

1.1 moves to amend H.F. No. 984, the delete everything amendment
1.2 (A11-0225), as follows:

1.3 Page 23, after line 26, insert:

1.4 "(d) To ensure that frozen or dead fish being brought into the state are not in violation
1.5 of paragraph (b), the following paperwork must accompany the shipment. Documents
1.6 must be open for inspection by the commissioner at any reasonable time. All documents
1.7 must be available to purchasers of these bait items. Each container or package of frozen or
1.8 dead fish must have the following information:

- 1.9 (1) waterbody source;
- 1.10 (2) lot number;
- 1.11 (3) company contact including name, phone, and address;
- 1.12 (4) date of packaging and labeling; and
- 1.13 (5) valid negative fish health certification from the source waterbody."

1.14 Page 23, after line 27, insert:

1.15 "Sec. 57. **[97C.342] CERTIFICATION THAT FROZEN OR DEAD FISH BAIT**
1.16 **ARE DISEASE FREE.**

1.17 Subdivision 1. **Definitions.** For purposes of this section, the following terms have
1.18 the meanings given:

1.19 (1) "Waterbody" means waters identified by a unique Department of Natural
1.20 Resources public water identification number; a body of water that has defined boundaries
1.21 and that has no Department of Natural Resources public water identification number; or
1.22 a section of stream designated by a Kittle number, lock and dam numbering system, or
1.23 to the upstream and downstream barrier.

1.24 (2) "Commercial license" means a license issued under section 97A.475, subdivision
1.25 26, 27, 29, or 30.

1.26 Subd. 2. **Bait restrictions.** Frozen or dead fish on the official list of viral
1.27 hemorrhagic septicemia susceptible species published by the United States Department of

2.1 Agriculture, Animal and Plant Health Inspection Services; cisco (all Coregonus, including
2.2 lake herring and tullibee); and smelt (all Osmerus, Spirincus, Hypomesus, and Allosmerus)
2.3 being used as bait in waters of the state must originate from waterbodies certified disease
2.4 free. Certification for these waterbodies is valid for one year from the date of test results.

2.5 Subd. 3. **Testing requests.** As a part of commercial licensing procedures, a list
2.6 of waterbodies requiring a fish health certification for commercial bait harvest must be
2.7 provided to the commissioner no later than March 1 of each year, except in 2011 the list
2.8 must be provided by August 1.

2.9 Subd. 4. **Certification fees.** Notwithstanding section 16A.1283, the commissioner
2.10 may by written order published in the State Register, establish fees for the services and
2.11 testing required to issue health certifications for a waterbody. The fees must be set in an
2.12 amount that does not recover significantly more or less than the costs of providing services
2.13 to health-certify a waterbody. The fees are not subject to the rulemaking provisions of
2.14 chapter 14 and sections 14.125 and 14.386 do not apply. The services covered under
2.15 this subdivision include:

2.16 (1) cost of collecting the species for testing;

2.17 (2) fish health inspection and certification, including initial tissue sample collection,
2.18 basic fish health assessment, and fish disease testing; and

2.19 (3) administrative overhead for tracking and documentation of testing.

2.20 Subd. 5. **Transportation permit requirements.** A commercial licensee harvesting
2.21 from a certified disease-free waterbody must obtain a live fish importation, transportation,
2.22 and stocking permit to move fish from that source. A live fish importation, transportation,
2.23 and stocking permit may be used for multiple shipments within a 30-day term period if
2.24 the source and destination remain the same. The commercial licensee must contact the
2.25 department within 24 hours of exercising the permit. Permits may be issued through the
2.26 department's regional offices or St. Paul office and must be obtained prior to moving fish
2.27 as approved for movement from these certified disease-free waterbodies.

2.28 Subd. 6. **Reporting requirements.** A commercial licensee harvesting bait under
2.29 this section must maintain records on forms provided by the commissioner for each lot
2.30 of fish frozen for sale as bait. The records must include the lot number for each batch of
2.31 fish frozen, waterbody health certification documentation, transportation permit number,
2.32 and other information as specified on the reporting form. The commercial licensee
2.33 must enter required records onto forms within 24 hours of packaging and labeling each
2.34 lot of fish. The commercial licensee must retain records for three years following the
2.35 year of creation. All records required to be retained must be open to inspection by the
2.36 commissioner at any reasonable time.

3.1 Subd. 7. **Labeling requirements.** Frozen fish from certified disease-free
3.2 waterbodies that are being sold as bait must be labeled. The seller of the product is
3.3 responsible for making sure the items are labeled according to this section. Each container
3.4 or package of frozen fish must have the following information:

- 3.5 (1) Department of Natural Resources certified waterbody number;
3.6 (2) Department of Natural Resources transportation permit number;
3.7 (3) lot number;
3.8 (4) date of harvest from waterbody;
3.9 (5) date of packaging and labeling;
3.10 (6) bait store or vendor name where purchased; and
3.11 (7) disease-free certification date.

3.12 Subd. 8. **Persons using frozen or dead bait.** A person on, or taking wild animals
3.13 in, waters of the state with frozen or dead bait must possess all labeling as prescribed
3.14 under subdivision 7. The person must retain the labeling until the bait is used and no
3.15 longer in the person's possession.

3.16 **EFFECTIVE DATE.** This section is effective the day following final enactment."

3.17 Renumber the sections in sequence and correct the internal references

3.18 Amend the title accordingly