

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Agriculture and
Environmental
Resources
(SC-AER)

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤

➤ Clearinghouse Rules ... CRule

➤

➤ Committee Hearings ... CH

➤

➤ Committee Reports ... CR

➤

➤ Executive Sessions ... ES

➤

➤ Hearing Records ... HR

➤ 97hr_ab0514

➤ Miscellaneous ... Misc

➤

➤ Record of Comm. Proceedings ... RCP

➤



DuWayne Johnsrud

State Representative

DATE: March 18, 1998
TO: Legislative Colleagues
FROM: Rep. DuWayne Johnsrud

SUBJECT: AB 514 - Captive Wildlife Legislation Fact Sheet

The Assembly Natural Resources Committee and interested parties have worked hard to refine this bill so that it has as little impact as possible on the way people run businesses and hobbies but protects animal resources, similar to the way agricultural laws have for many years. After being refined through three hearings and eleven amendments, following are some of the things AB 514 does and does not do:

- AB 514 helps prevent introduction of diseases carried by Captive wild animals to domestic and free-ranging wild animals. The introduction of certain diseases could cost our agriculture economy millions and be ruinous to wildlife populations.
- AB514 will require stocking where birds are shot under what is now called a game farm license.
- Shooting preserve style hunting for pheasants, ducks, quail and some other birds continues.
- Shooting preserve hunting for white-tailed deer is expanded to elk and other farm-raised deer.
- Reinforces the existing prohibition of "canned hunts".
- Fish, farm-raised deer and elk farms are already regulated by DATCP and are not included other than to allow deer and elk hunting.
- Creates a "Validation License" which is a grandfather clause for some existing game farms for which there will be no new license (mostly properties where birds are shot but not stocked).
- Most language regarding wildlife rehabilitators has been removed because similar rules are pending in DNR. AB 514 is **necessary** to enable these pending rules!
- Much language regarding falconry is removed because DNR recently promulgated similar rules.
- Birds brought into the state for a "bird fair" or "bird show" will not need a health certificate unless that bird remains in Wisconsin more than 48 hours.
- Dog training on free-roaming and captive birds continues to be legal.
- Groups have agreed to the new fees. Most fees have not been increased since 1927.
- National Poultry Improvement Plan certification suffices as health certification for birds, meaning each individual bird does not need to be tested.



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536
Telephone (608) 266-1304
Fax (608) 266-3830

DATE: March 23, 1998

TO: SENATOR ALICE CLAUSING AND MEMBERS OF THE SENATE
COMMITTEE ON AGRICULTURE AND ENVIRONMENTAL RESOURCES

FROM: Mark C. Patronsky, Senior Staff Attorney

SUBJECT: 1997 Assembly Bill 514 and Assembly Amendments, Relating to the
Possession of Wild Animals

This memorandum is in response to your request for a description of 1997 Assembly Bill 514 and the Assembly Amendments, relating to the possession of wild animals. The Assembly passed Assembly Bill 514 and adopted Assembly Amendments 1 to 11. The Bill has been printed engrossed by the Senate Chief Clerk.

A. 1997 ASSEMBLY BILL 514

Assembly Bill 514 creates comprehensive new regulations regarding the possession of wild animals. The Bill accomplishes this by repealing all current provisions contained in ch. 29, Stats. (the statutes related to fish and game regulation), that affect captive wild animals and creating a new chapter of the statutes devoted to the subject of captive wild animals. The new chapter of statutes is entirely self-contained and contains all provisions necessary for the regulation of captive wild animals. The Bill creates all of the various licenses required for the possession of wild animals and specifies the authority granted by each type of license. The Bill also contains all general provisions necessary for the regulation of captive wild animals, including requirements for record keeping, fees, inspections, health requirements, quarantines, local ordinances, penalties and the title to wild animals.

B. ASSEMBLY AMENDMENT 1 (OFFERED BY REP. JOHNSRUD)

Assembly Amendment 1 modifies the definition of "public zoo or aquarium" to include any zoo or aquarium that is an accredited member of the American Zoo and Aquarium Association. The Amendment makes the record keeping requirements of the Bill that apply to zoos and aquariums applicable only to zoos or aquariums that are not accredited members of the American Zoo and Aquarium Association.

C. ASSEMBLY AMENDMENT 2 (OFFERED BY REP. JOHNSRUD AND OTHERS)

Assembly Bill 514 authorizes residents of this state to take raptors from the wild under a falconry license. The Bill provides that a nonresident may take raptors from the wild under a falconry license only if the person has a falconry license in another state, province or country and if licensed residents of this state may take raptors from the wild in that state, province or country. Assembly Amendment 2 eliminates this distinction and provides that a falconry license authorizes the holder of the license to take raptors from the wild, whether the holder is a resident or nonresident.

Assembly Bill 514 creates an expedited inspection process that authorizes a conservation warden or representative of the Department of Natural Resources (DNR) to conduct inspections of places, equipment, records and wild animals that are subject to DNR regulation under the captive wild animal program. This provision is narrowed by Assembly Amendment 2 to apply only to a person who is required to have a license or maintain records under captive wild animal statutes or rules. If the DNR wishes to inspect any other place where wild animals are kept, the DNR must obtain either permission for the inspection or a warrant.

Assembly Bill 514 authorizes local ordinances that prohibit the possession or selling of types of live captive wild animals as designated in the ordinance. Any other ordinance related to captive wild animals must be in strict conformity with the statutes and rules. Proposed ordinances must be submitted to the DNR and the DNR is authorized to disapprove a proposed ordinance that does not meet the statutory requirements. Assembly Amendment 2 eliminates this provision and authorizes a city, village, town or county to enact and enforce ordinances relating to the possession or sale of live wild animals.

D. ASSEMBLY AMENDMENT 3 (OFFERED BY REP. UNDERHEIM)

Assembly Bill 514 imposes record keeping requirements on a person required to hold a license for the taking of wild reptiles or wild amphibians from the wild. The license holder is required to include in the person's records the date of the taking and the location of the taking "by township and range." Assembly Amendment 3 eliminates the requirement that the location of taking be designated by township and range. (Note: Assembly Amendment 3 was not adopted by the Assembly Committee on Natural Resources.)

E. ASSEMBLY AMENDMENT 4 (OFFERED BY THE COMMITTEE ON NATURAL RESOURCES)

Assembly Bill 514 includes in the definitions of new ch. 22, Stats., an extensive list of various wild animals, defined by species or family name. Assembly Amendment 4 eliminates these definitions.

Assembly Bill 514 authorizes a person with a rehabilitation license or scientific research license to transfer or dispose of a live captive wild animal or carcass of a captive wild animal as authorized by the DNR "at the time of the transfer or disposal." Assembly Amendment 4 eliminates this restriction, so that the DNR may issue any appropriate authorization for transfer or disposal of wild animals or carcasses by these license holders.

The broad definition of "animal" in Assembly Bill 514 raises the possibility that some creatures, particularly honey bees, may potentially be subject to regulation both by the DNR under new ch. 22, Stats., and by the Department of Agriculture, Trade and Consumer Protection (DATCP) under current statutory authority. Assembly Amendment 4 adds a provision to the Bill requiring the DNR and the DATCP to cooperate with respect to any wild animal that is subject to regulation both under ch. 22 and ch. 93, 94 or 95, Stats.

Assembly Bill 514 prohibits the introduction, stocking or release or import into this state for the purpose of introduction, stocking or release of any environmentally injurious wild animal. Assembly Amendment 4 authorizes the DNR to grant specific exceptions to this requirement. As an example, the DNR could authorize a wildlife rehabilitator to rehabilitate an environmentally injurious wild animal, neuter it and release it.

Assembly Bill 514 imposes restrictions on possession and sale of native wild reptiles and wild amphibians that apply to "less than 5" and "more than 5" reptiles and amphibians. Assembly Amendment 4 substitutes "5 or fewer" for "less than 5."

Assembly Bill 514 includes a provision that prohibits the sale of venison or the processing of venison products from white-tailed deer unless specific requirements are met. This provision might be construed as prohibiting the processing of venison taken in the wild. Assembly Amendment 4 clarifies this by making it applicable only to captive white-tailed deer.

Assembly Bill 514 establishes a Class B deer farm license for white-tailed deer farms. A Class A deer farm license is required for any other person who possesses or sells nonnative deer that are not farm-raised deer, such as hobbyists. Assembly Amendment 4 eliminates the Class A deer farm license and authorizes the possession, propagation, purchasing, selling and exhibiting of nonnative deer that are not farm-raised deer under a captive wild animal farm license. This amendment eliminates the potential for these hobbyists to be required to have both a captive wild animal farm license and a Class A deer farm license.

Assembly Bill 514 authorizes the hunting of released wild birds of those species that have been stocked in a bird hunting preserve. Assembly Amendment 4 also authorizes the "taking" of these birds, so that they may also be trapped by the holder of the license.

Assembly Bill 514 requires the DNR to issue a dog club training license to a club that meets the requirements of s. 501 (c) (3) or (4) of the Internal Revenue Code, for nonstock, nonprofit corporations. Assembly Amendment 4 eliminates this provision and allows the DNR to issue a dog club training license to any organization that meets conditions established by the DNR for these licenses.

Assembly Bill 514 eliminates all existing bird and game farm licenses under ch. 29, Stats., and creates new licenses under ch. 22, Stats. The Bill takes effect on January 1, 1999, and no specific provisions are included in the Bill for the transition from old to new licenses. Under Assembly Bill 514, some activities that are authorized under current bird and game farm licenses will no longer be permitted, and concerns have been raised that new conditions imposed on current licensees may make the continuation of the licensed activity at that location impossible.

Assembly Amendment 4 provides for the "grandfathering" of activities at locations under current bird and game farm licenses that cannot be continued under one of the new licenses. Assembly Amendment 4 accomplishes this by means of a "validation license." The amendment allows a person to obtain a validation license to continue activities that are no longer permitted under Assembly Bill 514, if the person applies for the validation license by December 31, 1999. If subsequent regulations preclude the continuation of any activity that is currently allowed at a location under a ch. 29 license, the amendment allows the person to apply for a validation license to continue that activity within six months after promulgation of the rules. To obtain a validation license, the person must have held a license under ch. 29, on March 1, 1998 and must have actually engaged in the activity on that date. The amendment excludes from the scope of a validation license falconry, the rehabilitation of wild animals and the hunting of pheasants in excess of the number of pheasants stocked. The amendment makes the validation license subject to all conditions and regulations that applied to the former license under prior statutes and rules, and also makes the validation license subject to appropriate and consistent provisions of new ch. 22, Stats., such as provisions regarding health certificates and inspections. The validation license may be renewed for five-year periods and may be transferred to subsequent owners of the affected property. The department is prohibited from charging a fee for a validation license.

Assembly Bill 514 requires the DNR to establish fees by rule for captive wild animal licenses. Assembly Amendment 4 eliminates this provision and sets the fees by statute.

Assembly Bill 514 authorizes the DNR to investigate and inspect any wild animal or other animal to be introduced, stocked or released into the wild. Assembly Amendment 4 clarifies that this applies only to introduction, stocking or release into the wild "in this state."

Assembly Bill 514 requires a wild animal that is shipped into the state to be accompanied by a health certificate that is filed with the chief livestock health official in the state, province or country of origin within seven days after the certificate is prepared. Assembly Amendment 4 provides that the health certificate must be filed with the chief livestock health official in the state, province or country of origin in accordance with the laws of that jurisdiction. Also, an alternative certification is provided for wild birds that are accompanied by a certification under the National Poultry Improvement Plan.

Assembly Bill 514 prohibits the commingling of wild animals with domesticated animals. Assembly Amendment 4 authorizes the DNR to permit exceptions to this requirement. For example, this would allow the DNR to authorize certain wild birds to be hatched and raised by domestic birds.

Assembly Bill 514 provides that only a veterinarian may operate on a live skunk to remove its scent glands, and allows a veterinarian to operate only on wild skunks brought to the veterinarian by a person who holds a Class A or Class B captive wild animal farm license. Assembly Amendment 4 modifies this to allow a veterinarian to remove the scent glands of a skunk that is owned by the holder of a Class A or Class B captive wild animal farm license, and to allow the holder of a Class A or Class B captive wild animal farm license to remove the scent glands from a skunk owned by the license holder.

F. ASSEMBLY AMENDMENT 5 (OFFERED BY THE COMMITTEE ON NATURAL RESOURCES)

Under current statutes, white-tailed deer may be hunted on a licensed deer farm. Other animals classified under the current statutes as "farm-raised deer" (elk and several species of deer other than white-tailed deer) are subject to DATCP regulation and may not be hunted on deer farms under the current statutes. Assembly Bill 514 does not change the current statutes with respect to hunting these animals. Assembly Amendment 5 requires the DNR to permit the hunting of farm-raised deer on the premises on which farm-raised deer are kept. The DNR is required to establish regulations for hunting farm-raised deer and to cooperate with the DATCP regarding the hunting of farm-raised deer.

G. ASSEMBLY AMENDMENT 6 (OFFERED BY THE COMMITTEE ON NATURAL RESOURCES)

Assembly Bill 514 establishes the qualifications required to obtain a wildlife rehabilitation license and specifies activities that are authorized pursuant to a rehabilitation license. In addition, Assembly Bill 514 gives the DNR rule-making authority on this subject. Assembly Amendment 6 deletes from Assembly Bill 514 the qualifications required to obtain a rehabilitation license and the specific authorizations under the license, and requires the DNR to promulgate rules that incorporate, to the maximum extent practicable, the provisions of the most recent draft that existed on March 1, 1998 of DNR administrative rules related to wildlife rehabilitation. The rule draft referred to in the Amendment has been developed by DNR staff and has not yet been approved in final form by the Natural Resources Board.

H. ASSEMBLY AMENDMENT 7 (OFFERED BY REP. OTT)

Assembly Bill 514 has a broad definition of "animal" for the purposes of DNR regulation of captive animals. Assembly Amendment 7 excludes from this definition, and thus from DNR regulation, any mollusk or arthropod subject to regulation by DATCP. Mollusks in Wisconsin consist primarily of clams and snails, and arthropods include insects, arachnids and crustaceans. For example, DATCP regulates honey bees.

I. ASSEMBLY AMENDMENT 8 (OFFERED BY REP. BLACK)

Assembly Bill 514 imposes certain requirements on the activities associated with rehabilitation of wild animals. Assembly Amendment 6 (described above) eliminates the qualifications established in Assembly Bill 514 for rehabilitation licenses and requires DNR to establish those qualifications by rule. Assembly Amendment 8 deletes additional requirements in the Bill related to wild animals that are exposed to or infected with contagious or infectious diseases and the rehabilitation of environmentally injurious wild animals. Any regulations on these issues may be established by the DNR under rules as authorized by Assembly Amendment 6.

J. ASSEMBLY AMENDMENT 9 (OFFERED BY REP. JOHNSRUD)

Assembly Amendment 9 adds to the definition of "domesticated animal" certain pet birds that are not native to this state, are not endangered or threatened and are not migratory birds. Domesticated animals are excluded from the definition of "wild animal" and are therefore not subject to regulation under the provisions of Assembly Bill 514. This Amendment applies primarily to parrots and other similar birds.

K. ASSEMBLY AMENDMENT 10 (OFFERED BY REP. ALBERS)

Assembly Bill 514 authorizes and establishes regulations on the introduction, stocking and release of wild animals. Assembly Amendment 10 adds a requirement that at the request of a local official in an area in which wild animals are released, the DNR must require the person who releases the wild animals to report to the local official regarding the number and type of wild animals released and the location at which the animals were released.

L. ASSEMBLY AMENDMENT 11 (INTRODUCED BY REPS. WOOD AND JOHNSRUD)

Current criminal law includes a prohibition on shooting at caged or staked animals. Assembly Bill 514 restricts this statute to domesticated animals and creates separate provisions under DNR jurisdiction regarding the hunting of captive wild animals. The new provisions in Assembly Bill 514 regarding the hunting of captive wild animals do not include a specific prohibition on shooting at caged or staked wild animals, although DNR is authorized to regulate the hunting of captive wild animals. Assembly Amendment 11 returns the criminal statute to its current form, as applicable to all animals, and modifies the current exception in that statute to permit the shooting of captive wild birds and captive white-tailed deer as authorized by DNR.

If I can provide further information on this subject, please feel free to contact me.

MCP:jt:ksm;ksm;jt:rv



Wisconsin Agribusiness Council, Inc.

2820 Walton Commons West, Suite 132 • Madison, WI 53718-6797 • Phone (608) 224-1450 • Fax (608) 224-1452

March 24, 1998

To: Senate Committee on Agriculture & Natural Resources

From: Russel R. Weisensel, Director, Legislative Affairs

Statement in support of AB 514 - In particular the animal health and treatment section

Over 75 percent of Wisconsin's farm income is derived from animal agriculture. The attached brochure will give more specifics on the off-farm infrastructure related to this industry.

In addition to our agricultural animals, the personal and economic impact of the pet industry is expanding rapidly.

Both professionally and personally we dislike regulations, recordkeeping, and bureaucracy in general. The personal, business, and tax implications of regulations are never popular. However, in any organized society, reasonable regulations are an absolute necessity.

With today's methods of transportation, and the increasing interests in exotic animals of all species, it is an absolute necessity to have health and background records on these animals. This need is also amplified by our ever increasing human population.

Any animal can harbor parasites and diseases. With exotic animals from other states and nations, this can pose a serious threat for both agricultural and companion animals.

The following are just a few examples of how visible organisms, once introduced can proliferate: Starlings, English Sparrows, Mediterranean Fruit Flies, and the Gypsy Moth. Similar examples could be cited for viruses and diseases for which only the symptoms are visible.

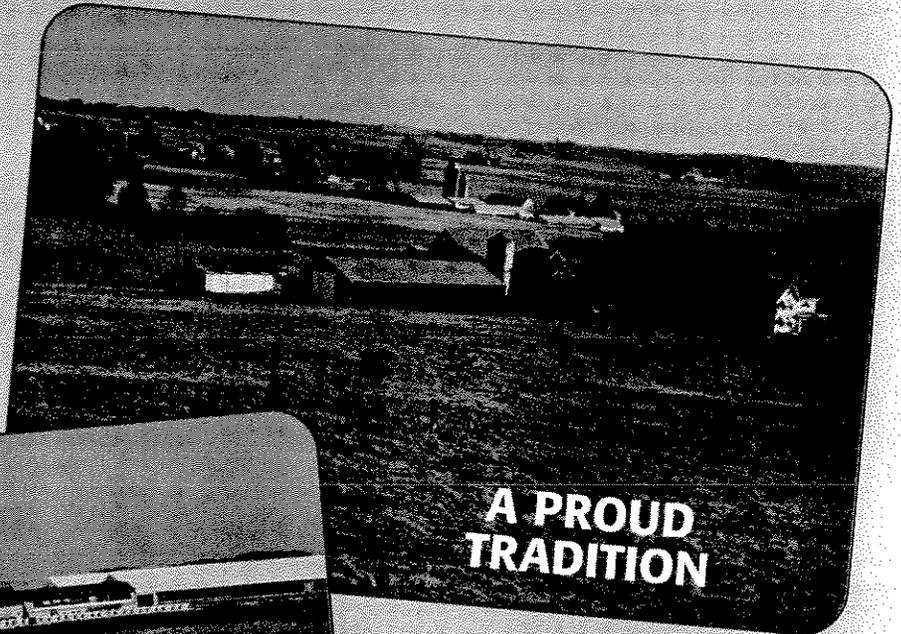
Reasonable health regulations on our animal population, whether exotic, companion, or agricultural is the price we pay for an organized society.

Thank you for consideration of our position on this animal and human health issue. We urge prompt positive action by both your committee and the full Senate.

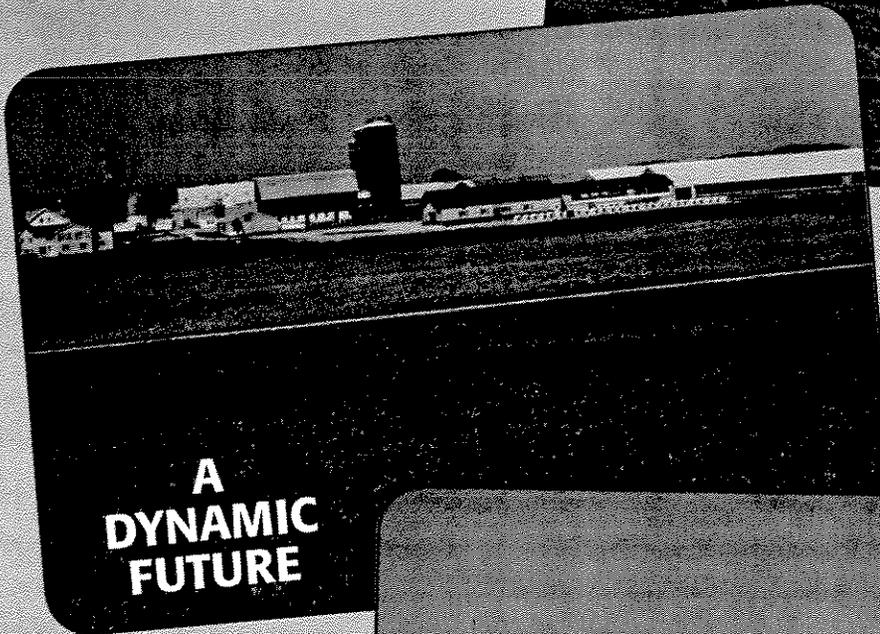
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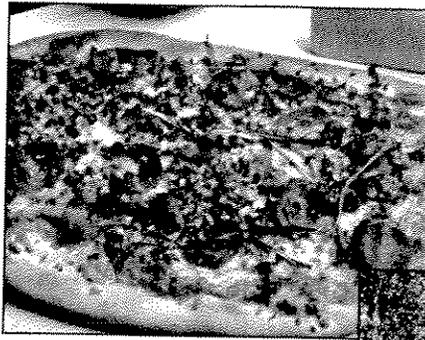
**A
DYNAMIC
FUTURE**



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WISCONSIN**

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HEALTHY FOOD FOR
A BETTER LIFE**

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WISCONSIN'S
DAIRY INDUSTRY
PRODUCES
ENOUGH
MOZZARELLA
CHEESE TO MAKE
935,000,000
MEDIUM
PIZZAS.

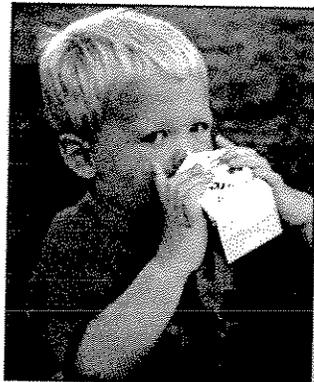


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AND TASTY FOODS ARE NECESSARY
FOR A VITAL, ACTIVE LIFESTYLE.



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MARKET ENOUGH
HAM TO PROVIDE
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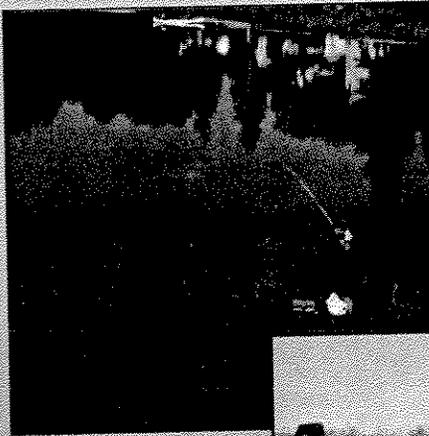


AMERICAN SHEEP INDUSTRY ASSOCIATION

PLUS MANY
CONSUMER PRODUCTS
THAT GIVE US A HEALTHY,
COMFORTABLE LIFE



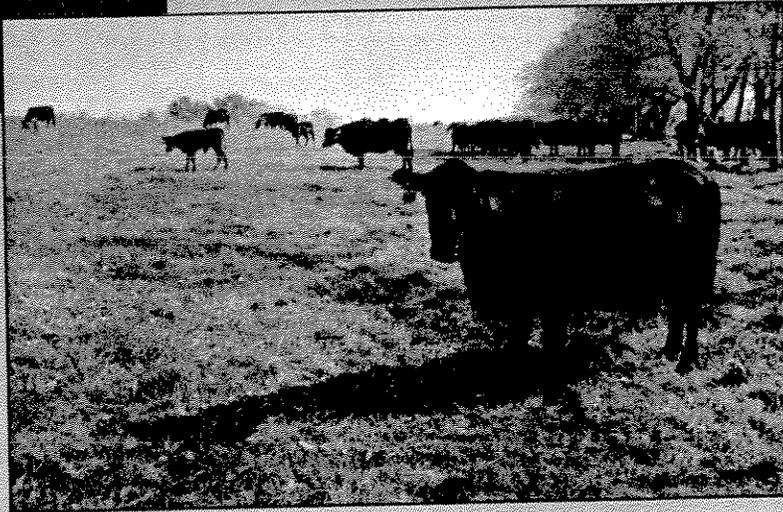
WISCONSIN AGRIBUSINESS COUNCIL



WISCONSIN AGRICULTURIST

**PROTECTING
NATURAL RESOURCES —
SOIL, WATER AND AIR — WHILE
ADDING QUALITY TO LIFE**

ANIMAL AGRICULTURE: STEWARDS OF THE ENVIRONMENT



WOLFGANG HOFFMANN

**THE TOTAL
PRODUCTION
OF BEEF IN THE
STATE COULD
PROVIDE EVERY
PERSON IN
WISCONSIN WITH
11 QUARTER
POUND
HAMBURGERS
PER WEEK.**

BEING ACTIVE ENVIRONMENTALISTS —

- **SAFEGUARDING OUR WATER SUPPLY THROUGH THE PREVENTION OF EROSION AND SILTING.**
- **PRESERVING HILLSIDES AND WETLANDS THROUGH THE USE OF FORAGE AND GRASSES FOR FOOD PRODUCTION;**
- **RECYCLING ANIMAL MANURE AND ENHANCING SOIL FERTILITY;**



WISCONSIN AGRICULTURIST

**WISCONSIN'S
DAIRY INDUSTRY
ANNUALLY
PRODUCES
ENOUGH
DELICIOUS ICE
CREAM TO MAKE
140 MILLION
DOUBLE DECKER
ICE CREAM CONES
OR ABOUT 28
CONES PER
PERSON IN
THE STATE.**

ANIMAL AGRICULTURE: CREATES JOBS

WISCONSIN FARMERS HAVE \$15.2 BILLION INVESTED IN FARMLAND AND BUILDINGS. THEY PAY \$350+ MILLION IN PROPERTY TAXES TO LOCAL PROGRAMS, EDUCATION, AND GOVERNMENT.

ABOUT 80% OF WISCONSIN'S AGRICULTURE INCOME IS DERIVED FROM ANIMAL AGRICULTURE.

EMPLOYMENT IN FOOD STORES AND EATING ESTABLISHMENTS EXCEEDS 214,000 JOBS IN WISCONSIN.

MANY WISCONSIN FIRMS AND EMPLOYEES DEPEND ON ANIMAL AGRICULTURE PRODUCERS



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MILK & CHEESE PROCESSING PLANTS
EQUIPMENT DEALERS & MANUFACTURERS

WISCONSIN'S ANIMAL INDUSTRY IS A MAJOR PART OF THE WISCONSIN ECONOMY

NUMBER OF FARMS *****	
ALL CATTLE	51,000
DAIRY	29,000
HOG	7,600
SHEEP	2,500

NATIONAL RANK *****	
MILK	2
CATTLE & CALVES	9
HOGS & PIGS	13
SHEEP	23
TURKEYS	14

DAIRY *****
1.5 MILLION COWS 22 BILLION POUNDS OF MILK 30% OF THE NATION'S CHEESE 23% OF THE NATION'S BUTTER

EXPORTS *****
GENETICS AND SEMEN QUALITY BREEDING STOCK BY-PRODUCTS • LEATHER FOOD PRODUCTS

IMPACT ON ECONOMY AND JOBS

BEEF *****
MARKET OVER 1/2 BILLION LBS. MARKET 830,000 CATTLE 150,000 CATTLE ON FEED 190,000 SPECIAL FED VEAL

VALUE ADDED *****
QUALITY MEAT FROM PASTURE FORAGE AND GRAIN DAIRY PRODUCTS \$1 BILLION MEAT PRODUCTS \$300 MILLION

TOTAL INCOME AND JOBS GENERATED *****
\$17 BILLION
OVER 400,000 AG INDUSTRY JOBS

PORK *****
MARKET 2 MILLION HEAD MARKET 350 MILLION POUNDS 20 MILLION BUSHELS OF CORN PORK PROCESSING PLANTS

ANIMAL BYPRODUCTS ARE COMPONENTS OF OR USED IN THE MANUFACTURING OF THE FOLLOWING PRODUCTS AND PHARMACEUTICALS

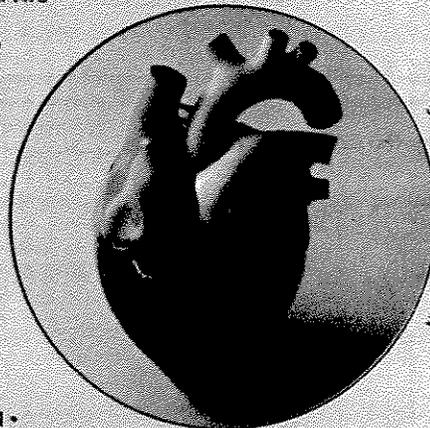
**ANIMAL AGRICULTURE:
CONTRIBUTES TO
A QUALITY LIFESTYLE**

INDUSTRIAL/CONSUMER PRODUCTS • ADHESIVES AND GLUES • ANTIFREEZE • ARTIST

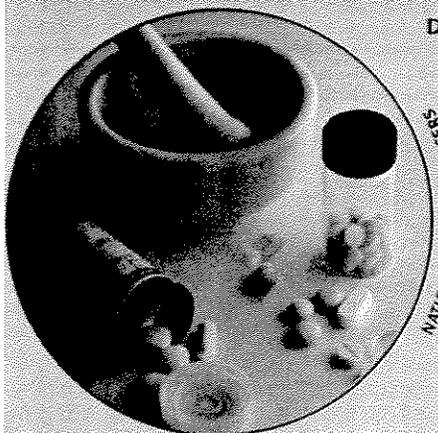
- BRUSHES • ASPHALT • BASEBALLS • BONE CHINA • BUTTONS • CANDLES •
- CARPETING • CELLOPHANE • CEMENT • CHALK • CHEWING GUM • CHINA •
- CLOTHING • COMBS • COSMETICS • CRAYONS • DEODORANTS •
- DETERGENTS • DOWN • DRUM HEADS • EXPLOSIVES • FABRICS •
- FABRIC PRINTING & DYEING • FEATHERS • FELT • FIRE
- EXTINGUISHING FOAM • FLOOR WAX • FOOTWEAR • GLASS •
- HYDRAULIC BRAKE FLUID • INDUSTRIAL LUBRICANTS •
- INSECTICIDES • INSTRUMENT STRINGS • INSULATION • LANOLIN
- LEATHER GOODS • LIGHT FILTERS • LINOLEUM • MATCHES •
- MAYONNAISE • MINERALS • NITROGEN FERTILIZER •
- NITROGLYCERINE • OIL POLISHES • OINTMENT BASE • PAINT AND
- PLASTER BINDER • PAINT BRUSHES • PAPER



- SIZING • PELT PRODUCTS • PET FOOD • PHOSPHORUS • PHOTOGRAPHIC
- PAPER • PLASTICS • PORCELAIN ENAMEL • POTASH • PRINTING
- SUPPLIES • PUTTY • RENNET FOR CHEESE • ROUGE BASE •
- RUBBER • RUG PADS • SAUSAGE CASINGS • SHAMPOO •
- SHAVING CREAMS • SOAP • SOLVENTS • SPORTS EQUIPMENT
- STEEL BEARING MANUFACTURING • SURGICAL SUTURES •
- TENNIS BALLS • TENNIS RACQUET STRINGS • TEXTILES •
- UPHOLSTERY • VITAMIN CAPSULES • WATER FILTERS • WATER-
- PROOFING AGENTS • WEED KILLERS • WOOLEN GOODS •
- WORSTED FABRIC • YARNS • **PHARMACEUTICALS** • ACTH •
- ADH • BLOOD FIBRIN • CALCITONIN • CHENODEOXYCHOLIC ACID •



- CHOLESTEROL • CHYMOTRYPSIN • CORTICOSTEROIDS • CORTISONE •
- DESICCATED LIVER • ENTEROGASTRONE • EPINEPHRINE • ESTROGENS
- FETAL PIG PLASMA • GELATIN • GLUCAGON • HEART VALVES •
- HEMOGLOBIN • HEPARIN • HYPOTHALAMUS • INSULIN •
- INTRINSIC FACTOR • LIPASE • MELATONIN • MUCIN •
- NOREPINEPHRINE • OXYTOCIN • PANCREATIN • PEPSIN •
- PLASMIN • PORCINE BURN DRESSINGS • PROGESTERONE •
- PROLACTIN • RELAXIN • SECRETIN • SPLENIN FLUID • THROMBIN
- THYROGLOBIN • THYROXIN • TRYPSIN • TSH



THERE ARE
150 YARDS OF
WOOL YARN
INSIDE A LEATHER-
COVERED
BASEBALL.

THE
SOFTEST
FEATHERS
OF A DUCK
PROVIDE US
WITH THE
LUXURY AND
COMFORT OF
NATURAL DOWN
FILLED PILLOWS,
COMFORTERS,
AND SPORTSWEAR.

WISCONSIN RANKS
SECOND IN THE
NATION IN DUCK
PRODUCTION
WITH 45% OF
THE U.S.
TOTAL.

WISCONSIN'S
POULTRY
INDUSTRY
PROVIDES
17,000,000
BROILERS FOR
CONSUMERS AND
THE FAST FOOD
TRADE.

ANIMAL AGRICULTURE: WISCONSIN HAS IT ALL

THE
BADGER
STATE
ANNUALLY
PRODUCE
ENOUGH
TROUT FOR
280,000
RESTAURANT
MEALS.

WISCONSIN
GROWS
ENOUGH
TURKEYS EACH
YEAR TO PROVIDE
THANKSGIVING
DINNERS FOR AT
LEAST 12 MILLION
FAMILIES.

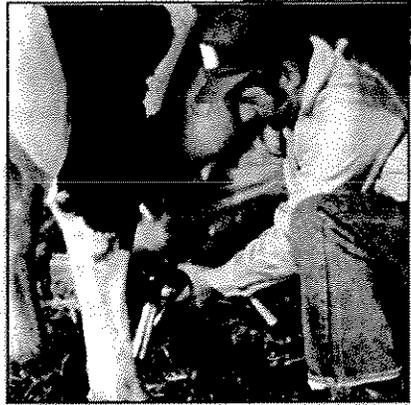
TURKEY IS A
YEAR ROUND
FAVORITE.

IT TAKES
OVER 50,000
SEMI-TRAILERS
TO DELIVER
WISCONSIN'S
CHEESE
PRODUCTION TO
CONSUMER
MARKETS

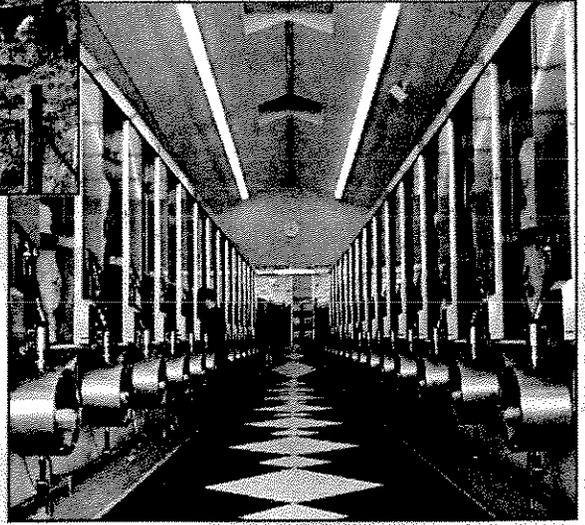


WISCONSIN AGRICULTURALIST

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11-P PHOTOGRAPHY AND JOURNALISM

INFRASTRUCTURE



WOLFGANG HOFFMANN

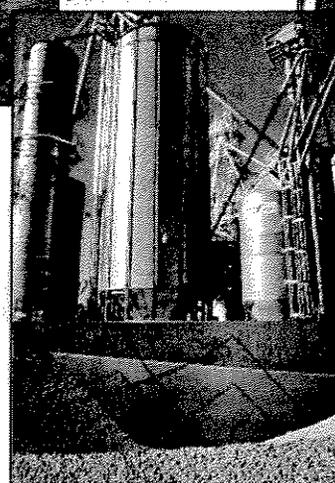
SUPPORTING INDUSTRIES

ABUNDANT SUPPLY OF
FEED GRAINS AND FORAGE

VALUE ADDED



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WOLFGANG HOFFMANN



SUPERB ANIMAL GENETICS
AND QUALITY SEED STOCK

EXPORT MARKETS



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- MINK
- OSTRICH
- PHEASANT
- RABBITS
- SHEEP
- SWINE
- TURKEY
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AND PROVIDE HABITAT FOR WISCONSIN'S WILDLIFE.



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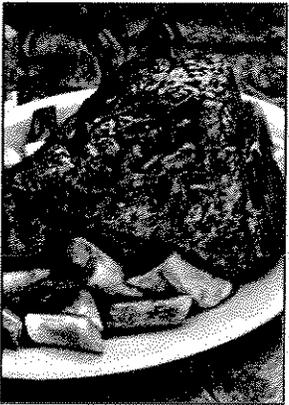
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VITAL PROTEINS

KEY NUTRIENTS
...
NINE ESSENTIAL AMINO ACIDS

ESSENTIAL VITAMINS	IMPORTANT MINERALS
THIAMIN RIBOFLAVIN NIACIN VITAMIN B6 & B12	IRON PHOSPHORUS ZINC CALCIUM



NATIONAL PORK PRODUCERS COUNCIL



NATIONAL BROILER COUNCIL

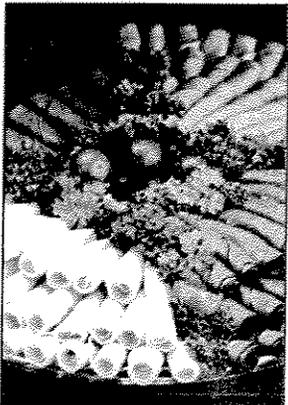
BUILDING BLOCKS FOR A HEALTHY DIET



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to **PRESERVE
PROPAGATE
EDUCATE**

March 24, 1998

Dear Senator:

I am writing to you as president of the Wisconsin Bird and Game Breeders' Association and their legislative committee chairman concerning AB 514, the Captive Wildlife Bill, asking you to oppose this bill .

We are a statewide organization of game, fur and deer farmers, wildlife exhibitors, animal dealers and small businessmen. Our 400 members' interests vary from the small backyard hobbyist all the way to those who make or supplant their incomes with the animals they raise and sell. Some of our members have been in the bird and animal business for 50 plus years and others their entire lives.

AB 514 will seriously affect the way we do business and for some of us, increase the financial burden to the point of our going out of business. DNR has had 2 and a half years, with the help from legal council and LRB to draft this bill. The forward advancement of the bill has been fast tracked and moving so quickly that we, as an industry, have not been able to review amendments, etc. This bill goes way beyond the original intent which was to separate game and fur farm laws from the hunting and fishing laws in ss 29. Representative Johnsrud, the bill's sponsor, stated to our industry at a hearing in Stevens Point in December that he hates game farms and zoos and would like to outlaw them.

One main objective was to specifically list what licenses were needed for what species. After studying this bill, I am still unsure what species you need licenses for. Also an exact listing of species in statutes would eliminate the possibility of change of interpretation. In the past we have been permitted to possess and propagate certain species and after making our investments of time and money for breeding stock and pens, were told we could not continue this activity.

We support the DNR's obligation to regulate what is taken from and released into the wild. New proposals would regulate almost every animal and bird in the world.

As an organization which has been working on this new drafting process for almost eighteen years, we cannot go along with any of the clauses which allow DNR to promulgate rules to govern us. One major reason being that throughout the drafting process we have tried to have input and our suggestions were ignored. Several times at those meetings we were told that if we were going to discuss certain items, DNR would pack their books and go home. If the industry were to voice opposition to a proposed rule



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what recourse would we have if DNR did not share our concerns. DNR also has a policies and procedures handbook that gives field personnel guidelines, which DNR enforces in the same manner as administrative rules. This is especially true when dealing with endangered species and acreage game and fur farms. An amendment requiring the DNR to consult with the industry while writing administrative rules in statute would go along ways in easing our concerns.

The portion of the bill that I'd like to address deals with private ownership of birds and animals, purchased from other owners, propagated on our own land, with our own time and money. These are birds or animals not taken from or released into the wild. A more appropriate place for our industries regulations would be with the Department of Agriculture along with the farm raised deer and aquaculture. Another way to help with our concerns would be to establish some criteria making our stock farm raised or captive bred. Even the U. S. Fish and Wildlife Service has a provision that mallards raised in captivity for 3 or more generations are considered domestic.

We object to the exemption for zoos, aquariums and Circus World. These persons can do business without the hassels that private individuals have to go through, yet they deal in many of the identical species we do business in.

We are opposed to some of the record keeping requiremnts. Years ago, a yearly inventory report was required. Then it was done away with because DNR said it took up space and no one ever looked at them enyways. Now DNR wants it reinstated on page 47. Part of this report would be the report any deaths. It can be a continous job to see if anything was killed by a preator or a sibling or just plain failing to thrive and die. A farmer does not have to report his loss of a calf or pig or chicken to anyone.

We object to the prohibition of the comingling of captive animals and domestic species. Under the new amendments DNR would have to approve of such comingling. Many time baby chicks are placed with rarer species to teach them how to eat and drink and generally calm or confort them. Sometimes a companion animal is necessary.

We oppose the enviromentlly injurious and inherently injurious lists. While we share concerns over the damage to the enviroment that some introduced species could do, we believe that complete prohibition of possess and propagation of those species are not necessary. Many states allow possession of inherently injuriously animals, such as big cats, primate and bears if you hold a USDA permit. USDA has a strict inspection regiment and pen and safe handling and keeping requirements.



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DNR does not need to duplicate this authority.

In summary, we cannot support this bill because we do not know what the "blank check" to the DNR will entail. Our industry does not have a free ride. All our birds and animals must already comply with DATCP rules. The U. S. Fish and Wildlife Service regulates waterfowl and other migratory species and United States and foreign endangered species. Persons exhibiting animals are regulated by the USDA. Additional DNR involvement will only duplicate regulations and will definitely mean more government involvement in our lives, not less.

Despite DNR's opinion that game, fur and deer farms serve no useful purpose, we strongly disagree. Private game farms are a source of education and enjoyment for the individual and the entire family, teaching the appreciation of nature and the outdoors and learning about wildlife. With an increasingly urban society, we are able to share our experiences with schools, youth groups and disadvantaged people who are not able to get in the outdoors and offer a hands on experience. At our own expense we are and would like to continue to propagate endangered and threatened species and the continuation of their gene pools. Peregrin falcons and Trumpeter Swans have been provided by us for reintroduction back into the wild. With the disappearance of habitat for some species, such as the Nene Goose, Swinhoe Pheasant, Masked Bobwhite, captive propagation will be the only way to insure continuation of the species. There are more of these species in captivity than in the wild.

We also are able to provide close up opportunities for artists, photographers and carvers. Shooting preserves offer recreation and hunting opportunities thereby taking pressure off the natural resource. We serve as a source of specimens for taxidermy and provide a source of birds and animals for dog trainers. Private facilities supply internship opportunities to college students and also on graduate levels. Game farms provide learning for pre-vets, vets, biology and zoology students. Experiences learned on a private game farm enabled the capture of the elk for the elk reintroduction project.

We hope that you will be able to see that we still have many concerns about this bill and that you will vote in opposition to it at this time. Thank you.

Sincerely,

Mary Poppie, President



Madison Audubon Society Inc.

222 S. Hamilton Street, Suite #1 ■ Madison, WI 53703-3201 ■ 608-255-BIRD (2473) ■ Fax 608-255-2489

Captive Wildlife Bill AB 514

Hearing before Senate Committee on Agriculture and Environmental Resources
Wednesday, March 25, 1998

Testimony of Karen Etter Hale, Executive Secretary

Good morning and thank you for this opportunity to speak. My name is Karen Etter Hale and I am here representing the Madison Audubon Society and its 3500 members in southern Wisconsin.

We support AB 514, the Captive Wildlife bill, or as it has also been called "The Wisconsin Wildlife Protection Act." This important legislation, which is sorely needed, has languished for years. It is time to finally implement this bill.

Much time, energy, and thought has gone into the details of this complex and comprehensive bill package over the past 15 years or more. In fact, it is *70 years* since fees have been raised. Progress in this area has been a long time coming. This bill needs to be passed to protect our native wildlife, our domestic wildlife, *and ourselves* from the introduction or spread of harmful diseases. This is especially true as the human population increases and expands more and more into rural areas, and the lines between agriculture and city, rural and urban, become blurred.

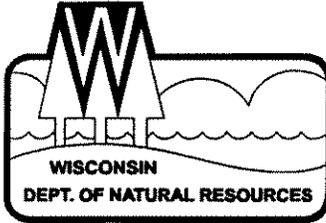
Especially important is the control of animals which could be environmentally injurious or detrimental to our state's natural resources. We have all seen how quickly some species have spread. European starlings and house sparrows, for example, are found in every corner of the state. Starlings are a significant competitor with other native cavity-nesting species, such as red-headed woodpeckers.

Speaking of birds, we are pleased to see the provision for temporary possession of injured birds or wildlife. While Audubon generally advocates letting nature take its course, we humans have, and continue, to throw numerous obstacles in the way and have a certain responsibility to care for wildlife that may become injured, particularly through no fault of its own.

This bill will also, very importantly, clarify and simplify the licensing and permitting system. What was for me one of the most impressive aspects of a wildlife conference paper presented several years ago, was an extremely complicated schematic of the permit process. The handout I have provided is a very simplified version; my understanding is that the reality is much worse.

For all of these reasons and more, we urge you to endorse and pass AB 514. Thank you.

M:\wp\captive wildlife testimony.398



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

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March 25, 1998

**Assembly Bill 514
Department of Natural Resources Testimony**

The Department of Natural Resources strongly supports Assembly Bill 514.

For the past several years the department has been working with interested parties on changes to the captive wildlife regulations. This process has generated considerable comment and controversy during the extensive public participation process. We have worked with 30 different industry groups, attended over 100 meetings to discuss concerns and issues and responded to more than 4,000 letters and telephone calls. There are still concerns on the part of some people who have been involved in the process; it is complex, it covers a broad range of issues and it would require some changes in management and philosophy for some individuals. This bill is the result of the meetings and contacts with the interested parties. We attempted to reach consensus on all issues but occasionally the protection of the state wildlife resources, domestic animal resources or the protection of the public has had to take precedence.

There are three primary reasons that the department initiated this effort to redraft all of the captive wildlife legislation:

***Captive wildlife licensees requested a number of substantial changes.**

***Risk of disease transmission to domestic and wild animal populations from captive wildlife has increased dramatically over the years with few requirements for health testing of captive wild animals.**

***The focus of the captive animal industry has changed dramatically over the years and the current regulations are ill-equipped to monitor the industry and protect the wildlife populations.**

Licensees requested a number of substantial changes.

Many examples can be cited where licensees came to the department and requested substantial changes to the captive wildlife regulations:

1. The current statutes vested the legal title to all captive wild animals with the state and not with the licensee who bred and raised the animal. Licensees felt they should have legal title to the animals bred and raised by them.
2. The current statutes require the state to make a determination that the land is suitable for breeding and propagating the animal species being licensed. Licensees felt this was a



*Quality Natural Resources Management
Through Excellent Customer Service*



subjective determination sometimes finding themselves restricted from raising specific species of animals.

3. Shooting preserves wanted reasonable procedures for recording of names of hunting guests and less stringent tagging requirements for dead plucked frozen birds leaving the shooting preserve.
4. Dog trainers wanted to be able to charge clients for the birds used in training their dogs without the risk of being fined for selling game birds without a license.
5. Licensed wildlife exhibitors wanted the ability to sell excess animals, current law does not allow the sale of animals by exhibitors.

Risk of disease transmission to wild populations from captive wildlife has increased dramatically.

The primary reason for this legislation to develop adequate captive wildlife disease control mechanisms. Deer, bear, bighorn sheep, wild boar, prairie dogs, wild species of waterfowl, pheasants, poisonous snakes, and virtually every species of wild animal move into, out of and through Wisconsin on a daily basis. Most of this wildlife traffic is carried on with absolutely no disease testing. The risk to Wisconsin wild and domestic animal populations and to the citizens of this state is substantial. Several examples of disease risk concerns are:

1. The Manitowoc County TB incident is the most recent example. Several elk on the farm in Manitowoc County were confirmed to have TB. The farm is also licensed as a white-tailed deer farm and holes in the perimeter fence have raised concerns that white-tailed deer that were commingled with the elk may have escaped and carried the disease beyond the fenced area. The Department is currently involved in assessing this risk and testing hunter harvested deer that were taken in the vicinity of the elk and deer farm.
2. The current TB outbreak in Michigan free ranging wild deer is another example. Michigan has confirmed bovine tuberculosis in 149 free ranging white-tailed deer in a five county area (percentage of positives up from 2.33% to 4.3%). This is a spreading disease situation still out of control after two years of study. Controlling diseases in wild populations is extremely difficult once they are established and is sometimes impossible. The best line of defense is prevention through proper health testing of captive animals.
3. Another example is the recent investigation conducted by Center for Disease Control (CDC) and Wisconsin DHFS, Bureau of Public Health in reference to prairie dogs that were shipped by a Wisconsin wild animal dealer to two research facilities, one in Texas and another in Massachusetts. The prairie dogs started dying and were diagnosed by CDC to have tularemia. These prairie dogs could have just as easily have been sold to pet stores and subsequently sold to children as pets, a common practice with prairie dogs.

Other examples of bubonic plague and hantavirus in prairie dogs, Duck Plague in captive waterfowl, raccoon rabies and turkey pox can all be cited to show the risks that exist when wild animals are moved around the country with little or no disease testing.

The focus of the captive animal industry has changed dramatically over the years.

Many of the regulatory statutes were drafted 50 years ago with only minor changes being made since then. The business activities of some captive animal licensees have changed dramatically over the last couple of years and the regulations are ill-equipped to deal with these changes. Some examples are:

1. There are businesses fencing thousands of acres of land with 8 foot high fences in order to become licensed as deer farms. During the fence building process some deer farm applicants are spending thousands of dollars on bait to draw hundreds of wild deer into the fenced area prior to closing the fence. By current statute the deer farm applicant pays only \$25.00 for each deer inside the fenced area. The deer are subsequently sold for \$350.00 (does and fawns) and up to \$5000.00 for trophy bucks, a good profit from a public resource.
2. There are deer farmers in Wisconsin that have built specially designed buildings to collect deer urine. They place the deer in four foot by eight foot plywood boxes (two deer per box), inject the does with hormones to keep them in estrus and collect urine from the deer. One Wisconsin deer urine collection facility has a thirty percent fatality rate presumably because of the stress placed on the deer in the collection box.
3. Some game farmers and deer farmers are offering exotic animal hunts in fenced enclosures for bear, wild boar, exotic wild sheep and bighorn sheep. The hunts can vary in cost from \$500.00 to \$5000.00 per animal. DNR employees have witnessed a bighorn sheep hunt on a licensed deer farm in Portage County earlier this fall. The bighorn sheep, most likely from a zoo, was shot in a small pen of several acres by a person that came in all the way from Utah. This type of hunt is illegal but currently has to be referred to the sheriff department for investigation. Sheriff department usually want to refer the case back to the DNR because the DNR licenses the facility in the first place.

It is quite obvious that the regulations have not kept up with the changes in the captive wildlife industry.

Since the 1940's the domestic livestock industry has been required to meet specific health testing requirements on all their livestock. The captive animal industry has largely been exempt from those requirements, but now, because of the risk and changes to the industry it is time for the captive wildlife owners to meet the standards necessary to operate in the 1990's.

Several captive animal breeders have said they can not afford to test their animals. The opposite is true. Wisconsin cannot afford to allow captive wild animals to be shipped into this state without proper health testing. This bill provides the framework for those health testing requirements and also provides adequate controls to address the changes taking place in the industry. In addition, this bill addresses many of the concerns raised by the licensees and the public during the course of the past 10 years of work on this legislation.

In closing, the Department of Natural Resources wholeheartedly supports AB 514 and looks forward to working with the legislature, the captive wildlife licensees, and the public on the next steps of the process.



**WISCONSIN COMMERCIAL
DEER & ELK
FARMERS ASSOCIATION**

- ◆ Keep the difference between the wild animals verses the domesticated animals.
- ◆ The animals are our animals and not the states.
- ◆ The Horsdorf amendment only covers the deer and elk not the other domesticated animals. The core of other domesticated animals are left out.
- ◆ **Currently have a pasture culling and slaughter procedure.** This systems works well. These carcasses are inspected for restaurant use. We shoot them with a rifle and are bled and take them to a slaughter facility.
- ◆ This is not hunting as people are thinking of it. We are culling our herd. Culling our herd is the best way for us to get a better herd supporting our industry.
- ◆ These animals are going to die one way or the other. Why should we sell them to another state when we can keep the industry here. The animal will not be run down with dogs, it is a humane kill.
- ◆ We are not opposed to having some guidelines but we do not want to do this with the DNR. We want it to be done with the Ag Dept, with input from the DNR, as long as the Ag Dept regulates it and keep **us at Domesticated animals status..**
- ◆ We are under the Ag Dept and feel we should stay there. It parallels the Aqua Culture. The animals are domesticated. When you go fishing, you are under the DNR. If you go to a fish farm and fish that is under the Dept of Ag.
- ◆ We do not get rid of these animals unless we have to. They are a renewable source. It is similar to milking cows. When the animal is not useful anymore we need to cull or herd. We should not be penalized for this.
- ◆ We want the wording to state what you mean, not what your intention is. This bill has been worked on for 12 years. and should indicate exactly what your points are.
- ◆ We sat at the meeting in Madison with the Ag Dept, DNR, etc. then they had a meeting the next day that we were not invited to.
- ◆ **See and read 951 and summarize it.** In reading this it could be a violation and illegal to kill an animal in a man made enclosure. This would make slaughter facilities illegal.
- ◆ AB514 is not something that we think we can live with especially because we need to go back to the 951.09
- ◆ The Language of 951 is so broad that it could set an undefined precedent of slaughter of domestic animals.
- ◆ The Ag Dept and the DNR together should be deciding what animals are wild and which are domesticated.
- ◆ There are four or five farms going out of business every day. These type of rules will strangulate this industry.



Madison Audubon Society Inc.

222 S. Hamilton Street, Suite #1 ■ Madison, WI 53703-3201 ■ 608-255-BIRD (2473) ■ Fax 608-255-2489

Captive Wildlife Bill AB 514

Hearing before Senate Committee on Agriculture and Environmental Resources
Wednesday, March 25, 1998

Testimony of Karen Etter Hale, Executive Secretary

Good morning and thank you for this opportunity to speak. My name is Karen Etter Hale and I am here representing the Madison Audubon Society and its 3500 members in southern Wisconsin.

We support AB 514, the Captive Wildlife bill, or as it has also been called "The Wisconsin Wildlife Protection Act." This important legislation, which is sorely needed, has languished for years. It is time to finally implement this bill.

Much time, energy, and thought has gone into the details of this complex and comprehensive bill package over the past 15 years or more. In fact, it is *70 years* since fees have been raised. Progress in this area has been a long time coming. This bill needs to be passed to protect our native wildlife, our domestic wildlife, *and ourselves* from the introduction or spread of harmful diseases. This is especially true as the human population increases and expands more and more into rural areas, and the lines between agriculture and city, rural and urban, become blurred.

Especially important is the control of animals which could be environmentally injurious or detrimental to our state's natural resources. We have all seen how quickly some species have spread. European starlings and house sparrows, for example, are found in every corner of the state. Starlings are a significant competitor with other native cavity-nesting species, such as red-headed woodpeckers.

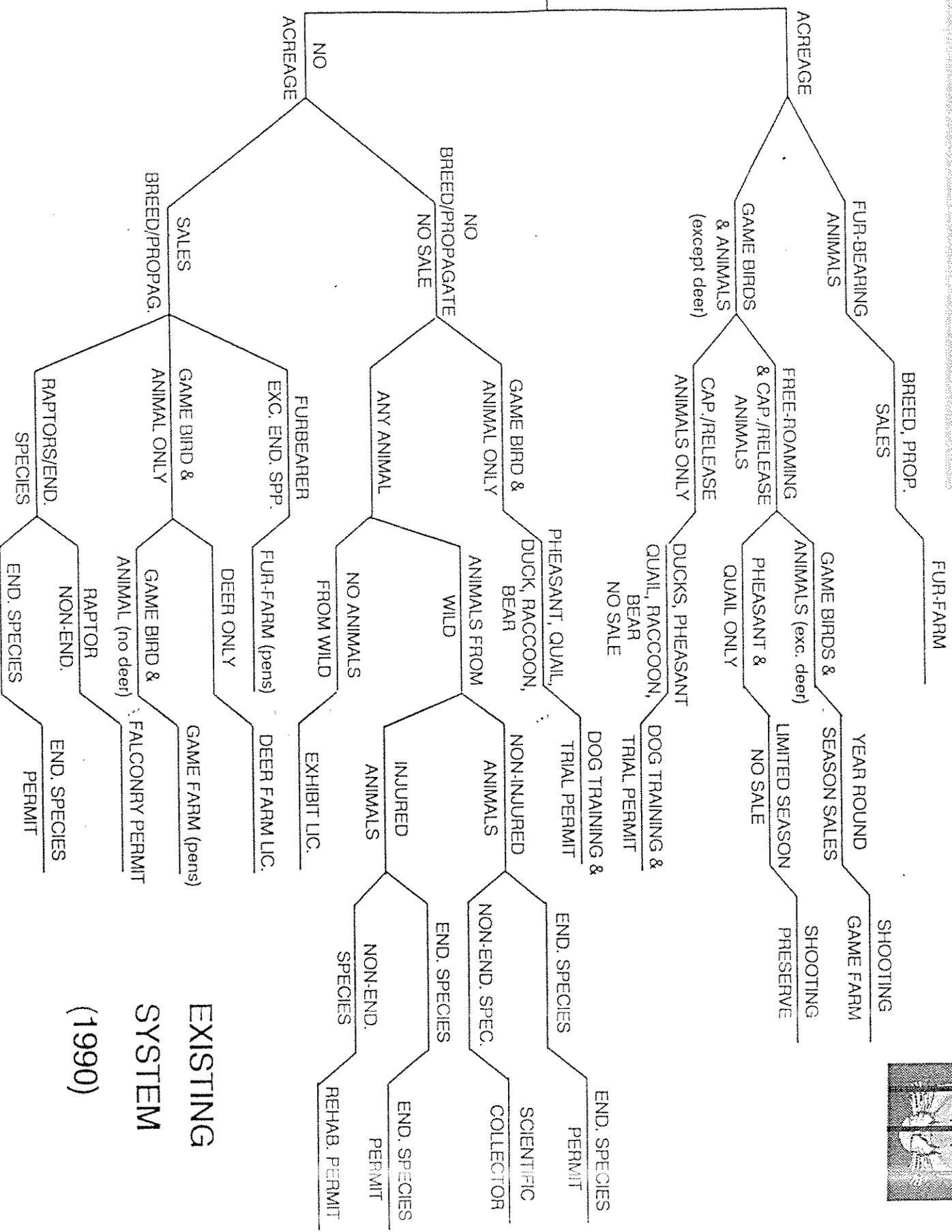
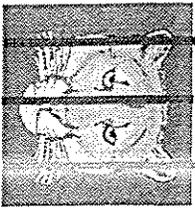
Speaking of birds, we are pleased to see the provision for temporary possession of injured birds or wildlife. While Audubon generally advocates letting nature take its course, we humans have, and continue, to throw numerous obstacles in the way and have a certain responsibility to care for wildlife that may become injured, particularly through no fault of its own.

This bill will also, very importantly, clarify and simplify the licensing and permitting system. What was for me one of the most impressive aspects of a wildlife conference paper presented several years ago, was an extremely complicated schematic of the permit process. The handout I have provided is a very simplified version; my understanding is that the reality is much worse.

For all of these reasons and more, we urge you to endorse and pass AB 514. Thank you.

Mas\wp\captive wildlife testimony.398

Wisconsin's Captive Wildlife Law



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TO: Wisconsin Senate Committee on Agriculture and Natural Resources

FROM: Thomas H. Howard, D.V.M. representing the Wisconsin Veterinary Medical Association (WVMA) as a member of its Legislative Committee

SUBJECT: AB 514

I am presenting this testimony in support of the several provisions of this bill that would create health requirements for wild animals entering Wisconsin, housing and humane care of these animals, and other provisions related to disease control. Other provisions supported by the WVMA include quarantine authority, disposal of diseased animals, and rulemaking authority for the Department of Natural Resources that will increase its capability to prevent the introduction into Wisconsin of diseased wild animals.

Events of the past several years in Wisconsin and elsewhere have shown very clearly the linkage among wildlife health, the health of domestic animals, and human health. Zoonotic diseases, which are diseases transmissible from animals to humans, including such important livestock diseases as brucellosis and tuberculosis, can and do infect wildlife species. This legislation is needed if Wisconsin is to protect the health of its citizens, safeguard its hard-won international status as a supplier of healthy livestock and genetics products, and protect native wild animals.

Wild animals are moving in interstate and international commerce as never before, and there have already been dramatic examples of the introduction of disease by this trade, as well as some near misses. Raccoon rabies was introduced into the eastern seaboard states by a shipment of infected animals from Georgia. Once introduced, epidemic rabies has spread among raccoons throughout New England and as far west as eastern Ohio. This epidemic shows no signs of diminishing, and has resulted in the expenditure of millions of dollars of public and private funds for development and distribution of wildlife vaccines and other control measures. Nevertheless, livestock losses and human exposures to rabies have continued. In addition to this disaster, during 1994 rabies was introduced into kennel dogs in Alabama through infected coyotes shipped from Texas.

Several years ago, a shipment of brushy-tailed possums was illegally imported into the U.S. from New Zealand using some paperwork slight of hand. These small mammals were sold and distributed as pets before the importation was discovered. USDA Veterinary Services had to trace down and dispose of these animals, including some in Wisconsin. This species is proven to spread tuberculosis among cattle and farmed deer in New Zealand. This incident at least illustrated the value of health certificates in tracing animal movements.

Some may say that Wisconsin's regulation of entry of these animals with the associated health certificates and tests are burdensome and would stifle alternative agriculture. I submit that this "burden" has served America's livestock producers well in tracing and eliminating important livestock diseases, and that it is foolish to jeopardize the large public and private investment in health livestock by allowing disease to enter Wisconsin through imported wildlife. To those who may say that WVMA is motivated by self-interest in its support of this legislation, I must point out that Wisconsin veterinarians cannot expect any new business if this bill is enacted. AB 514's provisions fall on animals coming into Wisconsin from other states, and tests and examinations are performed in the states of origin.

In today's international trading environment, regulators in customer countries can and do examine the precautions taken at the level of interstate trade to prevent spread of animal diseases. I made a trip to China

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during 1997 on behalf of USDA—Wisconsin is one of only 20 states presently able to ship cattle and genetics products to that country. Sales of genetics products such as cattle semen and embryos from Wisconsin can be conservatively valued at \$150 million per year. This is business worth having and protecting.

Simply put, trade in exotic wildlife species is a business that should be put onto an equal regulatory animal health and humane care footing with Wisconsin's \$4 billion livestock industry.

History

During my tenure as Wisconsin State Veterinarian, I was in close touch with Dr. Sarah Hurley and her colleagues at WDNR as they worked on the proposal that led to this bill. They were extremely sensitive to the need for teamwork with WDATCP's Division of Animal Health, and the need to develop statutes and regulations that are similar to those for domestic livestock and pets. I believe that WDNR's position in this regard has not changed. To my eye, there is no evidence of regulatory overlap or overkill in this legislation. As small businesspeople, veterinarians are as sensitive as anyone to regulatory burdens. No members of WVMA's Legislative Committee raised that concern after studying this legislation.

This legislation has been through a long and thorough process of development, including public comments and review by the WDNR Board. We recognize that AB 514 is a diverse bill, but we also urge you not to lose sight of the importance of its animal health provisions to Wisconsin animal agriculture and public health.



International Crane Foundation

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BARABOO, WI 53615-0047, USA

My name is Julie Langenberg. I am the staff veterinarian at the International Crane Foundation in Baraboo. ICF believes it is very important to have state laws covering captive wildlife. Without regulations such as those outlined in this bill, Wisconsin's biodiversity cannot be adequately protected, and the welfare of wild animals in captivity is not assured.

I would now like to speak as a wildlife veterinarian. Over the last ten years I have worked on a variety of Wisconsin's captive wildlife, with game farms, zoos, rehabilitators, falconers, and wildlife researchers. I support this bill as a long needed, promising and practical effort to protect the native wildlife resource and interests of the citizens of this state. As a veterinarian, I am especially happy about the bill's provisions to insure the welfare of wildlife in captivity, and to detect and control infectious diseases of importance to native wildlife and the state's livestock and domestic animals.

I do have some concerns. The real efficacy of Bill 514 for captive wildlife is dependent on the Department of Natural Resources' success at promulgating the many rules necessitated by the language of the bill. For example, protection of Wisconsin citizenry, wildlife and the environment from non-native "inherently dangerous" and "environmentally injurious" animals is dependent on the DNR's ability to identify and stipulate these species. Similarly, the State will only be successful in insuring wild animal welfare and limiting the impact of disease on wildlife and livestock resources if the DNR is both complete and cautious in developing humane care and housing rules (22.36) and a list of reportable diseases (22.41). I urge the DNR to work closely with constituent groups in the development of rules under Bill 514; the experience and expertise of these groups will be needed to create effective and enforceable rules.

Another welfare concern I have is the exemption that allows possession of a number of wildlife species (22.03 (4)) and 5 or fewer native reptiles or amphibians (22.12 (1)) without a license. Though I recognize the pragmatic considerations that led to these exemptions, I hope that a mechanism can be found for the state to protect the welfare of these wild animals while in captivity and to ensure the continued health of their wild populations.

Thank you for this opportunity to comment on Bill 514. I commend those who have worked so long to develop guidelines to protect Wisconsin's wildlife resource and support those citizens whose lives are enriched by their interactions with captive wildlife.

Julie Langenberg, VMD
Staff Veterinarian, International Crane Foundation



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Items of concern to the Wisconsin Bird and Game Breeders' Association:

Some of the exemptions for certain domestic species such as the mink and foxes that were under ss 29 have been repealed by AB514.

Under the analysis of AB 514, page 3, the listing of the types of birds and animals that are subject to regulation is too vague. Such a list will be left entirely up to the DNR.

The non-Wisconsin endangered species presently are regulated by other government agencies but under AB 514 the DNR will also regulate them

We believe that DNR should have no more authority for inspection and regulation than they are checking hunters and fishermen.

Under the definition, page 6, lines 4-6, animals should be changed to include only those species found normally within the boundaries of Wisconsin in the present.

Page 7, lines 11-14, addresses endangered and threatened species. These lines should address on Wisconsin endangered species since the federal regulations already control the other endangered species.

We also oppose the establishment of an inherently dangerous animal list. All animals can potentially harm a human.

On page 13, lines 3-9, the wording should include nonresidents exemption for those covered by an NPIP certificate or birds be ~~tested~~ ^{tested} within 60 days prior to entry.

On page 14, there are exemptions for pheasants but no exemption is made for wild ducks. Non-native deer are covered by the ag dept. but still are regulated by DNR.

We don't believe that big business such as zoos and aquariums, Circus World should be exempted from regulations, the small businessman is required to follow the requirements.

Environmentally injurious animals need to be addressed and allowed.

On page 25, line 4 which deal with proof of origin needs to be further defined. A trapper does not have to prove where his furs have originated from when he sells the fur to the fur buyer.

On page 27, lines 10-21 dealing with the calculation of sales. Would each license be dealt with separately, deer farm, fur farm, native and non native animals or a combination of all your licenses.

on page 28, line 9 dealing with qualified persons should be stricken and elsewhere whenever this phrase occurs. How will DNR determine who is qualified.

On page 28. Deer farm license does not make allowances for any of the other species still under DNR deer farm licenses.

Wild fur farms, page 30, line 2, kill by trapping- has been changed from kill by any means. This needs to go back to the original wording.

Page 30, lines 8-9, restricting the number of otters that can be taken. When wild fur farmers purchased these otters there were no limits. Line 11, single parcel of land needs more defining, What about a road that goes through the property.

Page 41, lines 22-24 should include a free market license to nonprofit groups such as 4-H

Amendments dealing with license fees for deer farms is \$200 initially and \$100 for a renewal. Small deer farmers need a break. On a big game hunting license a hunter can shoot up to 4 deer for a license that costs much less.

Page 42, lines 7-9, dealing with private sales. Animal market sale are a central gathering place. Many times we have orders to be delivered at a sale that has nothing to do with the auction and are not consigned as part of the sale. This section needs to be eliminated.

Page 44 establishes 3 year licenses for dog trialers and fur farmers, why not include game farmers and deer farmers.

Page 46 (2) Persons under 18 would need a parent or guardian to sign the license for game farming. A young hunter doesn't need any signature other than his own. The same holds true for a drivers license.

(b) a fur farmer, deer farmer, etc., would need to be at least 14 years old, yet you can get a trapping license if you are 12.

Page 47, lines 11-12. This entire section needs to be deleted. A farmer does not need to report how many calves or pigs or chickens have died. We want the same consideration.

Record keeping on page 49, lines 18-19. A person would be required to complete paper work within seven days. Are business is very seasonal and at times this requirement would be a hardship. Lines 24-25 would require notification to DNR when a transaction involves a bear, big cats, deer, otters and wolves. Seven days here is a problem too.

Page 50 on annual reports. These were done away with some years back, saying that no one ever looked at them anyways and they just took up space. Now DNR wants them back.

Page 52, lines 17-19. How is the buyer supposed to know if this animal was legally obtained. The seller when asked could lie about it's origin and how is a purchaser going to prove otherwise.

Page 52. The amendment dealing with NPIP approved birds needs to be further amended to include "or be pullorum tested within 60 days of entry"

It is our opinion that the record keeping requirements are just another way for DNR to prosecute you if you would err in following each step completely.

Page 56, line 10-11 dealing with the comingling of animals. Now the amendment will let the determination of species to be comingled up to the DNR.

Page 63, line 17. Aiding and abetting in a violation. We feel that this is too vague a statement. If someone would volunteer to help carry an illegal animal into a building, he could be charged with this.

Page 63, lines 24-25, Natural resource assessments should only apply when a violation directly involves a bird or animal taken from or released into the wild.

We also need a clause in the bill to require DNR to consult with our industry in the rules drafting process.

Page 25, lines 889 need to be amended to allow for the sale of the complete bear

My name is Robert Popple and I have raised birds and animals for 48 years. I've had a game farm license for about 41 years. Before my retirement I was a conservation warden for 23 years. I am here to oppose this bill. One of the reasons I oppose this bill is the blank check for the DNR, giving them authority to make rules without knowing what they will be. We as a business need to know what the rules are before we can agree to them. Past experience has shown me that this is a bad thing because of the DNR's attitude towards game farmers. I have had DNR employees sit at my kitchen table and say that they believe that birds and animals should not be in cages. Other comments from DNR employees towards the game farmers was that they served no useful purpose.

This bill should be amended to include a list of birds and animals that each license covers. Personal experience I have had is that I had one kind of bird listed on my game farm license for 18 to 20 years. Then the DNR interpreted the laws containing to game farming differently and I could no longer buy, sell or trade in that bird even though I was still licensed by the federal government to buy, sell and trade them. Another reason we need the list is that at one location that I lived in, DNR came and made their inspection and issued me the licenses that I requested. Then when it was reviewed by law enforcement, they made some changes according to their policies. I then had to expensively hire legal counsel to try to get back what I already had paid for and that law enforcement took away from me with their policy. Not the law, but their policy.

You can get cost estimated on how much money this bill will bring to the DNR but no where does it tell how much this is going to cost the game farmer.

The bulk of this bill affects the small business or hobbyist, the person who has his own land, buys his birds and animals from other breeders, takes nothing out of the wild or who puts anything into the wild. There are so many unanswered questions about this bill that bird and animal raiser can not support this bill. According to s 102(3) of Wisconsin Statutes farming means the operation of farm premises owned or rented by the operator. Operating of farm premises shall be deemed to planting and cultivating of the soil thereof, the raising and harvested of agricultural crop thereon; the raising, breeding, tending, training and management of livestock, bees, poultry, furbearing animals, wildlife or aquatic life or their products. What we do should not be regulated by DNR but by the department of agriculture. Recently the legislature passed the right to farm bill. The raising of exotic species could enable the family to remain on their farms.

The bulk of us game farmers also raise some domestic birds and animal. Under this bill and it's recent amendments, DNR would now tell me which species I can comingle. If DNR sees fit I could not use my cocker spaniel to help raise my Chinese Water Deer or start our baby prairie chickens with banty chickens.

Under this bill some zoos are exempt from health and import requirements. Wisconsin game farmers get 99 percent of their birds from within the fifty states and some from Canada. All

these places have some sort of regulations on health. Zoos get some of their birds and animals from all over the world, even from the wild. If small businesses in Wisconsin have to comply with health requirements, why not the big businesses. The Wis. Dept. of Agriculture already covers health regulations of all our animals. DNR does not need to have its hands in this too.

The legislature saw fit to classify several species of deer as farm raised. The bulk of the birds and animals that are raised on Wis. game farms have been bred and raised in captivity for as long or longer than some of the deer. Even cows and pigs have wild ancestors.

The license fees for bird and animal farm are too high for what we get in return from DNR. DNR is geared to the killing, not the raising. They buy land, have lots of management programs for hunters, special duck hunting days for kids, free fishing weekends for everyone, has made it easier for trappers by allowing snares and by extending the trapping seasons. When a raiser has an idea about raising DNR turns his down. Game farms are only okay when DNR can use them such as by supplying Trumpeter Swans for their introduction program.

In summary, it's hard to analyze this bill because of its vagueness. It will put an unhealthy burden on the game farmer in time and money. There are already laws on the books that with a little fine tuning, would be all right. Passage of this bill would increase the DNR role in our lives and I urge to vote in opposition to it.



632 Grand Canyon Dr. • Madison, WI 53719

Wisconsin Cattlemen's Association

(608) 833-0320

Subject: AB 514

FROM: Wisconsin Cattlemen's Association
Richard M. Clark, Executive Director

The Wisconsin Cattlemen's Association [WCA] is presenting this testimony in support of several provisions of this bill. Specifically those portions that would create Ch.22.35-22.41. These sections pertain to health requirements for wild animals entering Wisconsin, housing and humane treatment of these animals and other provisions related to disease control. WCA also supports those provisions including quarantine authority, disposal of diseased animals, and rulemaking authority for the DNR that will increase it's authority to prevent the introduction of diseased wild animals into Wisconsin.

It may be said, that Wisconsin's regulation of the entrance of these animals into the state with the accompanying certificates and tests would be additional work and may therefore stifle some forms of alternative agriculture. WCA would like to suggest that these "extra efforts" have worked well for Wisconsin's cattle industry and the producers involved. These tests have allowed for trace backs and the elimination of some important livestock diseases. It is ridiculous to jeopardize Wisconsin's cattle, swine, sheep, and poultry industries by allowing disease to enter the state through untested wildlife. Such continued action puts our state's \$4 billion/year animal agricultural industry at tremendous risk.

Live animals and genetic products enjoy a global market and Wisconsin producers must be able to continue to compete in that marketplace. Currently, Wisconsin has a very advantageous position in comparison to some other states. One example would be China. Wisconsin is currently one of only 20 states able to ship embryos, semen and cattle to that country. Conservatively, genetic products from Wisconsin amount to \$150 million. This is business for the Wisconsin cattleman that is worth protecting.

The trade in wild/exotic animals should be regulated as equally as animal agriculture is in this state not only for the benefit of animal health but for public health issues as well.

The Wisconsin Cattlemen's Association urges you to not take lightly, the importance of the animal provisions of this bill as they may impact Wisconsin's animal agriculture and public health.

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TO: Wisconsin Senate Committee on Agriculture and Natural Resources

FROM: Thomas H. Howard, D.V.M. representing the Wisconsin Veterinary Medical Association (WVMA) as a member of its Legislative Committee

SUBJECT: AB 514

I am presenting this testimony in support of the several provisions of this bill that would create health requirements for wild animals entering Wisconsin, housing and humane care of these animals, and other provisions related to disease control. Other provisions supported by the WVMA include quarantine authority, disposal of diseased animals, and rulemaking authority for the Department of Natural Resources that will increase its capability to prevent the introduction into Wisconsin of diseased wild animals.

Events of the past several years in Wisconsin and elsewhere have shown very clearly the linkage among wildlife health, the health of domestic animals, and human health. Zoonotic diseases, which are diseases transmissible from animals to humans, including such important livestock diseases as brucellosis and tuberculosis, can and do infect wildlife species. This legislation is needed if Wisconsin is to protect the health of its citizens, safeguard its hard-won international status as a supplier of healthy livestock and genetics products, and protect native wild animals.

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History

During my tenure as Wisconsin State Veterinarian, I was in close touch with Dr. Sarah Hurley and her colleagues at WDNR as they worked on the proposal that led to this bill. They were extremely sensitive to the need for teamwork with WDATCP's Division of Animal Health, and the need to develop statutes and regulations that are similar to those for domestic livestock and pets. I believe that WDNR's position in this regard has not changed. To my eye, there is no evidence of regulatory overlap or overkill in this legislation. As small businesspeople, veterinarians are as sensitive as anyone to regulatory burdens. No members of WVMA's Legislative Committee raised that concern after studying this legislation.

This legislation has been through a long and thorough process of development, including public comments and review by the WDNR Board. We recognize that AB 514 is a diverse bill, but we also urge you not to lose sight of the importance of its animal health provisions to Wisconsin animal agriculture and public health.



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to **PRESERVE
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March 24, 1998

Dear Senator:

I am writing to you as president of the Wisconsin Bird and Game Breeders' Association and their legislative committee chairman concerning AB 514, the Captive Wildlife Bill, asking you to oppose this bill .

We are a statewide organization of game, fur and deer farmers, wildlife exhibitors, animal dealers and small businessmen. Our 400 members' interests vary from the small backyard hobbyist all the way to those who make or supplement their incomes with the animals they raise and sell. Some of our members have been in the bird and animal business for 50 plus years and others their entire lives.

AB 514 will seriously affect the way we do business and for some of us, increase the financial burden to the point of our going out of business. DNR has had 2 and a half years, with the help from legal council and LRB to draft this bill. The forward advancement of the bill has been fast tracked and moving so quickly that we, as an industry, have not been able to review amendments, etc. This bill goes way beyond the original intent which was to separate game and fur farm laws from the hunting and fishing laws in ss 29. Representative Johnsrud, the bill's sponsor, stated to our industry at a hearing in Stevens Point in December that he hates game farms and zoos and would like to outlaw them.

One main objective was to specifically list what licenses were needed for what species. After studying this bill, I am still unsure what species you need licenses for. Also an exact listing of species in statutes would eliminate the possibility of change of interpretation. In the past we have been permitted to possess and propagate certain species and after making our investments of time and money for breeding stock and pens, were told we could not continue this activity.

We support the DNR's obligation to regulate what is taken from and released into the wild. New proposals would regulate almost every animal and bird in the world.

As an organization which has been working on this new drafting process for almost eighteen years, we cannot go along with any of the clauses which allow DNR to promulgate rules to govern us. One major reason being that throughout the drafting process we have tried to have input and our suggestions were ignored. Several times at those meetings we were told that if we were going to discuss certain items, DNR would pack their books and go home. If the industry were to voice opposition to a proposed rule



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what recourse would we have if DNR did not share our concerns. DNR also has a policies and procedures handbook that gives field personnel guidelines, which DNR enforces in the same manner as administrative rules. This is especially true when dealing with endangered species and acreage game and fur farms.

An amendment requiring the DNR to consult with the industry while writing administrative rules in statute would go along ways in easing our concerns.

The portion of the bill that I'd like to address deals with private ownership of birds and animals, purchased from other owners, propagated on our own land, with our own time and money. These are birds or animals not taken from or released into the wild. A more appropriate place for our industries regulations would be with the Department of Agriculture along with the farm raised deer and aquaculture. Another way to help with our concerns would be to establish some criteria making our stock farm raised or captive bred. Even the U. S. Fish and Wildlife Service has a provision that mallards raised in captivity for 3 or more generations are considered domestic.

We object to the exemption for zoos, aquariums and Circus World. These persons can do business without the hassels that private individuals have to go through, yet they deal in many of the identical species we do business in.

We are opposed to some of the record keeping requiremnts. Years ago, a yearly inventory report was required. Then it was done away with because DNR said it took up space and no one ever looked at them enyways. Now DNR wants it reinstated on page 47. Part of this report would be the report any deaths. It can be a continous job to see if anything was killed by a preator or a sibling or just plain failing to thrive and die. A farmer does not have to report his loss of a calf or pig or chicken to anyone.

We object to the prohibition of the comingling of captive animals and domestic species. Under the new amendments DNR would have to approve of such comingling. Many time baby chicks are placed with rarer species to teach them how to eat and drink and generally calm or confort them. Sometimes a companion animal is necessary.

We oppose the enviromentlly injurious and inherently injurious lists. While we share concerns over the damage to the enviroment that some introduced species could do, we believe that complete prohibition of possess and propragation of those species are not necessary. Many states allow possession of inherently injuriously animals, such as big cats, primate and bears if you hold a USDA permit. USDA has a strict inspection regiment and pen and safe handling and keeping requirements.



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DNR does not need to duplicate this authority.

In summary, we cannot support this bill because we do not know what the "blank check" to the DNR will entail. Our industry does not have a free ride. All our birds and animals must already comply with DATCP rules. The U. S. Fish and Wildlife Service regulates waterfowl and other migratory species and United States and foreign endangered species. Persons exhibiting animals are regulated by the USDA. Additional DNR involvement will only duplicate regulations and will definitely mean more government involvement in our lives, not less.

Despite DNR's opinion that game, fur and deer farms serve no useful purpose, we strongly disagree. Private game farms are a source of education and enjoyment for the individual and the entire family, teaching the appreciation of nature and the outdoors and learning about wildlife. With an increasingly urban society, we are able to share our experiences with schools, youth groups and disadvantaged people who are not able to get in the outdoors and offer a hands on experience. At our own expense we are and would like to continue to propagate endangered and threatened species and the continuation of their gene pools. Peregrin falcons and Trumpeter Swans have been provided by us for reintroduction back into the wild. With the disappearance of habitat for some species, such as the Nene Goose, Swinhoe Pheasant, Masked Bobwhite, captive propagation will be the only way to insure continuation of the species. There are more of these species in captivity than in the wild.

We also are able to provide close up opportunities for artists, photographers and carvers. Shooting preserves offer recreation and hunting opportunities thereby taking pressure off the natural resource. We serve as a source of specimens for taxidermy and provide a source of birds and animals for dog trainers. Private facilities supply internship opportunities to college students and also on graduate levels. Game farms provide learning for pre-vets, vets, biology and zoology students. Experiences learned on a private game farm enabled the capture of the elk for the elk reintroduction project.

We hope that you will be able to see that we still have many concerns about this bill and that you will vote in opposition to it at this time. Thank you.

Sincerely,

Mary Popple, President