

# State of Wisconsin



1995 Assembly Bill 22

Date of enactment: **March 20, 1996**

Date of publication\*: **April 3, 1996**

## 1995 WISCONSIN ACT 155

**AN ACT** to renumber 95.49 (1) (h) and (i); to amend 95.43 (1), 95.49 (1) (intro.) and 95.49 (2); to repeal and recreate 95.49 (1) (b); and to create 95.49 (1m) and 95.49 (2m) of the statutes; relating to: the sale or movement within this state of cattle and other animals, brucellosis testing and granting rule-making authority.

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

**SECTION 1.** 95.43 (1) of the statutes is amended to read:

95.43 (1) The brucellosis test shall be applied to ~~cattle and American bison~~ only by approved veterinarians. Any veterinarian who fails to comply with the laws or regulations of the department relating to disease control may be denied such approval.

**SECTION 2.** 95.49 (1) (intro.) of the statutes is amended to read:

95.49 (1) (intro.) No person may sell or move from one place to another any ~~cattle or American bison, or animal of another species identified by the department by rule~~, born on or after June 1, 1984, unless it is accompanied by a report of complete negative brucellosis test conducted within 30 days prior to movement, but this subsection ~~shall~~ does not apply to the following:

**SECTION 3.** 95.49 (1) (b) of the statutes is repealed and recreated to read:

95.49 (1) (b) Neutered males and spayed females.

**SECTION 4.** 95.49 (1) (h) and (i) of the statutes are renumbered 95.49 (1m) (h) and (i).

**SECTION 5.** 95.49 (1m) of the statutes is created to read:

95.49 (1m) If this state is not designated Class Free under [9 CFR 78.41](#) or if this state is so designated but the department has promulgated rules under sub. (2m), no person may sell or move from one place to another any cattle born on or after June 1, 1984, unless it is accompanied by a report of complete negative brucellosis test conducted within 30 days before movement. This subsection does not apply to any of the following:

(a) Official vaccinates.

(b) Steers and spayed heifers.

(c) Animals consigned directly to slaughter establishments if the animals are moved and held in conformity with department rules.

(d) Male animals under 6 months of age and female animals under the maximum age allowable for vaccination as defined by rule.

(e) Animals not known to be reactors moved to the premises of a livestock market operator licensed under s. 95.68 or a livestock dealer licensed under s. 95.69, for sale and removal as provided in sub. (2).

(f) Animals which are moved for exhibition purposes if accompanied by a report of a negative brucellosis test conducted within 90 days.

(g) Animals moved by the owner between farm premises owned or operated by him or her.

\* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

**SECTION 6.** 95.49 (2) of the statutes is amended to read:

95.49 (2) ~~Cattle Animals~~ moved to the premises of a livestock market or dealer pursuant to the exemption from brucellosis test in sub. (1) (e) or (1m) (e) may be removed only in compliance with the brucellosis test requirements in sub. (1) or (1m).

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**SECTION 7.** 95.49 (2m) of the statutes is created to read:

95.49 (2m) The department may promulgate emergency rules upon the outbreak in this state of brucellosis to prevent the movement and sale of cattle unaccompanied by reports of complete negative brucellosis tests.