

**2001 Jr2 DRAFTING REQUEST**

**Assembly Amendment (AA-AB1)**

Received: 03/06/2002

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Schug

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: Agriculture - animals

Extra Copies: MGG, RNK

Submit via email: NO

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**Pre Topic:**

LFB:.....Schug -

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**Topic:**

Livestock regulation and tracking

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	traderc 03/06/2002	gilfokm 03/06/2002	pgreensl 03/07/2002	_____	lrb_docadmin 03/07/2002		
/2	traderc 03/07/2002	gilfokm 03/07/2002	jfrantze 03/07/2002	_____	lrb_docadmin 03/07/2002		

FE Sent For:

<END>

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1/2 - 3/7  
  
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/?	traderc	3/6 kmq	3/7 ps	3/7 ps/kjc			

FE Sent For:

<END>



**Legislative Fiscal Bureau**

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 3/5/02

DELIVER TO: Becky Prudenell

Addressee Fax #: 4-6948 Addressee Phone #: \_\_\_\_\_

# of Pages, Including Cover: 2 Sender's Initials: DAS

From: Dr. M. Schuy

Message:

A couple pieces of this motion were taken from  
CRB 4.68711 -

- the third paragraph comes from Section 2  
 - the second paragraph comes from Section 3, (4) <sup>para</sup>

please call with questions,

David

Senator Shibilski

AGRICULTURE, TRADE & CONSUMER PROTECTION AND NATURAL RESOURCES

Livestock Regulation and Tracking

Motion:

Move to provide \$150,000 SEG in 2002-03 from the fish and wildlife account of the conservation fund for DNR to provide a grant to DATCP for animal health regulations. Further, provide DATCP \$150,000 PR in 2002-03 for this purpose. Sunset these appropriations on June 30, 2003. Direct DATCP to improve its livestock farm location and livestock tracking databases. In addition, require DATCP to study the implementation of an electronic certification of veterinary inspection system.

Require DATCP to impose the same requirements on the intrastate transportation of white-tailed deer that it imposes on the intrastate transportation of other cervids.

Expand the duties of the Department relating to animal health quarantines to allow DATCP to implement a quarantine to protect the health of all animals located in the state (rather than just domestic animals) and to protect the health of Wisconsin residents.

Note:

The current DATCP rule generally prohibits a person from moving any live cervid (except white-tailed deer) between locations in Wisconsin unless it is accompanied by a certificate of veterinary inspection signed by a Wisconsin certified veterinarian that states that the cervid tested negative on an approved tuberculosis test not more than 90 days prior to the intrastate movement.

[Change to Bill: \$150,000 PR and \$150,000 SEG]

*dis pass*

*1st Shibilski  
2nd Burke*

MO#	294	
Burke	Y	N
Decker	Y	N
Moore	Y	N
Shibilski	Y	N
Plache	Y	N
Wirch	Y	N
Darling	Y	N
Rosenz.	Y	N
Gard	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huebsch	Y	N
Huber	Y	N
Coggs	Y	N



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb2291/1

RCT:.....  
KMG

January 2002 Special Session

~~5000~~ Today

LFB:.....Schug - Livestock regulation and tracking

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 41, line 6: after that line insert:

3 "20.370 Natural resources, department of

4 (1) LAND

5 (hq) Animal health regulation SEG A -0- 150,000".

6 ✓ 2. Page 42, line 9: after that line insert:

7 "SECTION 27j. 20.115 (2) (km) of the statutes is created to read:

8 20.115 (2) (km) *Animal health regulation*. All moneys transferred from the  
9 appropriation account under s. 20.370 (1) (hq) for animal health regulation.

10 SECTION 27jb. 20.115 (2) (km) of the statutes, as created by 2001 Wisconsin Act

11 .... (this act), is repealed."

1 ✓ **3.** Page 43, line 19: after that line insert:

2 "SECTION 36d. 20.370 (1) (hq) of the statutes is created to read:

3 20.370 (1) (hq) *Animal health regulation*. The amounts in the schedule to be  
4 transferred to the appropriation account under s. 20.115 (2) (km) for animal health  
5 regulation.

6 SECTION 36db. 20.370 (1) (hq) of the statutes, as created by 2001 Wisconsin Act  
7 .... (this act), is repealed."

8 ✓ **4.** Page 170, line 22: after that line insert:

9 ✓ **5.** Page 170, line 23: after that line insert:

10 ✓ **6.** Page 388, line 19: after that line insert:

11 " (1) <sup>w</sup> ANIMAL HEALTH REGULATION. The department of agriculture, trade and  
12 consumer protection shall expend the funds appropriated under section 20.115 (2)  
13 (km) of the statutes for purposes related to animal health regulation, including  
14 improving <sup>its</sup> livestock farm location and livestock tracking databases and studying the  
15 implementation of an electronic system for certification of veterinary inspection."

16 ✓ **7.** Page 466, line 10: after that line insert:

17 " (1) <sup>w</sup> ANIMAL HEALTH REGULATION. The repeal of sections 20.115 (2) (km) and  
18 20.370 (1) (hq) of the statutes takes effect on July 1, 2003."  
19

(END)

Insert 2-8  
Insert 2-9  
non-tax  
11  
14  
17  
18

**BILL**

*Inserts for 6229/11*

vehicle that has stopped at a weighing station, as the bill requires, to determine compliance with the laws concerning the interstate transportation of animals.

Current DATCP rules generally prohibit the movement of a cervid between locations within this state unless the animal is accompanied by a certificate by a veterinarian that the animal has tested negative for bovine tuberculosis. White-tailed deer are exempt from this requirement.

The bill requires DATCP to impose the same requirements on the intrastate transportation of white-tailed deer that it imposes on the intrastate transportation of other cervids.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

*Insert 2-8*

*259 r.*

1 SECTION 93.07 (10) (a) of the statutes is repealed.

*259 s.*

2 SECTION 93.07 (10) (b) of the statutes is renumbered 93.07 (10) and amended  
3 to read:

4 93.07 (10) ANIMAL HEALTH; QUARANTINE. To protect the health of domestic  
5 animals of the located in this state; and of humans residing in this state and to  
6 determine and employ the most efficient and practical means for the prevention,  
7 suppression, control, and eradication of communicable diseases among domestic  
8 animals, ~~and for~~ For these purposes it, the department may establish, maintain,  
9 enforce, and regulate such quarantine and such other measures relating to the  
10 importation, movement, and care of animals and their products, the disinfection of  
11 suspected localities and articles, and the disposition of animals, as the department  
12 ~~may deem~~ determines are necessary. The definition of "communicable disease" in s.  
13 990.01 (5g) does not apply to this paragraph subsection. //

*260 f.*

14 SECTION 95.65 of the statutes is created to read:

*① Intrastate transportation of white-tailed deer*

15 95.65 ~~Transportation of certain animals.~~ (1) DEFINITION. In this section,

*Insert 2-9*





**BILL**

1

<sup>noff</sup>  
~~was~~ "Cervid" means a member of the family of animals that includes deer and  
2 moose. *hu*

3

~~(b) "Covered animal" means livestock, cervids, poultry, and fish.~~

4

~~(c) "Livestock" means bovine animals, sheep, goats, swine, and equine animals.~~

5

~~(d) "Motor vehicle" has the meaning given in s. 340.01 (35).~~

6

~~(e) "Weighing station" means a facility constructed and maintained by the~~

7

~~department of transportation under s. 84.01 (21) for weighing, measuring, or~~

8

~~inspecting vehicles and loads operating on any highway.~~

9

~~(2) STOPPING AUTHORITY. An employee of the department may stop or inspect  
10 any motor vehicle operating in interstate commerce or displaying a registration plate  
11 from another jurisdiction, as defined in s. 340.01 (41m), if the motor vehicle is  
12 transporting a covered animal, in order to determine compliance with the laws  
13 concerning the interstate transportation of animals.~~

14

~~(3) WEIGHING STATIONS. (a) Whenever the operator of a motor vehicle  
15 transporting a covered animal into this state from another state approaches an open  
16 weighing station, the operator shall stop the motor vehicle at the weighing station  
17 to permit determination of compliance with the laws concerning the interstate  
18 transportation of animals.~~

19

~~(b) An employee of the department, an officer of the state traffic patrol, or a  
20 state motor vehicle inspector may do any of the following to determine compliance  
21 with the laws concerning the interstate transportation of animals:~~

22

~~1. Inspect a motor vehicle that has stopped under par. (a).~~

23

~~2. Examine any document that relates to the transportation of a covered animal~~

24

~~and that is in the possession of the operator of a motor vehicle that has stopped under~~

25

~~par. (a).~~

**BILL**

1 <sup>2</sup>  
 2 ~~(#) INTRASTATE TRANSPORTATION OF WHITE-TAILED DEER.~~ The department shall  
 3 impose the same requirements on the intrastate transportation of white-tailed deer  
 4 that it imposes on the intrastate transportation of other cervids. " (end of inset 2-9)

5 **SECTION 4.** 110.07 (4m) of the statutes is created to read:

6 110.07 (4m) An officer of the state patrol under sub. (1) or an inspector under  
 7 sub. (3) may assist in the enforcement of the laws related to the interstate  
 8 transportation of animals as provided in s. 95.65 (3).

9 **SECTION 5. Appropriation changes.**

10 (1) REGULATION OF ANIMAL MOVEMENT. In the schedule under section 20.005 (3)  
 11 of the statutes for the appropriation to the department of agriculture, trade and  
 12 consumer protection under section 20.115 (2) (a) of the statutes, as affected by the  
 13 acts of 2001, the dollar amount is increased by \$250,000 for fiscal year 2002-03 to  
 14 increase the authorized FTE positions for the department by 3.0 GPR positions for  
 15 enforcing laws concerning the interstate transportation of animals and for vehicles  
 16 and equipment for the same purpose.

17 **SECTION 6. Effective dates.** This act takes effect on the day after publication,  
 18 except as follows:

19 (1) The treatment of section 95.65 (3) of the statutes takes effect on the first day  
 20 of the 7th month beginning after publication.

(END)

**Tradewell, Becky**

---

**From:** Hinz, Daryl  
**Sent:** Thursday, March 07, 2002 5:17 PM  
**To:** Tradewell, Becky  
**Cc:** Schug, David  
**Subject:** LRB 2291

Becky, here is a suggestion for the draft we discussed. Thanks. Daryl

The Departments of Natural Resources and Agriculture, Trade & Consumer Protection shall enter into an agreement to enhance the protection of the health of wild and domestic animals in the state. Upon entering into the agreement DNR may provide DATCP a grant of \$150,000 in 2002-03 from appropriation 20.370 (1) (mu) [Insert from page 3, lines 9 to 12 of LRB b2291 HERE, starting with "for purposes related ..."]



State of Wisconsin  
2001 - 2002 LEGISLATURE

January 2002 Special Session

500V

LRBb2291/2

RCT:kmg:pg

ymf

LFB:.....Schug - Livestock regulation and tracking

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 41, line 6: after that line insert:

3 **"20.370 Natural resources, department of**

4 (1) LAND

5 (hq) Animal health regulation SEG A -0- 150,000".

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7 **"SECTION 27j.** 20.115 (2) (km) of the statutes is created to read:

8 20.115 (2) (km) *Animal health regulation*. All moneys transferred from the  
9 appropriation account under s. 20.370 (1) (hq) for animal health regulation.

10 **SECTION 27jb.** 20.115 (2) (km) of the statutes, as created by 2001 Wisconsin Act

11 .... (this act), is repealed."

✓  
3. Page 43, line 19: after that line insert:

Insert →  
2-1  
2 "SECTION 36d. 20.370 (1) (hq) of the statutes is created to read:

3 20.370 (1) (hq) *Animal health regulation*. The amounts in the schedule to be  
4 transferred to the appropriation account under s. 20.115 (2) (km) for animal health  
5 regulation.

6 SECTION 36db. 20.370 (1) (hq) of the statutes, as created by 2001 Wisconsin Act  
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8 4. Page 170, line 22: after that line insert:

9 "SECTION 259r. 93.07 (10) (a) of the statutes is repealed.

10 SECTION 259s. 93.07 (10) (b) of the statutes is renumbered 93.07 (10) and  
11 amended to read:

12 93.07 (10) ANIMAL HEALTH; QUARANTINE. To protect the health of domestic  
13 animals of the located in this state; and of humans residing in this state and to  
14 determine and employ the most efficient and practical means for the prevention,  
15 suppression, control, and eradication of communicable diseases among domestic  
16 animals, and for. For these purposes it, the department may establish, maintain,  
17 enforce, and regulate such quarantine and such other measures relating to the  
18 importation, movement, and care of animals and their products, the disinfection of  
19 suspected localities and articles, and the disposition of animals, as the department  
20 may deem determines are necessary. The definition of "communicable disease" in s.  
21 990.01 (5g) does not apply to this paragraph subsection."

22 5. Page 170, line 23: after that line insert:

23 "SECTION 260p. 95.65 of the statutes is created to read:

1           **95.65 Intrastate transportation of white-tailed deer.** (1) In this section,  
2 "cervid" means a member of the family of animals that includes deer and moose.

3           (2) The department shall impose the same requirements on the intrastate  
4 transportation of white-tailed deer that it imposes on the intrastate transportation  
5 of other cervids."

6           6. Page <sup>393</sup> 388, line <sup>8</sup> 49; after that line insert:

7           (1w) ANIMAL HEALTH <sup>(CS) protection</sup> REGULATION. The <sup>department of natural resources and the</sup> department of agriculture, trade and

8           ~~consumer protection~~ shall <sup>keep</sup> expend the funds appropriated under section 20.115 (2)

9 (km) of the statutes, for purposes related to animal health regulation, including  
10 improving its livestock farm location and livestock tracking databases and studying  
11 the implementation of an electronic system for certification of veterinary  
12 inspection."

13           7. Page <sup>468</sup> 466, line <sup>13</sup> 10; after that line insert:

14           (1w) ANIMAL HEALTH <sup>protection</sup> REGULATION. The <sup>treatment</sup> repeal of sections ~~20.115 (2) (km) and~~  
15 20.370 (1) ~~(hm)~~ of the statutes takes effect on July 1, 2003."

16           (1w) <sup>(CS)</sup> (mu) (by SECTION 36db) <sup>(END)</sup>

Insert  
3-12

shall enter into a contract for the purpose of enhancing the protection of the health of wild and domestic animals in this state. Under the contract, the department of natural resources may provide the department of agriculture, trade and consumer protection with \$150,000 in fiscal year 2002-03 from the appropriation under section 20.370 (1)(mu) of the statute, as affected by this act,

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb2291/lins  
RCT.....

Insert 2-1 ✓

“SECTION 36d. 20.370 (1) (mu) of the statutes is amended to read:

20.370 (1) (mu) *General program operations — state funds.* The amounts in the schedule for general program operations that do not relate to the management and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203, and 30.277, subch. VI of ch. 77, and chs. 26, 28, and 29, to provide funding under 2001 Wisconsin Act .... (this act), section 9137 (2), and for transfers to the appropriation account under s. 20.285 (1) (kf). (LW)

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16.

SECTION 36db. 20.370 (1) (mu) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.370 (1) (mu) *General program operations — state funds.* The amounts in the schedule for general program operations that do not relate to the management and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203 and 30.277, subch. VI of ch. 77 and chs. 26, 28 and 29, to provide funding under 2001 Wisconsin Act .... (this act), section 9137 (2), and for transfers to the appropriation account under s. 20.285 (1) (kf). (LW)

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16.

Insert 3-12 ✓

1. Page 346, line 14: after that line insert:

436

<sup>w</sup>  
“(35) ANIMAL HEALTH PROTECTION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (mu) of the statutes, as affected by the acts of 2001, the dollar amount is increased by \$150,000 for fiscal year 2002-03 to enhance the protection of animal health.”

*Approved.  
Change*





State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2291/2  
RCT:kmg:jf

LFB:.....Schug – Livestock regulation and tracking

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7 and 30.277, subch. VI of ch. 77, and chs. 26, 28, and 29, to provide funding under 2001  
8 Wisconsin Act .... (this act), section 9137 (1w), and for transfers to the appropriation  
9 account under s. 20.285 (1) (kf).

10 **SECTION 36db.** 20.370 (1) (mu) of the statutes, as affected by 2001 Wisconsin  
11 Act .... (this act), is amended to read:

1           20.370 (1) (mu) *General program operations — state funds.* The amounts in  
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6 account under s. 20.285 (1) (kf).”.

7           **2.** Page 170, line 22: after that line insert:

8           “**SECTION 259r.** 93.07 (10) (a) of the statutes is repealed.

9           **SECTION 259s.** 93.07 (10) (b) of the statutes is renumbered 93.07 (10) and  
10 amended to read:

11           **93.07 (10) ANIMAL HEALTH; QUARANTINE.** To protect the health of domestic  
12 animals ~~of the~~ located in this state; and of humans residing in this state and  
13 determine and employ the most efficient and practical means for the prevention,  
14 suppression, control, and eradication of communicable diseases among domestic  
15 animals, ~~and for.~~ For these purposes it, the department may establish, maintain,  
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18 suspected localities and articles, and the disposition of animals, as the department  
19 ~~may deem~~ determines are necessary. The definition of “communicable disease” in s.  
20 990.01 (5g) does not apply to this ~~paragraph~~ subsection.”.

21           **3.** Page 170, line 23: after that line insert:

22           “**SECTION 260p.** 95.65 of the statutes is created to read:

23           **95.65 Intrastate transportation of white-tailed deer.** (1) In this section,  
24 “cervid” means a member of the family of animals that includes deer and moose.

