



House Research Bill Summary

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Subject: Viral Hemorrhagic Septicemia (VHS)

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Overview

This bill would make a number of changes to regulations involving the transportation, importation, sale, and taking of fish that are designed to protect the state's water and fish population from viral hemorrhagic septicemia (VHS) and other diseases. The Department of Natural Resources is requesting these changes.

Section

- 1** **Bill of lading.** Amends § 17.4985, subdivision 2. Adds fish species susceptible to VHS, as determined by the United States Department of Agriculture (USDA), to the list of aquatic species required to get a bill of lading in order to be transported in the state and stocked in nonpublic waters.
- 2** **Exemptions for transportation permits and bills of lading.** Amends § 17.4985, subdivision 3. Removes fish species susceptible to VHS from the exemption from getting a transportation permit.
- 3** **Permit application.** Amends § 17.4985, subdivision 5. Requires applications for transportation permits for fish species susceptible to VHS, or their eggs or sperm to be accompanied by a certification that the source of eggs or sperm are free of certifiable diseases. Allows fish with VHS to be imported, transported, or stocked into an area where the disease already exists.
- 4** **Importation and stocking restrictions.** Amends § 17.4986, subdivision 1. Expands the requirement to get a disease certification to a person who wants to import or stock fish species susceptible to VHS.

- 5 **Licensed facilities.** Amends § 17.4986, subdivision 2. Prohibits the commissioner from issuing a transportation permit to import fish species susceptible to VHS to aquaculture facilities unless they are certified as disease free or are being imported to an area where the disease already exists.
- 6 **Disease-free history.** Amends § 17.4986, subdivision 4. Establishes the timeframe needed to establish a disease-free history for fish that are susceptible to VHS.
- 7 **Stocking private aquatic life.** Amends § 17.4987. Allows the commissioner to permit the importation, transportation, or stocking of fish with bacterial kidney disease or VHS into areas or waters where either disease already exists.
- 8 **Restriction on the sale of fish.** Amends § 17.4992, subdivision 2. Requires fish species susceptible to VHS to be free of certifiable diseases if sold for stocking or transported to another aquatic farm.
- 9 **Minnows.** Amends § 17.4993.

Subd. 1. Taking from public waters. Restricts an aquatic farm licensee from taking minnows from public waters unless the waters have been tested for and found clear of VHS.

Subd. 2. Importation of live minnows. Requires a licensee importing minnows from outside the state to get a transportation permit.

- 10 **Commercial fishing and turtle, frog, and crayfish harvesting restrictions in infested and noninfested waters.** Amends § 84D.03, subdivision 4. Prohibits the use of nets, traps, buoys, anchors, stakes, and lines used for commercial fishing or turtle, frog, or crayfish harvesting that have been used in waters with certifiable diseases from being used in any other waters.
- 11 **Exchange of fish or wildlife resources; disposal of state hatchery products.** Amends § 97C.203. Allows the disposal of fish hatchery products or the exchange of fish or wildlife resources only after they have been tested for certifiable diseases. Requires fish and wildlife resources to have a disease-free certification for diseases not currently documented in the state in order to be exchanged. Allows those not certified as disease-free to be stocked or transferred to waters already containing the disease.
- 12 **Transporting and stocking fish.** Amends § 97C.205. Prohibits persons 16 and under from transporting certain fish for purposes of display in a home aquarium by removing an existing exemption from live fish transportation restrictions.
- 13 **Certain aquatic life prohibited for bait.** Amends § 97C.341. Prohibits a person from importing or possessing live, frozen, or processed bait from waters with VHS and defines “bait” for purposes of the section.
- 14 **Rules.** Amends § 97C.391. Allows the commissioner to adopt rules regarding the buying and selling of fish in order to prevent or slow the spread of certifiable diseases.
- 15 **Authority to take, possess, buy, and sell.** Amends § 97C.505, subdivision 1. Adds a cross-reference to prohibit the taking of minnows from infested waters.
- 16 **Permit for transportation.** Amends § 97C.515, subdivision 2. Allows the commissioner to require a person transporting minnow species susceptible to VHS under a 12 hour transportation permit to certify that the minnows are disease free.
- 17 **Private fish hatchery or aquatic farm.** Amends § 97C.515, subdivision 4. Allows the commissioner to require the inspection of minnow species susceptible to VHS that are being imported for processing or feeding at a fish hatchery.
- 18 **Special permits.** Amends § 97C.515, subdivision 5. Allows the commissioner to establish restrictions involving disease certification for permits to import minnows from other states

for later export.

- 19 Possession, sale, and transportation of commercial fish.** Amends § 97C.821. Allows the commissioner to prohibit the transportation of live fish taken under a commercial fishing license from infested waters or that are infected with any certifiable disease.
- 20 Repealer.** Repeals § 97C.515, subdivision 3. Removes the ability of a person to import live minnows for use in home aquariums.
- 21 Effective date.** States that sections 1 to 20 are effective the day following final enactment.