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(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

**2003-04**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on Agriculture...**

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (August 2012)

## Assembly

### Record of Committee Proceedings

#### Committee on Agriculture

##### Assembly Bill 284

Relating to: the requirement that operators of fish farms provide evidence of fish health and granting rule-making authority.

By Representatives Ott, Ainsworth, Albers, Bies, Freese, Gronemus, Gunderson, Hahn, Hines, Kerkman, Kreibich, M. Lehman, Petrowski, Pettis, Plouff, Seratti, Townsend and Vrakas; cosponsored by Senators Harsdorf, Breske, Kedzie, A. Lasee, Schultz, Stepp, Welch and Zien.

April 23, 2003            Referred to Committee on Agriculture.

May 15, 2003            **PUBLIC HEARING HELD**

Present:    (13)    Representatives Ott, M. Williams, Ainsworth, Petrowski, Kestell, Suder, Hines, Loeffelholz, Towns, Plouff, Balow, Vruwink and Steinbrink.

Absent:     (2)     Representatives Gronemus and Hebl.

##### Appearances For

- Myron Kibus, Aquaculture Veterinarian, DATCP, Madison

##### Appearances Against

- None.

##### Appearances for Information Only

- Michael Staggs, DNR, Madison

##### Registrations For

- State Representative Garey Bies, 1st Assembly District
- State Senator Dale Schultz, 17th Senate District
- State Senator Bob Welch, 14th Senate District
- Paul Zimmerman, WI Farm Bureau Federation, Madison

##### Registrations Against

- None.

May 15, 2003

## EXECUTIVE SESSION HELD

Present: (13) Representatives Ott, M. Williams, Ainsworth, Petrowski, Kestell, Suder, Hines, Loeffelholz, Towns, Plouff, Balow, Vruwink and Steinbrink.  
Absent: (2) Representatives Gronemus and Hebl.

Moved by Representative Petrowski, seconded by Representative Suder that **Assembly Amendment** be recommended for introduction.

Ayes: (13) Representatives Ott, M. Williams, Ainsworth, Petrowski, Kestell, Suder, Hines, Loeffelholz, Towns, Plouff, Balow, Vruwink and Steinbrink.  
Noes: (0) None.  
Absent: (2) Representatives Gronemus and Hebl.

## INTRODUCTION OF ASSEMBLY AMENDMENT RECOMMENDED, Ayes 13, Noes 0

Moved by Representative Petrowski, seconded by Representative Suder that **Assembly Amendment** be recommended for adoption.

Ayes: (8) Representatives M. Williams, Petrowski, Kestell, Suder, Hines, Loeffelholz, Towns and Vruwink.  
Noes: (5) Representatives Ott, Ainsworth, Plouff, Balow and Steinbrink.  
Absent: (2) Representatives Gronemus and Hebl.

(Representative Gronemus indicates that had she been present, she would have voted Aye for adoption of AA to AB284.)

## ASSEMBLY AMENDMENT ADOPTION RECOMMENDED, Ayes 8, Noes 5

Moved by Representative Plouff, seconded by Representative Suder that **Assembly Bill 284** be recommended for passage as amended.

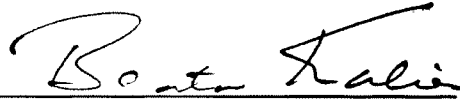
Ayes: (13) Representatives Ott, M. Williams, Ainsworth, Petrowski, Kestell, Suder, Hines, Loeffelholz, Towns, Plouff, Balow, Vruwink and Steinbrink.

Noes: (0) None.

Absent: (2) Representatives Gronemus and Hebl.

(Representative Gronemus indicates that had she been present, she would have voted Aye on recommendation for passage as amended.)

PASSAGE AS AMENDED RECOMMENDED, Ayes 13, Noes 0



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Beata Kalies  
Committee Clerk

**Vote Record**

**Committee on Agriculture**

Date: 5/15/03

Moved by: Petrowski

Seconded by: Suder

AB 284

SB \_\_\_\_\_

Clearinghouse Rule \_\_\_\_\_

AJR \_\_\_\_\_

SJR \_\_\_\_\_

Appointment \_\_\_\_\_

AR \_\_\_\_\_

SR \_\_\_\_\_

Other \_\_\_\_\_

(A/S Amdt 1 - Amended by taking out line 16, + beginning line 17 with Capital letter.

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_

A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

(LRB a 0530)

Be recommended for:

- Passage     Adoption     Confirmation     Concurrence     Indefinite Postponement  
 Introduction     Rejection     Tabling     Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Representative Alvin Ott</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Mary Williams</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative John Ainsworth</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Jerry Petrowski</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Steve Kestell</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Scott Suder</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative J.A. Hines</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Gabe Loeffelholz</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Debra Towns</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Barbara Gronemus</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Representative Joe Plouff</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Larry Balow</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Amy Sue Vruwink</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Tom Hebl</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Rep. Steinbrink</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>13</u>	<u>0</u>	<u>2</u>	<u>0 = 15</u>

Motion Carried

Motion Failed

**Vote Record**

**Committee on Agriculture**

Date: 5/13/03

Moved by: Petrowski

Seconded by: Suder

AB 284

SB \_\_\_\_\_

Clearinghouse Rule \_\_\_\_\_

AJR \_\_\_\_\_

SJR \_\_\_\_\_

Appointment \_\_\_\_\_

AR \_\_\_\_\_

SR \_\_\_\_\_

Other \_\_\_\_\_

A/S Amdt 1

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_

A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:

- Passage     Adoption     Confirmation     Concurrence     Indefinite Postponement  
 Introduction     Rejection     Tabling     Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Representative Alvin Ott</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Mary Williams</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative John Ainsworth</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Jerry Petrowski</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Steve Kestell</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Scott Suder</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative J.A. Hines</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Gabe Loeffelholz</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Debra Towns</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Barbara Gronemus</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Representative Joe Plouff</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Larry Balow</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Amy Sue Vruwink</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Tom Hebl</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Rep. Steinbrink</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>8</u>	<u>5</u>	<u>2</u>	<u>0</u> = 15

Motion Carried

Motion Failed

# Vote Record

## Committee on Agriculture

Date: 5/15/03

Moved by: Plouff

Seconded by: Suder

AB 284 SB \_\_\_\_\_ Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_ SJR \_\_\_\_\_ Appointment \_\_\_\_\_  
 AR \_\_\_\_\_ SR \_\_\_\_\_ Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for: as amended

Passage     Adoption     Confirmation     Concurrence     Indefinite Postponement  
 Introduction     Rejection     Tabling     Nonconcurrence

Committee Member	Aye	No	Absent	Not Voting
Representative Alvin Ott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mary Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative John Ainsworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jerry Petrowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Steve Kestell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative J.A. Hines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Gabe Loeffelholz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Debra Towns	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Barbara Gronemus	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Joe Plouff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Amy Sue Vruwink	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Tom Hebl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Rep. Steinbunk</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>13</u>	<u>0</u>	<u>2</u>	<u>0</u>

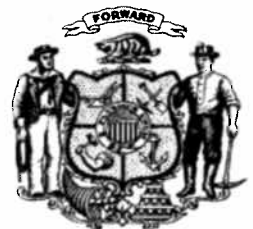
= 15

Motion Carried

Motion Failed



# WISCONSIN STATE LEGISLATURE







**DALE W. SCHULTZ**  
Wisconsin State Senator



May 14, 2003

Rep. Al Ott, Chairman, and  
Members  
Assembly Agriculture Committee

RE Assembly Bill 284, relating to Fish Health Certificates,

Dear Chairman Ott & Members.

Thank you for this taking up Assembly Bill 284 in this public hearing. The language of this bill makes a very simple and non-controversial change to the Dept of Agriculture's Fish Health Certificate requirements.

Under current law, all farm-raised fish in Wisconsin require a fish health certificate. Those fish cannot be sold, stocked or used for human consumption without such a certificate.

This bill only eliminates the requirement to obtain a fish health certificate if you are a fish rearing facility, which does not move fish off of your premises. When fish are stocked into these small non-commercial fishponds, a fish health certificate must accompany those fish.

When oversight of fish health was moved from the Department of Natural Resources to the Department of Agriculture, it was not our intent to require that small hobby fish farmers or those individuals who stocked a small pond for their own recreational purposes would be required to pay the significant costs of having a Veterinarian inspect the pond and sample the fish for diseases.

This bill does not prevent the Department of Agriculture from requiring a fish health certificate on these small ponds, it simply does not mandate that these non commercial hobbyists having to spend significant amounts to obtain certificates on fish that will not be moved, stocked into waters of the state or sold for public consumption. In fact when a commercial operator stocked the fish into these small ponds, that operators fish health certificate accompanied those fish.

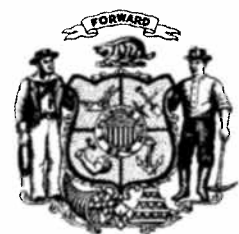
I ask that you give favorable consideration to Assembly Bill 284.

With kindest regards,

State Senator Dale Schultz  
1<sup>st</sup> Senate District



# WISCONSIN STATE LEGISLATURE





# Al Ott

State Representative • 3rd Assembly District

Testimony by State Representative Al Ott  
In Support of AB 284  
Assembly Committee on Agriculture  
May 15, 2003

Thank you madam chair and committee members for the opportunity to address you today in support of AB 284.

Last session, Rep. Sykora brought a similar bill before this committee and we recommended its passage. The Assembly voted for the bill but we ran out of time to pass it in the Senate as well.

I have picked up this issue, which is now AB 284 and along with Senator Harsdorf, worked on a companion bill in the Senate. SB 108 just recently passed the Senate.

The bill is simple – it eliminates the requirement for fish health certificates for fish farms.

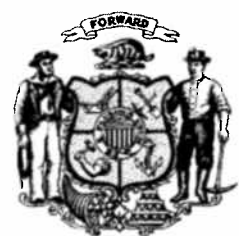
These farms are already registered with DATCP, and evidence of fish health needs to be provided when DATCP requires it. Asking fish farms to supply health certificates too seems unnecessary, when most of these farms are hobby farms and the fish and eggs are not moved off the farm or put in public waters.

This bill adds no cost to the state and reduces costs for the fish farmers.

Thank you for your time and consideration.



WISCONSIN STATE LEGISLATURE





STATE OF WISCONSIN  
OFFICE OF STATE REPRESENTATIVE BARBARA GRONEMUS

P.O. BOX 8952  
MADISON, WISCONSIN 53708-8952  
608-266-7015  
TOLL-FREE 1-888-534-0091  
FAX: 608-282-3691  
E-MAIL: rep.gronemus@legis.state.wi.us

DISTRICT ADDRESS:  
P.O. BOX 676  
WHITEHALL, WI 54773-0676  
715-538-4130  
FAX: 715-538-2119

May 19, 2003

Representative Al Ott  
Chairman – Assembly Committee on Agriculture  
Room 318 North, State Capitol  
Madison, WI 53708

Mr. Chairman and Dear Al:

Due to continuing medical and physical problems I was unable to be present at the Executive Session of the committee on May 15, 2003

In accordance with Assembly Rule 11(5)(b), I wish the committee record to reflect that had I been present I would have voted as follows on the following bills:

**Assembly Bill 283** relating to an income and franchise tax credit for expenses related to operating a dairy farm. **COMMITTEE RECOMMENDATION FOR PASSAGE: AYE.**

**Assembly Bill 284** relating to the requirement that operators of fish farms provide evidence of fish health and granting rule-making authority. **ADOPTION OF ASSEMBLY AMENDMENT 1: AYE; COMMITTEE RECOMMENDATION FOR PASSAGE (AS AMENDED BY AA1): AYE.**

Thank you for your cooperation in regard to this request.

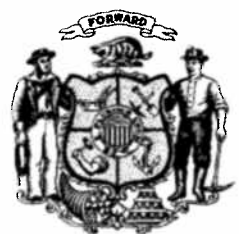
Sincerely,

BARBARA GRONEMUS  
State Representative – 91<sup>st</sup> Assembly District  
Ranking Member – Committee on Agriculture

BG/wrc



# WISCONSIN STATE LEGISLATURE



# **Assembly Republican Majority**

## **Bill Summary**

### **AB 284: Fish Health**

Relating to: the requirement that operators of fish farms provide evidence of fish health and granting rule-making authority.

By Representatives Ott, Ainsworth, Albers, Bies, Freese, Gronemus, Gunderson, Hahn, Hines, Kerkman, Kreibich, M. Lehman, Petrowski, Pettis, Plouff, Seratti, Townsend and Vrakas; cosponsored by Senators Harsdorf, Breske, Kedzie, A. Lasee, Schultz, Stepp, Welch and Zien.

**Date:** January 20, 2004

### **BACKGROUND**

The Legislature transferred fish health responsibilities to the Department of Agriculture, Trade and Consumer Protection (DATCP) in 1997. Since that time, the department has established a comprehensive and nationally recognized system for fish health regulation.

Under current law, any person who operates a fish farm must annually register the farm with the DATCP. The operator of a fish farm must also obtain an annual fish health certificate for any fish eggs or any fish raised on the farm.

### **SUMMARY OF AB 284 (AS AMENDED BY COMMITTEE)**

Assembly Bill 284 eliminates the requirement to obtain an annual fish health certificate for all fish farms. The bill continues to authorize DATCP to require an annual fish farm registration and allows the department to promulgate rules regarding the provision of evidence of fish health. As amended, the bill removes the requirement that DATCP consult with the Department of Natural Resources (DNR) when promulgating rules relating to the qualifications a person must satisfy to provide evidence of fish health.

### **AMENDMENTS**

**Assembly Amendment 1** to Assembly Bill 284 removes the requirement that DATCP consult with DNR when promulgating rules relating to the qualifications a person must satisfy to provide evidence of fish health. [adopted 8-5-2 (Reps. Ott, Ainsworth, Plouff, Balow and Steinbrink voted no; Reps. Gronemus and Hebl were absent)].

### **FISCAL EFFECT**

A fiscal estimate prepared by the DATCP indicates no fiscal effect.

### **PROS**

1. There are significant costs associated with having a veterinarian inspect and sample fish for diseases. Assembly Bill 284 removes this costly mandate, which will be of particular benefit for non-commercial hobby fish farmers.
2. Eliminates unnecessary and costly burdens on all fish farmers, while adequately protecting both private and public fisheries from a fish health perspective.

### **CONS**

None apparent.

### **SUPPORTERS**

Rep. Al Ott, author; Sen. Shelia Harsdorf, lead co-sponsor; Dr. Myron Kebus, DATCP; Rep. Garey Bies; Sen. Dale Schultz; Sen. Bob Welch; Paul Zimmerman, Wisconsin Farm Bureau Federation.

### **OPPOSITION**

No one registered or testified against this bill.

### **HISTORY**

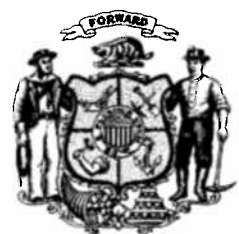
Assembly Bill 284 was introduced on April 23, 2003, and referred to the Assembly Committee on Agriculture. A public hearing and executive session were held on May 15, 2003 where the Committee voted 13-0-2 [Reps. Gronemus and Hebl were absent] to recommend passage of AB 284 as amended.

**CONTACT:** Erin Napralla, Office of Rep. Al Ott





# WISCONSIN STATE LEGISLATURE



# KESTELL

AB 165 - YES

AB 283 - YES

AB 284 - YES

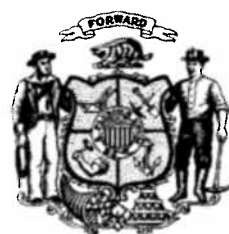
~~17 West?~~

~~HOANE~~

~~Carroll~~



# WISCONSIN STATE LEGISLATURE



AG 284

5/15/03

19!

Strengthen fish health  
by stronger  
program

Dr. Kebus

Datip

→

Hines - concerned to  
"qualified fish  
health experts"  
that may be utilized  
that are not vets...

- deregulated + privatized  
reg. function  
of vets  
when it comes to fish