

State of Misconsin 2001 - 2002 LEGISLATURE

## 2001 ASSEMBLY BILL 361

April 30, 2001 – Introduced by Representatives Sykora, Petrowski, Freese, Gunderson, Kedzie, Kreibich, Miller, Owens, Ott, Pettis, Plouff, Seratti, Starzyk, Townsend, Vrakas and Wade, cosponsored by Senators Breske, Harsdorf, Schultz and Zien. Referred to Committee on Agriculture.

AN ACT to amend 29.736 (1) (b), 95.60 (3m) and 95.60 (4s) (c); and to repeal and recreate 95.60 (3) of the statutes; relating to: the requirement that operators of fish farms provide evidence of fish health and granting rule-making authority.

## Analysis by the Legislative Reference Bureau

Current law requires a person who operates a fish farm to register annually the fish farm with the department of agriculture, trade and consumer protection (DATCP). Current law also requires the operator of a fish farm to obtain annually 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 certificate of the person from whom the operator obtained fish or fish eggs.

This bill eliminates the requirement to obtain a fish health certificate. The bill authorizes DATCP to promulgate rules that require a fish farm operator to provide any evidence of fish health that the department determines is necessary.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2001 – 2002 Legislature

## **ASSEMBLY BILL 361**

1	<b>SECTION 1.</b> 29.736 (1) (b) of the statutes is amended to read:
2	29.736 (1) (b) "Qualified inspector" means a veterinarian licensed under ch.
3	453 or a person who is qualified to <del>issue <u>provide evidence of</u> fish health <del>certificates</del></del>
4	under s. 95.60 (4s) (c).
5	<b>SECTION 2.</b> 95.60 (3) of the statutes is repealed and recreated to read:
6	95.60 (3) The department may promulgate rules, applicable to persons who
7	operate fish farms, that require any evidence of fish health that the department
8	determines is necessary.
9	<b>SECTION 3.</b> 95.60 (3m) of the statutes is amended to read:
10	95.60 ( <b>3m</b> ) A person who operates a fish farm shall annually register the fish
11	farm with the department. The person registering the fish farm shall provide <u>any</u>
12	evidence of the <u>fish</u> health certificate <u>as</u> required under sub. (3) and shall identify the
13	activities that will be engaged in, the species of fish that will be used, and the
14	facilities that will be used on the fish farm.
15	<b>SECTION 4.</b> 95.60 (4s) (c) of the statutes is amended to read:
16	95.60 (4s) (c) In consultation with the department of natural resources,
17	promulgate rules specifying the qualifications that a person who is not a
18	veterinarian must satisfy in order to issue provide evidence of fish health
19	certificates.
20	(END)

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(END)