

2001 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB307)

Received: **03/07/2002**

Received By: **traderc**

Wanted: **Today**

Identical to LRB:

For: **Kevin Shibilski (608) 266-3123**

By/Representing: **Casey**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Addl. Drafters:

Subject: **Agriculture - animals**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Animal disease control

Instructions:

See Attached

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>
/?	traderc 03/07/2002	jdye 03/07/2002		_____			
/1			pgreensl 03/07/2002	_____	lrb_docadmin 03/07/2002	lrb_docadmin 03/07/2002	

FE Sent For:

<END>

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1?	traderc	1 ^{3/4} jld	3/1 Pg	3/1 Pg TKjf			

FE Sent For:

<END>

Robin Kite

Substitute

Animal Health Motion

The Animal Health Motion is an initiative that will expand the Department of Agriculture, Trade and Consumer Protection's ability to protect our state from importing disease.

The motion is in four-parts with a SEG appropriation.

1. Remove the exemption for whitetail deer in intrastate movement that has exempted them from Tuberculosis tests and require whitetail deer raised in captivity to comply with the same health requirements as other farm-raised deer, such as red deer.
2. Give DATCP expanded authority to quarantine, prohibit movement of diseased animals, and condemn diseased animals to slaughter.
3. Require DATCP to improve databases of livestock farm locations, and animal movements.
4. Require DATCP to evaluate, with intent to implement, an Electronic Certificate of Veterinarian Inspection system.

Appropriate \$150,000 SEG from the DNR fish and wildlife account to fund parts 3 and 4.

Plus add a1522

BILL

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:

1 **SECTION 1.** 93.07 (10) (a) of the statutes is repealed.

2 **SECTION 2.** 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.

14 **SECTION 3.** 95.65 of the statutes is created to read:

15 **95.65 Transportation of certain animals. (1) DEFINITIONS.** In this section:

BILL

1 (a) "Cervid" means a member of the family of animals that includes deer and
2 moose.

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 (4) INTRASTATE TRANSPORTATION OF WHITE-TAILED DEER. The department shall
2 impose the same requirements on the intrastate transportation of white-tailed deer
3 that it imposes on the intrastate transportation of other cervids.

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

5 110.07 (4m) An officer of the state patrol under sub. (1) or an inspector under
6 sub. (3) may assist in the enforcement of the laws related to the interstate
7 transportation of animals as provided in s. 95.65 (3).

8 **SECTION 5. Appropriation changes.**

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

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

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

20 (END)

2001 BILL

1 **AN ACT** *to repeal* 93.07 (10) (a); *to renumber and amend* 93.07 (10) (b); and
2 *to create* 95.65 and 110.07 (4m) of the statutes; **relating to:** animal health, the
3 transportation of certain animals, and making an appropriation.

Analysis by the Legislative Reference Bureau

Current law authorizes the department of agriculture, trade and consumer protection (DATCP) to protect the health of domestic animals and to prevent or control the spread of communicable diseases among domestic animals. To advance these purposes, DATCP may enforce quarantines and may regulate the movement of animals. DATCP has promulgated rules under this authority, including rules regulating the movement of certain animals.

This bill expands DATCP's authority to protect health so that it applies to all animals and to humans. Under the bill, DATCP may take actions to prevent or control the spread of communicable diseases among animals of all kinds.

The bill authorizes DATCP employees to stop or inspect any motor vehicle that is operating in interstate commerce or displaying a registration plate from another jurisdiction and that is transporting a covered animal, in order to determine compliance with the laws concerning interstate transportation of animals. Covered animals are cattle and other bovines, sheep, goats, swine, horses, deer and related animals (cervids), poultry, and fish. The bill requires the operator of a motor vehicle that is transporting a covered animal into this state to stop at any open weighing station operated by the department of transportation. The bill also permits a DATCP employee, a state patrol officer, or a state motor vehicle inspector to inspect a motor

2001

Date (time) needed Now

LRBs 0369 / 1

**SUBSTITUTE AMENDMENT
[TO A BILL]**

RA : jld :

Use the appropriate components and routines developed for substitute amendments.

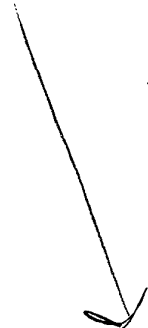
**(S) A SUBSTITUTE AMENDMENT
TO 2001 (SB) AB 307 (LRB- /)**

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *animal health regulation and making appropriations.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

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

SECTION #.



2001

File With Statute **20.005 (3)** Schedule

LRB 50 389 11

RT : : :

\$\$\$ SCHEDULE

In the component bar:

For the action phrase, execute: create → action: → ch20

For the table layout, execute: create → <Table> → \$sched

SECTION #. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2001-02 2002-03

20.		
		
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20.		
		
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2001 - 2002 LEGISLATURE
January 2002 Special Session

50369/1
LRBb2294/1
RCT:kmg:pg

~~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 27b. 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 ~~36b.~~ 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 ~~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. ~~W~~

Insert
A

6 ~~6. Page 388, line 19: after that line insert:~~
7 ~~Section #. Not statutory provisions.~~
8 ~~(#) ANIMAL HEALTH REGULATION.~~ The department of agriculture, trade and
9 consumer protection shall expend the funds appropriated under section 20.115 (2)
10 (km) of the statutes for purposes related to animal health regulation, including
11 improving its livestock farm location and livestock tracking databases and studying
12 the implementation of an electronic system for certification of veterinary
13 inspection. ~~W~~

Insert
B

14 7. Page 466, line 10: after that line insert:
15 ~~(#) ANIMAL HEALTH REGULATION.~~ The repeal of sections 20.115 (2) (km) and
16 20.370 (1) (hq) of the statutes takes effect on July 1, 2003. ~~W~~

A
Insert to S0369/1


SENATE AMENDMENT
TO 2001 SENATE BILL 307

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

2 ~~1. Page 42, line 15: after that line insert:~~

3 ~~*SECTION 154r.~~ 95.66[✓] of the statutes is created to read:

4 **95.66 Importation of certain cervids prohibited.** (1) In this section,
5 "cervid" means a member of the family of animals that includes deer and moose.

6 (2) No person may bring a cervid into this state from a state in which a cervid
7 has tested positive for chronic wasting disease. 

8 ~~2. Page 113, line 1: after "sections" insert "95.66,"~~

9 (END)

2001

Insert B

Nonstat File Sequence: **FFF**

LRB _____ / _____

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → *NS: → **effdate**
For the text, execute: **create** → **text:** → *NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # ____ . **Effective date.**

(#1) () This act takes effect on

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → *NS: → **effdateE**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

SECTION # ____ . **Effective dates;**

..... This act takes effect on the day after publication, except as follows:

(#1) () The treatment of sections of the statutes takes effect on

1. In the component bar: For the budget action phrase, execute:.. **create** → **action:** → *NS: → **94XX**
For the text, execute: **create** → **text:** → *NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the **9400** department code.

SECTION 94 ____ . **Effective dates;**

(#1) () The treatment of sections of the statutes takes effect on