

1983 Assembly Bill 453

Date of enactment: February 21, 1984  
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1983 Wisconsin Act 132

AN ACT to create 20.115 (2) (c), 95.27 and 95.38 (3) of the statutes, relating to a control and indemnification program for swine pseudorabies, granting rule-making authority and making an appropriation.

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

SECTION 1. 20.005 (2) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	1983-84	1984-85
<b>20.115 Agriculture, trade and consumer protection, department of</b>		
(2 ) ANIMAL AND PLANT HEALTH SERVICES		
(c ) Pseudorabies control program; administration GPR A	23,100	46,100

SECTION 2. 20.115 (2) (c) of the statutes is created to read.

20.115 (2) (c) *Pseudorabies control program; administration.* The amounts in the schedule for the administration of the pseudorabies control program under s. 95.27.

SECTION 3. 95.27 of the statutes is created to read:

**95.27 Pseudorabies control program; indemnities.** (1) In order to detect, control and eradicate pseudorabies the department shall obtain blood or tissue samples from Wisconsin swine on a systematic basis. The department shall test the samples for pseudorabies.

(2) In the eradication and control of pseudorabies, the department may, whenever such action is necessary to prevent or reduce the spread of disease, quarantine or condemn and order the destruction of any swine which in the opinion of the department are infected with or have been exposed to pseudorabies.

(3) The department may enter into cooperative agreements with the federal government or any department or other agency for the control and eradication of pseudorabies in this state, including the payment of indemnities authorized under this section.

(4) Subject to sub. (5), the department shall indemnify from state or federal funds the owner of breeding swine over 6 months of age that have been condemned and destroyed under this section. The department shall pay to the owner \$25 for each registered animal and \$10 for each grade animal. State payments shall be made from the appropriation under s. 20.115 (2) (b).

(5) Indemnities may not be paid under this section unless the owner of affected swine enters into, and acts in accordance with, an agreement with the department for the eradication of pseudorabies. An agreement entered into under this section shall contain a plan for the eradication of pseudorabies and shall be based upon scientifically accepted methods. The department shall monitor the implementation of an agreement to determine compliance and to determine whether the agreement needs to be modified.

(6) The owner of any swine affected by this section may appeal an order made under this section by filing with the department a request for a hearing under s. 93.18 within 5 days after receipt of notice of the order.

(7) A person in control of any premises on which swine have died of pseudorabies shall promptly dispose of the carcasses as provided under s. 95.50 or have the carcasses removed by a renderer licensed under s. 95.72.

(8) The department may adopt rules that are necessary to administer this section.

SECTION 4. 95.38 (3) of the statutes is created to read:

95.38 (3) The department may adopt rules that are necessary to administer this section.

SECTION 5. **Nonstatutory provisions.** The authorized FTE positions for the department of agriculture, trade and consumer protection are increased by 2.0 GPR positions for the purpose of implementing the responsibilities assigned to the department relating to the pseudorabies control program.

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