as affected by 1997 Wisconsin Act 27,

20   is amended to read:

21   29.62 **(1)** The department may take rough fish by means of seines, nets or other

22   devices, or cause rough fish to be taken, from any of the waters of this state, other

23   than waters in a self–contained fish rearing facility or in a preexisting fish rearing

24   facility ~~that is barrier equipped and~~ that is an artificial body of water.".

1 **6.** Page 178, line 9: after that line insert:

2 "**SECTION 322g.** 95.60 (3) of the statutes, as created by 1997 Wisconsin Act 27,

3 is amended to read:

4 95.60 **(3)** A person who operates a fish farm shall obtain an annual health

5 certificate from a veterinarian licensed under ch. 453 or from a person who is

6 qualified to issue fish health certificates under sub. (4s) (c) for any fish eggs present

7 or any fish reared on the fish farm, except that a fish farm operator who does not sell,

8 distribute or release live fish or fish eggs from the fish farm may rely upon health

9 certificates under this subsection that are obtained by the person from whom the fish

10 farm operator receives fish or fish eggs.

11 **SECTION 322j.** 95.60 (7) of the statutes is created to read:

12 95.60 **(7)** Any information kept by the department that identifies the type or

13 number of fish or fish eggs bought, raised or sold by a privately owned fish farm or

14 the supplier or purchaser of those fish or fish eggs is not subject to inspection or

15 copying under s. 19.35 (1) except as the department determines is necessary to

16 protect fish health or prevent the spread of disease.".

17 **(END)**