

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **05/02/2003**

Received By: **btradewe**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Pollek**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Agriculture - animals**

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Pollek -

Topic:

Changes concerning regulation of pet dealers

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>
/1	btradewe 05/02/2003	wjackson 05/02/2003	pgreensl 05/02/2003	_____	amentkow 05/02/2003		
/2	btradewe 05/16/2003	wjackson 05/16/2003	jfrantze 05/16/2003	_____	lemery 05/16/2003		
/3	btradewe 05/29/2003	wjackson 05/29/2003	chaskett 05/29/2003	_____	sbasford 05/29/2003		

FE Sent For:

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: 05/02/2003

Received By: btradewe

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Pollek

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Agriculture - animals

Extra Copies:

Submit via email: NO

Pre Topic:

LFB:.....Pollek -

Topic:

Changes concerning regulation of pet dealers

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>
/?							
/1	btradewe 05/02/2003	wjackson 05/02/2003	pgreensl 05/02/2003	_____	amentkow 05/02/2003		
/2	btradewe 05/16/2003	wjackson 05/16/2003	jfrantze 05/16/2003	_____	lemery 05/16/2003		

13 Wlj 5/29

3 cph
5/25

rs/cph
5/25

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **05/02/2003**

Received By: **btradewe**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Pollek**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Agriculture - animals**

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Pollek -

Topic:

Changes concerning regulation of pet dealers

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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?							
/1	btradewe 05/02/2003	wjackson 05/02/2003	pgreensl 05/02/2003	_____	amentkow 05/02/2003		

12 WLj 5/16 Jo 5/16 Zell 5/16

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: 05/02/2003

Received By: btradewe

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Pollek

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Agriculture - animals

Extra Copies:

Submit via email: NO

Pre Topic:

LFB:.....Pollek -

Topic:

Changes concerning regulation of pet dealers

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>
/?	btradewe	1 WJ 5/2	5/2 PS	5/2 Jellb			

FE Sent For:

<END>



Legislative Fiscal Bureau

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

Date: 5/203

DELIVER TO: Becky Tradonell

Addressee Fax #: 4-6948 Addressee Phone #: _____

of Pages, Including Cover: 4 Sender's Initials: CP

From: Chris Pollek

Message:

Becky,

For ACCP, please: ① increase the fertilizer tonnage surcharge fee to 63¢ (unless lower surcharge is set by rule) 94.64(4)(a)5.

② provide that the ACCP not maintain a balance of more than \$2.5 million (as opposed to maintaining a balance of between \$2 million & \$5 million currently)

94.73(15) a.

③. make the necessary changes to ^{the} statutes in the third paragraph of Motion #241.

For Pet Regs, as indicated in the motion, please limit the program to pet breeders (as redefined) & ~~not~~ make inspections discretionary.

173.40

For Fair Aids, please limit state aid to county & district fairs to 50% of junior premiums paid, not to exceed \$10,000 per fair (alternative Bill from LFB issue paper #150)

93.23(1)(a)1.

... all with questions.

Senator Lazich
Representative Stone

AGRICULTURE, TRADE AND CONSUMER PROTECTION

Pet Regulation
[LFB Paper #154]

Motion:

Move to delete the Governor's recommendation to repeal the DATCP's pet facility regulation responsibilities. Rather, eliminate the requirement that DATCP inspect pet shelters, kennels and pet dealers. Instead, allow DATCP to inspect pet breeders in instances where the Department has reason to suspect human or animal health violations exist, or when alerted to a potential health hazard or violation by a source outside the Department.

Further, define pet breeders as one who sells at least 50 dogs or cats for resale as pets in a year, except a breeder does not include a pet dealer (which is defined as a person who sells, or offers to sell at retail, exchanges or offers for adoption at least 25 mammals, other than cattle, horses, swine, sheep, goats, deer, llamas and related species, including game species, as pets in a year.

Note:

This motion would require DATCP to administer its pet facility regulation responsibilities only for pet breeders, but would make inspections discretionary (current law requires at least a biennial inspection). This motion would maintain DATCP's current authority to set fees in administrative rule for the licensing of just pet breeders (with estimated revenues of \$133,900 each biennium). No additional staff would be provided, therefore DATCP would be required to hire LTE staff or reallocate existing staff to register pet breeders and to perform any inspection it chose to conduct.

MO#	386	
Darling	Y	N
Welch	Y	N
Fitzgrid	Y	N
Lazich	Y	N
Harsdorf	Y	N
Kanavas	Y	N
Decker	Y	N
Moore	Y	N
Kaufert	Y	N
Huebsch	Y	N
Ward	Y	N
Stone	Y	N
Rhoades	Y	N
Meyer	Y	N
Coggs	Y	N
Schooff	Y	N

Basses 13-3



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0130/1

RCT: /:...

WLj

SOON (ins/2)

LFB:.....Pollek – Changes concerning regulation of pet dealers

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

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

2 [√]1. Page 335, line 1: delete lines 1 to 8.

3 [√]2. Page 848, line 7: delete lines 7 and 8 and substitute:

4 “SECTION 2120bb. 173.40 (1) (c)[√] of the statutes, as created by 2001 Wisconsin
5 Act 16, is repealed.

6 SECTION 2120bd. 173.40 (1) (e)[√] of the statutes, as created by 2001 Wisconsin
7 Act 16, is repealed.

8 SECTION 2120bf. 173.40 (1) (f)[√] of the statutes, as created by 2001 Wisconsin Act
9 16, is repealed.

10 SECTION 2120bh. 173.40 (1) (fm)[√] of the statutes, as created by 2001 Wisconsin
11 Act 16, is amended to read:

1 173.40 (1) (fm) “Pet breeder” means a person who sells or offers to sell at least
2 25 50 dogs or cats for resale as pets in a year, except that “pet breeder” does not
3 include a pet dealer.

4 History: 2001 a. 16.

4 **SECTION 2120bj.** 173.40 (2) (a) [√] of the statutes, as created by 2001 Wisconsin
5 Act 16, is repealed.

6 **SECTION 2120bL.** 173.40 (2) (b) [√] of the statutes, as created by 2001 Wisconsin
7 Act 16, is amended to read:

8 173.40 (2) (b) ~~Except as provided in par. (c), no~~ No person may act as a ~~pet dealer~~
9 or pet breeder without a license from the department. A person shall obtain a license
10 under this paragraph for each separate location at which the person conducts
11 business as a ~~pet dealer or~~ pet breeder.

12 History: 2001 a. 16.

12 **SECTION 2120bn.** 173.40 (2) (c) [√] of the statutes, as created by 2001 Wisconsin
13 Act 16, is repealed.

14 **SECTION 2120bp.** 173.40 (2) (d) [√] of the statutes, as created by 2001 Wisconsin
15 Act 16, is amended to read:

16 173.40 (2) (d) Licenses issued under ~~pars. (a) and~~ par. (b) expire on October 31
17 of each even-numbered year.

18 History: 2001 a. 16.

18 **SECTION 2120br.** 173.40 (2) (e) [√] of the statutes, as created by 2001 Wisconsin
19 Act 16, is amended to read:

20 173.40 (2) (e) A license issued under par. ~~(a) or~~ (b) is not transferable.

21 History: 2001 a. 16.

21 **SECTION 2120bt.** 173.40 (4) (a) [√] of the statutes, as created by 2001 Wisconsin
22 Act 16, is repealed.

1 **SECTION 2120bv.** 173.40 (4) (b) of the statutes, as created by 2001 Wisconsin
2 Act 16, is renumbered 173.40 (4) and amended to read:

3 173.40 (4) INSPECTIONS. ~~In addition to the inspections required under par. (a),~~
4 ~~the~~ The department may enter and inspect a facility for which a person is required
5 to obtain a license under sub. (2) at any reasonable time.

History: 2001 a. 16.

6 **SECTION 2120bw.** 173.40 (5) (a) of the statutes, as created by 2001 Wisconsin
7 Act 16, is amended to read:

8 173.40 (5) (a) Minimum standards for ~~animal shelter and kennel facilities and~~
9 facilities at which ~~pet dealers and~~ pet breeders operate.”.

History: 2001 a. 16.

10 **3.** Page 1128, line 20: delete “sections 20.115 (2) (j) and 173.40” and substitute
11 “section 173.40 (1) (c), (e), (f), and (fm), (2) (a), (b), (c), (d), and (e), (4) (a) and (b), and
12 (5) (a)”.

13

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

5000 (in 5/16)

LRBb0130/2

RCT:wlj:pg

fmv

LFB:.....Pollek – Changes concerning regulation of pet dealers

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

Note

TO 2003 SENATE BILL 44

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

2 1. Page 335, line 1: delete lines 1 to 8.

3 2. Page 848, line 7: delete lines 7 and 8 and substitute:

Insert

4 #SECTION 2120bb. 173.40 (1) (c) of the statutes, as created by 2001 Wisconsin
5 Act 16, is repealed.

6 SECTION 2120bd. 173.40 (1) (e) of the statutes, as created by 2001 Wisconsin
7 Act 16, is repealed.

8 SECTION 2120bf. 173.40 (1) (f) of the statutes, as created by 2001 Wisconsin Act
9 16, is repealed.

10 SECTION 2120bh. 173.40 (1) (fm) of the statutes, as created by 2001 Wisconsin
11 Act 16, is amended to read:

1 173.40 (1) (fm) “Pet breeder” means a person who sells or offers to sell at least
2 25 50 dogs or cats for resale as pets in a year, except that “pet breeder” does not
3 include a pet dealer.

4 **SECTION 2120bj.** 173.40 (2) (a) of the statutes, as created by 2001 Wisconsin
5 Act 16, is repealed.

6 **SECTION 2120bL.** 173.40 (2) (b) of the statutes, as created by 2001 Wisconsin
7 Act 16, is amended to read:

8 173.40 (2) (b) ~~Except as provided in par. (e), no~~ No person may act as a pet dealer
9 or pet breeder without a license from the department. A person shall obtain a license
10 under this paragraph for each separate location at which the person conducts
11 business as a pet dealer or pet breeder.

12 **SECTION 2120bn.** 173.40 (2) (c) of the statutes, as created by 2001 Wisconsin
13 Act 16, is repealed.

14 **SECTION 2120bp.** 173.40 (2) (d) of the statutes, as created by 2001 Wisconsin
15 Act 16, is amended to read:

16 173.40 (2) (d) Licenses issued under ~~pars. (a) and~~ par. (b) expire on October 31
17 of each even-numbered year.

18 **SECTION 2120br.** 173.40 (2) (e) of the statutes, as created by 2001 Wisconsin
19 Act 16, is amended to read:

20 173.40 (2) (e) A license issued under par. (a) or (b) is not transferable.

21 **SECTION 2120bt.** 173.40 (4) (a) of the statutes, as created by 2001 Wisconsin
22 Act 16, is repealed.

23 **SECTION 2120bv.** 173.40 (4) (b) of the statutes, as created by 2001 Wisconsin
24 Act 16, is renumbered 173.40 (4) and amended to read:

Inset

60130/2

CS 21206
B

as created by 2001 Wisconsin Act 16,

Section # 173.40 (title) of the statutes is amended to read:

WISCONSIN

↓ ↓
173.40 (title) ~~Pet dealers, pet breeders, kennels, and animal shelters.~~

History: 2001 a. 16.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0130/2dn

RCT:.....

Wlj

Chris Pollek:

I decided to redraft the pet regulation draft now so that I would not forget. The only difference between this draft and the first version is that this draft amends the title of s. 173.40. ✓

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0130/2dn
RCT:wlj:jf

May 16, 2003

Chris Pollek:

I decided to redraft the pet regulation draft now so that I would not forget. The only difference between this draft and the first version is that this draft amends the title of s. 173.40.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

Tradewell, Becky

From: Pollek, Chris
Sent: Wednesday, May 28, 2003 5:43 PM
To: Tradewell, Becky
Subject: pet regulation draft

Hi Becky,

I have one change request regarding draft LRBb0130/2. In Section 2120bv (page 3, line 6-7), the draft provides that "The department (DATCP) may enter and inspect a facility for which a person is required to obtain a license under sub. (2) at any reasonable time."

Could the "at any reasonable time" language be changed to something along the lines of "in instances where the Department has reason to suspect human or animal health violations exist, or when alerted to a potential health hazard or violation by a source outside the Department" as written in motion #386?

Thanks for the help and please call or e-mail me with any concerns or questions,

Chris
266-8086



State of Wisconsin
2003 - 2004 LEGISLATURE

SOON (in 5/29)

LRBb0130/3
RCT:wlj:jf

VM✓

LFB:.....Pollek – Changes concerning regulation of pet dealers

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO 2003 SENATE BILL 44**

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 335, line 1: delete lines 1 to 8.
- 3 **2.** Page 848, line 7: delete lines 7 and 8 and substitute:
- 4 **“SECTION 2120b.** 173.40 (title) of the statutes, as created by 2001 Wisconsin Act
- 5 16, is amended to read:
- 6 **173.40 (title) Pet dealers, pet breeders, kennels, and animal shelters.**
- 7 **“SECTION 2120bb.** 173.40 (1) (c) of the statutes, as created by 2001 Wisconsin
- 8 Act 16, is repealed.
- 9 **SECTION 2120bd.** 173.40 (1) (e) of the statutes, as created by 2001 Wisconsin
- 10 Act 16, is repealed.

1 **SECTION 2120bf.** 173.40 (1) (f) of the statutes, as created by 2001 Wisconsin Act
2 16, is repealed.

3 **SECTION 2120bh.** 173.40 (1) (fm) of the statutes, as created by 2001 Wisconsin
4 Act 16, is amended to read:

5 173.40 (1) (fm) “Pet breeder” means a person who sells or offers to sell at least
6 25 50 dogs or cats for resale as pets in a year, except that “pet breeder” does not
7 include a pet dealer.

8 **SECTION 2120bj.** 173.40 (2) (a) of the statutes, as created by 2001 Wisconsin
9 Act 16, is repealed.

10 **SECTION 2120bL.** 173.40 (2) (b) of the statutes, as created by 2001 Wisconsin
11 Act 16, is amended to read:

12 173.40 (2) (b) ~~Except as provided in par. (e), no~~ No person may act as a ~~pet dealer~~
13 ~~or~~ pet breeder without a license from the department. A person shall obtain a license
14 under this paragraph for each separate location at which the person conducts
15 business as a ~~pet dealer or~~ pet breeder.

16 **SECTION 2120bn.** 173.40 (2) (c) of the statutes, as created by 2001 Wisconsin
17 Act 16, is repealed.

18 **SECTION 2120bp.** 173.40 (2) (d) of the statutes, as created by 2001 Wisconsin
19 Act 16, is amended to read:

20 173.40 (2) (d) Licenses issued under ~~pars. (a) and par.~~ par. (b) expire on October 31
21 of each even-numbered year.

22 **SECTION 2120br.** 173.40 (2) (e) of the statutes, as created by 2001 Wisconsin
23 Act 16, is amended to read:

24 173.40 (2) (e) A license issued under ~~par. (a) or~~ (b) is not transferable.

1 SECTION 2120bt. 173.40 (4) (a) of the statutes, as created by 2001 Wisconsin
2 Act 16, is repealed.

3 SECTION 2120bv. 173.40 (4) (b) of the statutes, as created by 2001 Wisconsin
4 Act 16, is renumbered 173.40 (4) and amended to read:

5 173.40 (4) INSPECTIONS. ~~In addition to the inspections required under par. (a),~~
6 ~~the~~ The department may enter and inspect a facility for which a person is required
7 to obtain a license under sub. (2) ~~at any reasonable time.~~ *plain period*

8 SECTION 2120bw. 173.40 (5) (a) of the statutes, as created by 2001 Wisconsin
9 Act 16, is amended to read:

10 173.40 (5) (a) Minimum standards for ~~animal shelter and kennel facilities and~~
11 ~~facilities at which pet dealers and pet breeders operate.~~”.

12 3. Page 1128, line 20: delete “sections 20.115 (2) (j) and 173.40” and substitute
13 “section 173.40 (1) (c), (e), (f), and (fm), (2) (a), (b), (c), (d), and (e), (4) (a) and (b), and
14 (5) (a)”.

15 (END)

LPS:
Please
Score.

when the department has reason to suspect that human or
animal health violations exist ^{or} when a person who is not an
employee of the department notifies the department of a potential
health hazard or violation



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0130/3
RCT:wlj:cph

LFB:.....Pollek – Changes concerning regulation of pet dealers

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO 2003 SENATE BILL 44**

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

2 **1.** Page 335, line 1: delete lines 1 to 8.

3 **2.** Page 848, line 7: delete lines 7 and 8 and substitute:

4 **“SECTION 2120b.** 173.40 (title) of the statutes, as created by 2001 Wisconsin Act
5 16, is amended to read:

6 **173.40 (title) Pet dealers, pet breeders, kennels, and animal shelters.**

7 **“SECTION 2120bb.** 173.40 (1) (c) of the statutes, as created by 2001 Wisconsin
8 Act 16, is repealed.

9 **SECTION 2120bd.** 173.40 (1) (e) of the statutes, as created by 2001 Wisconsin
10 Act 16, is repealed.

1 **SECTION 2120bf.** 173.40 (1) (f) of the statutes, as created by 2001 Wisconsin Act
2 16, is repealed.

3 **SECTION 2120bh.** 173.40 (1) (fm) of the statutes, as created by 2001 Wisconsin
4 Act 16, is amended to read:

5 173.40 (1) (fm) “Pet breeder” means a person who sells or offers to sell at least
6 ~~25~~ 50 dogs or cats for resale as pets in a year, except that “pet breeder” does not
7 include a pet dealer.

8 **SECTION 2120bj.** 173.40 (2) (a) of the statutes, as created by 2001 Wisconsin
9 Act 16, is repealed.

10 **SECTION 2120bL.** 173.40 (2) (b) of the statutes, as created by 2001 Wisconsin
11 Act 16, is amended to read:

12 173.40 (2) (b) ~~Except as provided in par. (c), no~~ No person may act as a pet dealer
13 ~~or~~ pet breeder without a license from the department. A person shall obtain a license
14 under this paragraph for each separate location at which the person conducts
15 business as a ~~pet dealer or~~ pet breeder.

16 **SECTION 2120bn.** 173.40 (2) (c) of the statutes, as created by 2001 Wisconsin
17 Act 16, is repealed.

18 **SECTION 2120bp.** 173.40 (2) (d) of the statutes, as created by 2001 Wisconsin
19 Act 16, is amended to read:

20 173.40 (2) (d) Licenses issued under ~~pars. (a) and~~ par. (b) expire on October 31
21 of each even-numbered year.

22 **SECTION 2120br.** 173.40 (2) (e) of the statutes, as created by 2001 Wisconsin
23 Act 16, is amended to read:

24 173.40 (2) (e) A license issued under par. ~~(a) or~~ (b) is not transferable.

