

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2708/P2dn
MGG:cjs:pg

April 18, 2001

1. LRB 01-2708/P1 sometimes referred to “species” of wild animals and sometimes to “types” of wild animals throughout ch. 22. This inconsistency sometimes occurred in references to the same activity, such as introducing wild animals. I have used the term “species” uniformly throughout the draft. This required redrafting the following provisions: ss. 22.01 (18), 22.06 (2), 22.07 (1) (b), 22.11 (1) (a), 22.15 (2), 22.19 (2) (c), 22.25 (2) and (3) (b), 22.26 (3) (a), and 22.39 (3). If some should be changed back to “type”, please call me so that we can discuss this.
2. Because ss. 22.04 (2) (d) and (3) (a), 22.06 (1) (d) 1., and 95.45 (1r) are so intermeshed, I think the definition for “veterinarian” needs to be the same. Based on instructions from Sarah Shapiro-Hurley, I have added the requirement that the veterinarian be approved by DATCP. I also took out the federal requirement since it did not mesh with DATCP’s definitions of “accredited veterinarian” and “certified veterinarian”. Please review the definition in s. 22.01 (35) and let me know if you want any changes.
3. Please have Mike Lutz review the treatment of s. 29.741 in this draft.
4. Note the changes I have made in ss. 93.06 (1g), 95.10 (5), 95.38 (1), and 95.45. As I read the rules under ch. ATCP 11, Wis. Adm. Code, it appears that the requirements for certificates of veterinary inspection only apply to imports. Section 22.04 (2) (d) applies to the temporary possession of wild animals, whether or not they are imported. If my reading of the rules is correct, they will need to be amended if they are to apply to certificates that are issued for purposes of s. 22.04 (2) (d).
5. The amendment to s. 93.07 (10) (b) was requested by DATCP.
6. Please review the definition and use of “captive game bird” in ss. 95.001 (1) (ac) and (ad) and 174.001 (3).
7. Note how I have redrafted s. 95.22 (2) (b) in an attempt to make it clearer.
8. Please have Ruth Heike review the language in s. 95.45 (5) to make certain that the scope of the authority for rule-making achieves DATCP’s intent.
9. In drafting provisions grandfathering in the livestock market, dealer, and trucker licenses, I assumed that the accompanying vehicle registrations expire with the licenses. If that is not the case, these provisions will need to be redrafted.

10. I redrafted ss. 895.57 (3) and 943.75 (3) to use the sequencing found in current law. As drafted in LRB-2708/P1, the language could be interpreted to limit DATCP employees' authority to the "licensed" land.

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