



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-3171/2

RCT:kmg:ch

Today

VMY

2003 BILL

See p. 4

1 *Sen. Cat*
2 AN ACT *to renumber* 95.55 (3); *to renumber and amend* 95.68 (4); *to amend*
3 20.115 (1) (gb), 20.115 (2) (ha), 95.55 (2), 95.68 (8) and 97.22 (2) (c); *to repeal*
4 *and recreate* 95.55 (3) (title); and *to create* 20.115 (2) (gm), 95.36 (10), 95.51,
5 95.55 (3) (b), 95.68 (4) (b) and 97.22 (2) (bm) of the statutes; **relating to:**
6 registration and identification of livestock premises, granting rule-making
authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) conducts various activities to protect animal health and food safety. DATCP licenses dairy farmers and operators of livestock markets and registers persons who keep deer (including elk).

This bill requires certain persons who keep livestock in this state to register annually with DATCP and to pay a fee. For the purposes of this bill, "livestock" means cattle and bison, horses, goats, poultry, sheep, swine, deer, and any other kind of animal that DATCP identifies by rule. To be covered by this bill, a person keeping poultry must have more than 50 animals and a person keeping horses must have more than five animals.

The bill does not require dairy farmers and livestock market operators that are licensed and deer keepers who are registered under current law to obtain the new registration, but they are required to pay the new fee.

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The bill requires DATCP to assign a premises identification number to each location where livestock are kept and to maintain a data base containing the identification numbers and related information. Information provided to DATCP under this bill is not public information, except as provided by DATCP by rule and except for information that is required to be provided under other laws.

Under current law, DATCP makes payments to owners of animals that DATCP orders killed to control animal disease. Current law specifies several situations in which owners are not eligible for these payments. Under this bill, the owner of an animal that DATCP orders to be killed to control animal disease is not eligible for a payment from DATCP if the person did not register or pay a fee as required by the bill.

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.** 20.115 (1) (gb) of the statutes is amended to read:

2 20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation
3 of food under chs. 93, 97 and 98. All moneys received under ss. 93.06 (1r) and (1w),
4 93.09, 93.11, 93.12, 97.17, 97.175, 97.20, 97.21, 97.22 (2) (b) and (4), 97.24, 97.27,
5 97.29, 97.30 (3) (a), (b) and (c), 97.41, 98.145 and 98.146 for the regulation of food
6 shall be credited to this appropriation.

7 **SECTION 2.** 20.115 (2) (gm) of the statutes is created to read:

8 20.115 (2) (gm) *Livestock premises registration and identification.* All moneys
9 received under ss. 95.51 (2) (d), 95.55 (3) (b), 95.68 (4) (b), and 97.22 (2) (bm) for the
10 administration of livestock premises registration and identification under s. 95.51.

11 **SECTION 3.** 20.115 (2) (ha) of the statutes is amended to read:

12 20.115 (2) (ha) *Inspection, testing and enforcement.* All moneys received under
13 ss. 93.06 (1f) and (1g), 95.55 (3) (a), 95.57, 95.60 (5), 95.68 (4) (a) and (5), 95.69, 95.71
14 and 95.715, to be used for animal health inspection and testing and for enforcement
15 of animal health laws.

BILL

1 **SECTION 4.** 95.36 (10) of the statutes is created to read:

2 **95.36 (10)** If the owner of the animal has failed to comply with s. 95.51 (2) or
3 has failed to register or obtain a license under s. 95.55, 95.68, or 97.22 or to pay fees
4 required under s. 95.55, 95.68, or 97.22.

5 **SECTION 5.** 95.51 of the statutes is created to read:

6 **95.51 Livestock premises; registration and identification.** (1)

7 **DEFINITION.** In this section, “livestock” means bovine animals, equine animals, goats,
8 poultry, sheep, swine, farm–raised deer, and any other kind of animal that the
9 department identifies by rule for the purposes of this section.

10 **(2) ANNUAL REGISTRATION.** (a) Except as provided in sub. (3), no person may do
11 any of the following at a location in this state unless that person annually registers
12 that location with the department:

- 13 1. Keep any bovine animals, goats, sheep, swine, or farm–raised deer.
- 14 2. Keep more than 50 animals that are poultry.
- 15 3. Keep more than 5 equine animals.
- 16 4. Keep any other kind of livestock that the department identifies by rule.

17 (b) A registration under par. (a) expires on December 31. A registration is not
18 transferable between locations or registrants.

19 (c) A person shall register under par. (a) on a form provided by the department
20 and shall provide all of the following information:

- 21 1. The registrant’s legal name and any trade names under which the registrant
22 keeps livestock in this state.
- 23 2. The registrant’s business address.
- 24 3. The address of each location at which the registrant keeps livestock in this
25 state.

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1 include in the data base global positioning system coordinates and other information
2 that the department considers appropriate.

3 (5) CONFIDENTIALITY. Information that a person is required to provide to the
4 department under sub. (2) is not subject to public inspection under s. 19.35, except
5 as provided by the department by rule. This limitation on public inspection does not
6 apply to information that a person is required to provide to the department under
7 other laws.

8 (6) RULES. (a) The department shall promulgate rules specifying fees to be paid
9 by persons who are required to register under sub. (2) (a) and s. 95.55 and required
10 to be licensed under ss. 95.68 and 97.22. The department shall design the fees to
11 cover the department's reasonable costs to administer this section.

12 (b) The department may promulgate rules for the administration of this
13 section, in addition to the rules under par. (a).

14 **SECTION 6.** 95.55 (2) of the statutes is amended to read:

15 95.55 (2) APPLICATION. A person shall register under this section using a form
16 provided by the department. The form shall be accompanied by the fee fees specified
17 under sub. (3).

18 **SECTION 7.** 95.55 (3) (title) of the statutes is repealed and recreated to read:

19 95.55 (3) (title) FEES.

20 **SECTION 8.** 95.55 (3) of the statutes is renumbered 95.55 (3) (a).

21 **SECTION 9.** 95.55 (3) (b) of the statutes is created to read:

22 95.55 (3) (b) In addition to the fee under par. (a), a person required to register
23 under this section shall pay the livestock premises identification fee specified under
24 s. 95.51 (6) (a).

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1 **SECTION 10.** 95.68 (4) of the statutes is renumbered 95.68 (4) (a), and 95.68 (4)
2 (a) 3., as renumbered, is amended to read:

3 95.68 (4) (a) 3. For an animal market other than one described in ~~par. (a) or (b)~~
4 subd. 1. or 2., \$100.

5 **SECTION 11.** 95.68 (4) (b) of the statutes is created to read:

6 95.68 (4) (b) In addition to the fee under par. (a), an applicant for a license under
7 this section shall pay the livestock premises identification fee specified under s. 95.51
8 (6) (a).

9 **SECTION 12.** 95.68 (8) of the statutes is amended to read:

10 95.68 (8) **RULES.** The department may promulgate rules to specify license fees
11 under sub. (4) (a) or to regulate the operation of animal markets, including rules
12 related to market operator qualifications, market construction and maintenance,
13 construction and maintenance of animal transport vehicles, identification of animal
14 transport vehicles, disease sanitation, humane treatment of animals, identification
15 of animals, record keeping, reports to the department and compliance with
16 applicable financial security requirements under state or federal law.

17 **SECTION 13.** 97.22 (2) (bm) of the statutes is created to read:

18 97.22 (2) (bm) *Livestock premises identification fee.* In addition to the fee under
19 par. (b), the livestock premises identification fee specified under s. 95.51 (6) (a)
20 applies to a dairy farm required to be licensed under par. (a).

21 **SECTION 14.** 97.22 (2) (c) of the statutes is amended to read:

22 97.22 (2) (c) *Dairy plant to pay license fee fees for milk producer.* The operator
23 of a dairy plant licensed under s. 97.20 shall pay the milk producer license fee and
24 the livestock premises identification fee under this subsection for every dairy farm
25 from which the dairy plant receives milk at the time the fee payment is due. An

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1 applicant for a dairy plant license shall submit ~~that fee~~ those fees with the applicant's
2 dairy plant license application under s. 97.20. A dairy plant operator who pays a ~~milk~~
3 ~~producer license fee~~ under this paragraph may charge that fee back to the milk
4 producer if the dairy plant operator notifies the milk producer in writing of the dairy
5 plant operator's intent to charge the fee to the milk producer. A dairy plant operator
6 may not discriminate between milk producers with respect to fee charges under this
7 paragraph, but may charge back ~~license fees~~ to all milk producers who cease shipping
8 milk to the dairy plant during the license year. A dairy plant operator who pays a
9 ~~milk producer license fee~~ under this paragraph may not deduct the amount of the fee
10 from any payment to the milk producer for milk that the dairy plant operator
11 purchases from the milk producer.

SECTION 15. Effective date.

12
13 (1) This act takes effect on the first day of the 13th month beginning after
14 publication.

15 (END)

November 14, 2003

To Becky Tradewell, Legislative Reference Bureau---

Becky---

I have been asked by the parties involved in a discussion of LRB-3171/2 to submit drafting instructions to you for a redraft of the bill.

- ✓ Page 3, line 14: change 50 to 20.
- ✓ Page 4, lines 1 and 2: delete "nature of the livestock operation." and substitute "type of the livestock operation, using standards and guidelines from the U.S. animal identification plan developed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service to the extent practicable."
- ✓ Page 4, line 11: after "rule" insert ", including exemptions based on the number or type of livestock kept by a person, or the type of location where a person keeps livestock".
- ✓ Page 5, line 4: delete from the comma to "rule" on line 5.
- ✓ Page 5, line 11: after "section" insert ", not to exceed \$30 annually for each person who is required to register"

In addition to these changes, there was some concern that the LRB analysis has caused misunderstanding. The following suggestions were made:

- ✓ In the second paragraph, after "fee," add "for the registration".
- ✓ In the third paragraph, delete "new registration" and substitute "registration under this bill"; and delete "new fee" and substitute "fee for registration, in addition to the current fees for licensed dairy farmers and livestock market operators, and registered deer keepers."

Mark Patronsky
Legislative Council
266-9280



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-3171/3
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2003 BILL

1 **AN ACT to renumber 95.55 (3); to renumber and amend 95.68 (4); to amend**
 2 **20.115 (1) (gb), 20.115 (2) (ha), 95.55 (2), 95.68 (8) and 97.22 (2) (c); to repeal**
 3 **and recreate 95.55 (3) (title); and to create 20.115 (2) (gm), 95.36 (10), 95.51,**
 4 **95.55 (3) (b), 95.68 (4) (b) and 97.22 (2) (bm) of the statutes; relating to:**
 5 **registration and identification of livestock premises, granting rule-making**
 6 **authority, and making an appropriation.**

Gen. Cat.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) conducts various activities to protect animal health and food safety. DATCP licenses dairy farmers and operators of livestock markets and registers persons who keep deer (including elk).

* This bill requires certain persons who keep livestock in this state to register annually with DATCP and to pay a fee. For the purposes of this bill, "livestock" means cattle and bison, horses, goats, poultry, sheep, swine, deer, and any other kind of animal that DATCP identifies by rule. To be covered by this bill, a person keeping poultry must have more than 50 animals and a person keeping horses must have more than five animals.

* The bill does not require dairy farmers and livestock market operators that are licensed and deer keepers who are registered under current law to obtain the new registration, but they are required to pay the new fee for registration, in addition to the current fees for licensed dairy farmers and livestock market operators and registered deer keepers.

* under this bill

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* The bill requires DATCP to assign a premises identification number to each
* location where livestock are kept and to maintain a data base containing the
identification numbers and related information. Information provided to DATCP
under this bill is not public information, except as provided by DATCP by rule and
except for information that is required to be provided under other laws.

Under current law, DATCP makes payments to owners of animals that DATCP orders killed to control animal disease. Current law specifies several situations in which owners are not eligible for these payments. Under this bill, the owner of an animal that DATCP orders to be killed to control animal disease is not eligible for a payment from DATCP if the person did not register or pay a fee as required by the bill.

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.** 20.115 (1) (gb) of the statutes is amended to read:

2 20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation
3 of food under chs. 93, 97 and 98. All moneys received under ss. 93.06 (1r) and (1w),
4 93.09, 93.11, 93.12, 97.17, 97.175, 97.20, 97.21, 97.22 (2) (b) and (4), 97.24, 97.27,
5 97.29, 97.30 (3) (a), (b) and (c), 97.41, 98.145 and 98.146 for the regulation of food
6 shall be credited to this appropriation.

7 **SECTION 2.** 20.115 (2) (gm) of the statutes is created to read:

8 20.115 (2) (gm) *Livestock premises registration and identification.* All moneys
9 received under ss. 95.51 (2) (d), 95.55 (3) (b), 95.68 (4) (b), and 97.22 (2) (bm) for the
10 administration of livestock premises registration and identification under s. 95.51.

11 **SECTION 3.** 20.115 (2) (ha) of the statutes is amended to read:

12 20.115 (2) (ha) *Inspection, testing and enforcement.* All moneys received under
13 ss. 93.06 (1f) and (1g), 95.55 (3) (a), 95.57, 95.60 (5), 95.68 (4) (a) and (5), 95.69, 95.71
14 and 95.715, to be used for animal health inspection and testing and for enforcement
15 of animal health laws.

BILL

1 **SECTION 4.** 95.36 (10) of the statutes is created to read:

2 **95.36 (10)** If the owner of the animal has failed to comply with s. 95.51 (2) or
3 has failed to register or obtain a license under s. 95.55, 95.68, or 97.22 or to pay fees
4 required under s. 95.55, 95.68, or 97.22.

5 **SECTION 5.** 95.51 of the statutes is created to read:

6 **95.51 Livestock premises; registration and identification. (1)**

7 **DEFINITION.** In this section, “livestock” means bovine animals, equine animals, goats,
8 poultry, sheep, swine, farm–raised deer, and any other kind of animal that the
9 department identifies by rule for the purposes of this section.

10 **(2) ANNUAL REGISTRATION.** (a) Except as provided in sub. (3), no person may do
11 any of the following at a location in this state unless that person annually registers
12 that location with the department:

13 1. Keep any bovine animals, goats, sheep, swine, or farm–raised deer.

✓ (14) 2. Keep more than ²⁰~~50~~ animals that are poultry.

15 3. Keep more than 5 equine animals.

16 4. Keep any other kind of livestock that the department identifies by rule.

17 (b) A registration under par. (a) expires on December 31. A registration is not
18 transferable between locations or registrants.

19 (c) A person shall register under par. (a) on a form provided by the department
20 and shall provide all of the following information:

21 1. The registrant’s legal name and any trade names under which the registrant
22 keeps livestock in this state.

23 2. The registrant’s business address.

24 3. The address of each location at which the registrant keeps livestock in this
25 state.

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4. The type of livestock kept at each location under subd. 3. and the ^{type} nature of

2

the livestock operation, ^{using standards and guidelines^{es} from the national animal} identification plan developed by the animal and plant health

3

5. Any other relevant information required by the department. ^{inspection service of}

4

(d) A person registering under par. (a) shall pay the fee that the ^{the federal} department

5

specifies by rule.

of agriculture, to the extent practicable

6

(3) EXEMPTIONS. The annual registration requirement under sub. (2) does not

7

apply to any of the following:

8

(a) A person registered under s. 95.55 to keep farm-raised deer.

9

(b) A person licensed under s. 95.68 to operate a livestock market.

10

(c) A milk producer licensed under s. 97.22.

11

(d) Any other person that the department exempts by rule.

12

(4) PREMISES IDENTIFICATION. (a) The department shall assign a unique

13

identification number to each location registered under sub. (2) (a) or s. 95.55 or

14

licensed under s. 95.68 or 97.22. A premises identification number is not

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transferable between locations, but is transferable between registrants or license

16

holders. The department shall use a uniform numbering system that is reasonably

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designed to facilitate animal health and disease control, interstate consistency, and

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interstate commerce. The department shall use premises identification numbers

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that are federally allocated for premises in this state.

20

(b) The department shall establish and maintain an electronic data base

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related to livestock premises in this state. The department shall include in the data

22

base the premises identification number assigned to each location under par. (a) and

23

the registration or license information under this section or s. 95.55, 95.68, or 97.22

24

that is associated with that premises identification number. The department may

including exemptions based on the number or type of livestock kept by a person or on the type of locations where a person keeps livestock

BILL*person who is required to register*

1 include in the data base global positioning system coordinates and other information
2 that the department considers appropriate.

3 (5) CONFIDENTIALITY. Information that a person is required to provide to the
4 department under sub. (2) is not subject to public inspection under s. 19.35, ~~except~~
5 ~~as provided by the department by rule.~~ This limitation on public inspection does not
6 apply to information that a person is required to provide to the department under
7 other laws.

8 (6) RULES. (a) The department shall promulgate rules specifying fees to be paid
9 by persons who are required to register under sub. (2) (a) and s. 95.55 and required
10 to be licensed under ss. 95.68 and 97.22. The department shall design the fees to
11 cover the department's reasonable costs to administer this section. *not to exceed \$30*
annually for each

12 (b) The department may promulgate rules for the administration of this
13 section, in addition to the rules under par. (a).

14 **SECTION 6.** 95.55 (2) of the statutes is amended to read:

15 95.55 (2) APPLICATION. A person shall register under this section using a form
16 provided by the department. The form shall be accompanied by the fee fees specified
17 under sub. (3).

18 **SECTION 7.** 95.55 (3) (title) of the statutes is repealed and recreated to read:

19 95.55 (3) (title) FEES.

20 **SECTION 8.** 95.55 (3) of the statutes is renumbered 95.55 (3) (a).

21 **SECTION 9.** 95.55 (3) (b) of the statutes is created to read:

22 95.55 (3) (b) In addition to the fee under par. (a), a person required to register
23 under this section shall pay the livestock premises identification fee specified under
24 s. 95.51 (6) (a).

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1 **SECTION 10.** 95.68 (4) of the statutes is renumbered 95.68 (4) (a), and 95.68 (4)
2 (a) 3., as renumbered, is amended to read:

3 95.68 (4) (a) 3. For an animal market other than one described in ~~par. (a) or (b)~~
4 subd. 1. or 2., \$100.

5 **SECTION 11.** 95.68 (4) (b) of the statutes is created to read:

6 95.68 (4) (b) In addition to the fee under par. (a), an applicant for a license under
7 this section shall pay the livestock premises identification fee specified under s. 95.51
8 (6) (a).

9 **SECTION 12.** 95.68 (8) of the statutes is amended to read:

10 95.68 (8) RULES. The department may promulgate rules to specify license fees
11 under sub. (4) (a) or to regulate the operation of animal markets, including rules
12 related to market operator qualifications, market construction and maintenance,
13 construction and maintenance of animal transport vehicles, identification of animal
14 transport vehicles, disease sanitation, humane treatment of animals, identification
15 of animals, record keeping, reports to the department and compliance with
16 applicable financial security requirements under state or federal law.

17 **SECTION 13.** 97.22 (2) (bm) of the statutes is created to read:

18 97.22 (2) (bm) *Livestock premises identification fee.* In addition to the fee under
19 par. (b), the livestock premises identification fee specified under s. 95.51 (6) (a)
20 applies to a dairy farm required to be licensed under par. (a).

21 **SECTION 14.** 97.22 (2) (c) of the statutes is amended to read:

22 97.22 (2) (c) *Dairy plant to pay license fee fees for milk producer.* The operator
23 of a dairy plant licensed under s. 97.20 shall pay the milk producer license fee and
24 the livestock premises identification fee under this subsection for every dairy farm
25 from which the dairy plant receives milk at the time the fee payment is due. An

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1 applicant for a dairy plant license shall submit ~~that fee~~ those fees with the applicant's
2 dairy plant license application under s. 97.20. A dairy plant operator who pays a ~~milk~~
3 ~~producer license fee~~ under this paragraph may charge that fee back to the milk
4 producer if the dairy plant operator notifies the milk producer in writing of the dairy
5 plant operator's intent to charge the fee to the milk producer. A dairy plant operator
6 may not discriminate between milk producers with respect to fee charges under this
7 paragraph, but may charge back ~~license~~ fees to all milk producers who cease shipping
8 milk to the dairy plant during the license year. A dairy plant operator who pays a
9 ~~milk producer license fee~~ under this paragraph may not deduct the amount of the fee
10 from any payment to the milk producer for milk that the dairy plant operator
11 purchases from the milk producer.

SECTION 15. Effective date.

12
13 (1) This act takes effect on the first day of the 13th month beginning after
14 publication.

15 (END)



State of Wisconsin
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection

Rod Nilsestuen, Secretary

January 22, 2004

The Honorable Barbara Gronemus, Representative
Wisconsin State Assembly
Room 114 North
State Capitol
P.O. Box 8952
Madison 53708

Dear Representative Gronemus:

Re: Livestock Premises Registration Bill

Thank you for meeting with department representatives on January 14, 2004 to discuss the above bill. Based on legislative hearing comments, and our meeting on January 14, we have identified possible changes to the bill (see proposed changes attached). These changes would:

- Convert the registration from an annual to a one-time registration.
- Direct the department to seek federal funding for the program. The department may not charge registration fees unless federal funds, combined with any state moneys specifically appropriated for the program, fail to cover the department's reasonable costs to administer the program. Fees, if any, may not exceed \$30 per year. Fee revenues, if any, must be used for the administration of this program (they may not be used for any other purpose).
- Clarify that, for dairy farms, deer farms and livestock markets, registration is combined with current licensing procedures (to avoid duplicate paperwork). These entities are *not* exempt from registration (or registration fees if any).
- Clarify that premises numbers must comply with standards specified by the United States Department of Agriculture, Animal and Plant Health Inspection Service. This will ensure that Wisconsin is "in step" with the federal government and other states.
- Strengthen and clarify confidentiality requirements, to protect registrants.
- Provide a delayed effective date. The law would take effect on the first day of the 16th month beginning after publication, or on November 1, 2005, whichever date is later. This would allow more time to incorporate new federal standards (if any), assess funding needs and budget appropriations, implement rules, and work with the industry to start the program.
- Make other drafting and terminology changes, consistent with your suggestions.

Wisconsin Food and Agricultural Products - \$40 Billion for Wisconsin's Economy

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • 608-224-5012 • Wisconsin.gov

Honorable Barbara Gronemus
January 22, 2003
Page 2

Please feel free to contact me, or others in the department, if you have any questions.

Sincerely,

James K. Matson,
Counsel
(608) 224-5022

Enclosure

Cc: The Honorable Al Ott
Secretary Nilsestuen
Mark Patrosky
Dr. Robert Ehlenfeldt
Susan Buroker
Tom Lyon

**Possible Amendments to Livestock Premises
Registration Bill (LRB-3171/3)**

✓ **Page 2, lines 8-10 -- Amend as follows:**

20.115(2)(gm) *Livestock premises registration ~~and identification~~*. All moneys received under ss. 95.51(2)(d), 95.55(3)(b), 95.68(4)(b), and 97.22(2)(bm) for the administration of livestock premises registration ~~and identification~~ under s. 95.51.

✓ **Page 3, lines 12-14 -- Amend as follows:**

(2) ~~ANNUAL~~ REGISTRATION. (a) Except as provided in sub. (3) (3m), no person may do any of the following at a location in this state unless that person ~~annually~~ registers that location with the department.

✓ **Page 3, line 16 -- Amend as follows:**

2. Keep more than 20 ~~animals that are~~ poultry.

✓ **Page 3, lines 19-20 -- Delete.**

✓ **Page 4, lines 8-9 -- Amend as follows:**

(d) A person registering under par. (a) shall pay the fee, if any, that the department specifies by rule under sub. (6).

✓ **Page 4, lines 10-17 -- Substitute the following:**

(3) REGISTRATION COMBINED WITH OTHER LICENSE OR REGISTRATION. The following persons are not required to submit a separate registration under sub. (2):

(a) A person who holds a registration certificate under s. 95.55 to keep farm-raised deer, provided that the person complies with sub. (2) as part of the registration process under s. 95.55.

(b) A person who holds a license under s. 95.68 to operate a livestock market, provided that the person complies with sub. (2) as part of the licensing process under s. 95.68.

(c) A milk producer who holds a dairy farm license under s. 97.22, provided that the milk producer complies with sub. (2) as part of the dairy farm licensing process under s. 97.22.

(3m) EXEMPTIONS. The department may by rule provide exemptions from sub. (2), including exemptions based on the number or type of livestock that the person keeps, or the type of location where the person keeps the livestock.

✓ **Page 4, lines 18-25 -- Amend as follows:**

(4) PREMISES IDENTIFICATION NUMBER. (a) The department shall assign a unique identification number to each location registered under sub. (2)(a) or s. 95.55 or licensed under s. 95.68 or 97.22. ~~A premises identification number is not transferable between locations, but is transferable between registrants or license holders.~~ The department shall use a uniform numbering system that is reasonably designed to facilitate animal health and disease control, interstate consistency and interstate commerce. The numbering system shall comply with applicable standards established by animal and plant health inspection service of the federal department of agriculture. The department shall use premises identification numbers that are federally allocated for premises in this state.

Page 5, lines 1-7 -- Amend as follows:

(b) The department shall establish and maintain an electronic data base related to livestock premises in this state. The department shall include in the data base the premises identification number assigned to each premises under par. (a) and the registration ~~or license~~ information under this section ~~or s. 95.55, 95.68, or 97.22~~ that is associated with that premises identification number. The department may include in the data base global positioning system coordinates and other information that the department considers appropriate.

✓ **Page 5, lines 8-11 - Substitute the following:**

(5) CONFIDENTIALITY. (a) Information required of a registrant under sub. (2) is not subject to public inspection under s. 19.35. Except as provided in pars. (b) and (c), the department may not disclose information required of a registrant under sub. (2) to any other person or agency.

(b) Paragraph (a) does not apply to information that a registrant is required to provide to the department under other law.

(c) The department may release information required of a registrant under sub. (2) to any of the following:

1. Persons designated by the registrant, if the release is authorized by the registrant.
2. The animal and plant health service of the federal department of agriculture.
3. The department's agent contract under sub. (8), provided that the contract agent agrees to comply with the confidentiality requirements under this subsection.

4. Another person or agency, if the department believes that the release is necessary to prevent or control disease, or to protect public health, safety or welfare.

√ **Page 5, lines 12-18 - Substitute the following:**

(6) PROGRAM FUNDING. The department shall seek federal funding to administer this section. If federal funds combined with any state funds specifically appropriated for the administration of this section are not adequate to cover the department's reasonable costs to administer this section, the department may charge fees to registrants under this section to cover those reasonable costs. The department shall establish registration fees, if any, by rule. The department may establish one-time or annual fees, but fees may not exceed \$30 per year. Fee revenues may be used for the administration of this section, and for no other purpose.

(7) RULES. The department may promulgate rules for the administration of this section.

(8) CONTRACT AGENT. The department may contract with an agent to administer the registration program under this section on behalf of the department, subject to this section.

√ **Page 6, lines 2-4 -- Amend as follows:**

95.55(3)(b) In addition to the fee under par. (a), a person required to register under this section shall pay the livestock premises ~~identification~~ registration fee, if any, specified under s. 95.51(6)(a).

√ **Page 6, lines 10-12 -- Amend as follows:**

95.68(4)(b) In addition to the fee under par. (a), an applicant for a license under this section shall pay the livestock premises ~~identification~~ registration fee, if any, specified under s. 95.51(6)(a).

√ **Page 6, lines 22-24 -- Amend as follows:**

97.22(2)(bm) *Livestock premises ~~identification~~ registration fee.* In addition to the fee under par. (b), the livestock premises ~~identification~~ registration fee, if any, specified under s. 95.51(6)(a) applies to a dairy farm required to be licensed under par. (a).

✓ **Page 7, lines 1-4 -- Substitute, for the first sentence after the paragraph title, the following sentence:**

The operator of a dairy plant licensed under s. 97.20 shall pay the milk producer license fee and any livestock premises registration fee under this subsection for every dairy farm from which the dairy plant receives milk at the time the fee payment is due.

✓ **Page 7, lines 17-18 -- Amend as follows:**

(1) This act takes effect on the first day of the ~~13th~~ 16th month beginning after publication, or on November 1, 2005, whichever date is later.

Tradewell, Becky

From: Patronsky, Mark
Sent: Wednesday, January 28, 2004 12:05 PM
To: Tradewell, Becky
Subject: FW: Premise " Registration" ID

Becky---

This is the addendum to the DATCP memo on premise ID that I mentioned. It still doesn't capture that thought I expressed, that DATCP should be in charge of releasing information (not the contract agent), other than information released at the request of the farmer.

Mark

-----Original Message-----

From: Napralla, Erin
Sent: Tuesday, January 27, 2004 1:12 PM
To: Patronsky, Mark
Subject: FW: Premise " Registration" ID

-----Original Message-----

From: Buroker, Susan J DATCP
Sent: Tuesday, January 27, 2004 11:28 AM
To: Napralla, Erin
Cc: Moll, Keeley A DATCP; Lyon, Tom DATCP; Ehlenfeldt, Robert G DATCP; Matson, James K DATCP
Subject: FW: Premise " Registration" ID

Hi Erin:

Jim Matson has drafted suggested language below. I think it clarifies Mark's concerns. Does it work for you?

Thanks,
Sue

-----Original Message-----

From: Matson, James K DATCP
Sent: Tuesday, January 27, 2004 10:23 AM
To: Buroker, Susan J DATCP
Subject: RE: Premise ID

I would suggest the following language:

"(c) The department may release information required of a registrant under sub. (2) to any of the following:

1. Persons designated by the registrant, if the registrant authorizes the release. [NOTE: If the registrant authorizes the release to a designated person, it is up to the registrant -- not DATCP - to negotiate a confidentiality agreement with that person.]
2. The animal and plant health service of the federal department of agriculture, provided that the animal and plant health service of the federal department of agriculture agrees to comply with the confidentiality requirements under this section.
3. The department's contract agent under sub. (8), provided that the contract agent agrees to comply with the confidentiality requirements under this subsection.
4. Another person or agency, if the department believes that the release is necessary to prevent or control disease, or to protect public health, safety or welfare. The department may release the information subject to any confidentiality requirements that the department deems appropriate under the circumstances."

• 1/28/04 Meeting w. Rep. Gronemus, Bill Cross (aide) & Mark Patrowski (Leg Council)

Make the changes in DATCP memo - except

1. No fees. Instead require DATCP to include a funding proposal in its next budget request

2. Confidentiality: Prohibit recipients of info. from releasing it. Eliminate last clause of (5)(c)3.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-3171/184
RCT:kmg:rs

Fri., if possible

rmy

2003 BILL

regenerate
↓

1 **AN ACT** *to renumber* 95.55 (3); *to renumber and amend* 95.68 (4); *to amend*
 2 20.115 (1) (gb), 20.115 (2) (ha), 95.55 (2), 95.68 (8) and 97.22 (2) (c); *to repeal*
 3 *and recreate* 95.55 (3) (title); and *to create* 20.115 (2) (gm), 95.36 (10), 95.51,
 4 95.55 (3) (b), 95.68 (4) (b) and 97.22 (2) (bm) of the statutes; **relating to:**
 5 registration and identification of livestock premises, ^{and} granting rule-making
 6 authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) conducts various activities to protect animal health and food safety. DATCP licenses dairy farmers and operators of livestock markets and registers persons who keep deer (including elk).

* This bill requires certain persons who keep livestock in this state to register annually with DATCP and to pay a fee for the registration. For the purposes of this bill, "livestock" means cattle and bison, horses, goats, poultry, sheep, swine, deer, and any other kind of animal that DATCP identifies by rule. To be covered by this bill, a person keeping poultry must have more than 20 animals and a person keeping horses must have more than five animals.

The bill does not require dairy farmers and livestock market operators that are licensed and deer keepers who are registered under current law to obtain the registration under this bill, but they are required to pay the fee for registration, in

BILL

must generally be kept confidential

addition to the current fees for licensed dairy farmers and livestock market operators and registered deer keepers.

* The bill requires DATCP to assign a premises identification number to each location where livestock are kept and to maintain a data base containing the identification numbers and related information. Information provided to DATCP under this bill is not public information, except for information that is required to be provided under other laws.

* Under current law, DATCP makes payments to owners of animals that DATCP orders killed to control animal disease. Current law specifies several situations in which owners are not eligible for these payments. Under this bill, the owner of an animal that DATCP orders to be killed to control animal disease is not eligible for a payment from DATCP if the person did not register or pay a fee as required by the bill.

administer the livestock premises registration program

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:

SECTION 1. 20.115 (1) (gb) of the statutes is amended to read:

20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation of food under chs. 93, 97 and 98. All moneys received under ss. 93.06 (1r) and (1w), 93.09, 93.11, 93.12, 97.17, 97.175, 97.20, 97.21, 97.22 (2) (b) and (4), 97.24, 97.27, 97.29, 97.30 (3) (a), (b) and (c), 97.41, 98.145 and 98.146 for the regulation of food shall be credited to this appropriation.

SECTION 2. 20.115 (2) (gm) of the statutes is created to read:

20.115 (2) (gm) *Livestock premises registration and identification.* All moneys received under ss. 95.51 (2) (d), 95.55 (3) (b), 95.68 (4) (b), and 97.22 (2) (bm) for the administration of livestock premises registration and identification under s. 95.51.

SECTION 3. 20.115 (2) (ha) of the statutes is amended to read:

20.115 (2) (ha) *Inspection, testing and enforcement.* All moneys received under ss. 93.06 (1f) and (1g), 95.55 (3) (a), 95.57, 95.60 (5), 95.68 (4) (a) and (5), 95.69, 95.71

BILL

1 and 95.715, to be used for animal health inspection and testing and for enforcement
2 of animal health laws.

3 SECTION 4. 95.36 (10) of the statutes is created to read:

4 95.36 (10) If the owner of the animal has failed to comply with s. 95.51 (2) or
5 has failed to register or obtain a license under s. 95.55, 95.68, or 97.22 or to pay fees
6 required under s. 95.55, 95.68, or 97.22.

7 SECTION 5. 95.51 of the statutes is created to read:

8 **95.51 Livestock premises; registration and identification. (1)**

9 DEFINITION. In this section, "livestock" means bovine animals, equine animals, goats,
10 poultry, sheep, swine, farm-raised deer, and any other kind of animal that the
11 department identifies by rule for the purposes of this section.

12 (2) ~~ANNUAL~~ REGISTRATION. (a) Except as provided ^{under} in sub. (3), no person may do
13 any of the following at a location in this state unless that person ~~annually~~ registers
14 that location with the department:

- 15 1. Keep any bovine animals, goats, sheep, swine, or farm-raised deer.
- 16 2. Keep more than 20 ~~animals that are~~ poultry.
- 17 3. Keep more than 5 equine animals.
- 18 4. Keep any other kind of livestock that the department identifies by rule.

19 (b) A registration under par. (a) expires on December 31. A registration is not
20 transferable between locations or registrants.

21 (b) (i) A person shall register under par. (a) on a form provided by the department
22 and shall provide all of the following information:

- 23 1. The registrant's legal name and any trade names under which the registrant
24 keeps livestock in this state.
- 25 2. The registrant's business address.

BILL

1 3. The address of each location at which the registrant keeps livestock in this
2 state.

3 4. The type of livestock kept at each location under subd. 3. and the type of
4 livestock operation, using standards and guidelines from the national animal
5 identification plan developed by the animal and plant health inspection service of the
6 federal department of agriculture, to the extent practicable.

7 5. Any other relevant information required by the department.

8 (d) A person registering under par. (a) shall pay the fee that the department
9 specifies by rule.

10 (3) EXEMPTIONS. The annual registration requirement under sub. (2) does not
11 apply to any of the following:

12 (a) A person registered under s. 95.55 to keep farm-raised deer.

13 (b) A person licensed under s. 95.68 to operate a livestock market.

14 (c) A milk producer licensed under s. 97.22.

15 (d) Any other person that the department exempts by ~~rule~~, including
16 exemptions based on the number or type of livestock kept by a person or on the type
17 of locations where a person keeps livestock.

18 (4) PREMISES IDENTIFICATION. (a) The department shall assign a unique
19 identification number to each location registered under sub. (2) (a) or s. 95.55 or
20 licensed under s. 95.68 or 97.22. A premises identification number is not
21 transferable between locations, but is transferable between registrants or license
22 holders. The department shall use a uniform numbering system that is reasonably
23 designed to facilitate animal health and disease control, interstate consistency, and
24 interstate commerce. The department shall use premises identification numbers
25 that are federally allocated for premises in this state.

The department shall use a numbering system that complies with any applicable standards established by the animal and plant health inspection service of the federal department of agriculture.

Inst
4-7

Insert 4-15 v

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BILL

1 (b) The department shall establish and maintain an electronic data base
 2 related to livestock premises in this state. The department shall include in the data
 3 base the premises ~~identification~~ ^{identification} number assigned to each location under par. (a) and
 4 the registration ~~license~~ ^{license} information under this section or s. 95.55, 95.68, or 97.22
 5 that is associated with that premises ~~license~~ ^{identification} number. The department may
 6 include in the data base global positioning system coordinates and other information
 7 that the department considers appropriate.

8 (5) CONFIDENTIALITY. ^(a) Information that a person is required to provide to the
 9 department under sub. (2) is not subject to public inspection under s. 19.35. ^{Insert 5-9} ~~This~~
 10 ~~limitation on public inspection~~ ^{¶ (b) Paragraph (a)} does not apply to information that a person is
 11 required to provide to the department under other laws.

✓
Insert
5-11

12 (6) RULES. (a) The department shall promulgate rules specifying fees to be paid
 13 by persons who are required to register under sub. (2) (a) and s. 95.55 and required
 14 to be licensed under ss. 95.68 and 97.22. The department shall design the fees to
 15 cover the department's reasonable costs to administer this section, not to exceed \$30
 16 annually for each person who is required to register.

✓
Insert
5-18

17 ~~(7) Rules.~~
 18 (b) The department may promulgate rules for the administration of this
 section, ~~in addition to the rules under par. (a).~~

19 **SECTION 6.** 95.55 (2) of the statutes is amended to read:
 20 95.55 (2) APPLICATION. A person shall register under this section using a form
 21 provided by the department. The form shall be accompanied by the fee fees specified
 22 under sub. (3).
 23 **SECTION 7.** 95.55 (3) (title) of the statutes is repealed and recreated to read:
 24 95.55 (3) (title) FEES.
 25 **SECTION 8.** 95.55 (3) of the statutes is renumbered 95.55 (3) (a).

BILL

1 **SECTION 9.** 95.55 (3) (b) of the statutes is created to read:

2 95.55 (3) (b) In addition to the fee under par. (a), a person required to register
3 under this section shall pay the livestock premises identification fee specified under
4 s. 95.51 (6) (a).

5 **SECTION 10.** 95.68 (4) of the statutes is renumbered 95.68 (4) (a), and 95.68 (4)
6 (a) 3., as renumbered, is amended to read:

7 95.68 (4) (a) 3. For an animal market other than one described in ~~par. (a) or (b)~~
8 subd. 1. or 2., \$100.

9 **SECTION 11.** 95.68 (4) (b) of the statutes is created to read:

10 95.68 (4) (b) In addition to the fee under par. (a), an applicant for a license under
11 this section shall pay the livestock premises identification fee specified under s. 95.51
12 (6) (a).

13 **SECTION 12.** 95.68 (8) of the statutes is amended to read:

14 95.68 (8) RULES. The department may promulgate rules to specify license fees
15 under sub. (4) (a) or to regulate the operation of animal markets, including rules
16 related to market operator qualifications, market construction and maintenance,
17 construction and maintenance of animal transport vehicles, identification of animal
18 transport vehicles, disease sanitation, humane treatment of animals, identification
19 of animals, record keeping, reports to the department and compliance with
20 applicable financial security requirements under state or federal law.

21 **SECTION 13.** 97.22 (2) (bm) of the statutes is created to read:

22 97.22 (2) (bm) *Livestock premises identification fee.* In addition to the fee under
23 par. (b), the livestock premises identification fee specified under s. 95.51 (6) (a)
24 applies to a dairy farm required to be licensed under par. (a).

25 **SECTION 14.** 97.22 (2) (c) of the statutes is amended to read:

BILL

1 97.22 (2) (c) Dairy plant to pay license fee fees for milk producer. The operator
 2 of a dairy plant licensed under s. 97.20 shall pay the milk producer license fee and
 3 the livestock premises identification fee under this subsection for every dairy farm
 4 from which the dairy plant receives milk at the time the fee payment is due. An
 5 applicant for a dairy plant license shall submit ~~that fee~~ those fees with the applicant's
 6 dairy plant license application under s. 97.20. A dairy plant operator who pays a ~~milk~~
 7 ~~producer license fee~~ under this paragraph may charge that fee back to the milk
 8 producer if the dairy plant operator notifies the milk producer in writing of the dairy
 9 plant operator's intent to charge the fee to the milk producer. A dairy plant operator
 10 may not discriminate between milk producers with respect to fee charges under this
 11 paragraph, but may charge back ~~license fees~~ to all milk producers who cease shipping
 12 milk to the dairy plant during the license year. A dairy plant operator who pays a
 13 ~~milk producer license fee~~ under this paragraph may not deduct the amount of the fee
 14 from any payment to the milk producer for milk that the dairy plant operator
 15 purchases from the milk producer.

SECTION 15. Effective date.

16 ~~WAVVAVVAVV~~ This act takes effect on the first day of the ^{16th} ~~18th~~ month beginning after
 17 publication.
 18

(END)

or on November 1, 2005, whichever is later, except as follows:

(1) ~~that Section~~ (1) of this act takes effect on the day after publication.
 ↗ auto-ref. "KB"

auto-ref nonstat. (created in insert)
 auto-ref. "KA"

✓
 Insert
 7-15
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 Fix comp.

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3171/4ins
RCT:.....

Insert 4-7 ✓

(3) COORDINATION. A person to whom sub. (2) applies may comply with sub. (2) as part of the registration process under s. 95.55 or 95.68 or the licensing process under s. 97.22.

Insert 4-15 ✓

(3m) EXEMPTIONS. The department may promulgate rules specifying exemptions from sub. (2)

Insert 5-9 ✓

No R Except as provided in pars. (b) and (c), the department may not disclose information provided under sub. (2) to any other person or agency.

Insert 5-11 ✓

(c) The department may disclose information that a registrant provides under sub. (2) to any of the following:

1. A person to whom the registrant authorizes disclosure.
2. The animal and plant health service of the federal department of agriculture, if the animal and plant health information service agrees not to disclose the information except in situations in which the department is authorized to disclose the information under subd. 1. or 4.
inspection
health inspection
3. Any agent of the department under sub. (8).
4. Another person or agency if the department believes that the release is necessary to prevent or control disease or to protect public health, safety, or welfare. The department may disclose information under this subdivision subject to any

confidentiality requirements that the department determines are appropriate under the circumstances.

(d) Any agent of the department under sub. (8) may not disclose information provided under sub. (2) except to a person to whom the registrant authorizes disclosure.

(6) FUNDING. The department shall seek federal funding for the administration of this section.

Insert 5-18

(8) CONTRACT AGENT. The department may contract with an agent to administer the registration program under this section on behalf of the department.

Insert 7-15

auto.ref. "KA"

SECTION 1. Nonstatutory provisions.

auto.ref. "KB"

(1) FUNDING PROPOSAL. The department of agriculture, trade and consumer protection shall include in its budget request under section 16.42 of the statutes for the 2005-07 biennial budget bill a proposal for funding the program under section 95.51 of the statutes, as created by this act.

1/29/04 Per Bill Cross - make it premises "code" rather than number.

RET

Per Mark P. add that DTEP may authorize agent to release information.

REP



State of Wisconsin
2003 - 2004 LEGISLATURE

Friday

LRB-3171~~4~~5

RCT:kmg:rs

YMR

2003 BILL

- 1 AN ACT to create 95.36 (10) and 95.51 of the statutes; relating to: registration
2 of livestock premises and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) conducts various activities to protect animal health and food safety.

This bill requires certain persons who keep livestock in this state to register with DATCP. For the purposes of this bill, "livestock" means cattle and bison, horses, goats, poultry, sheep, swine, deer, and any other kind of animal that DATCP identifies by rule. To be covered by this bill, a person keeping poultry must have more than 20 animals and a person keeping horses must have more than five animals.

*
*
The bill requires DATCP to assign a premises ~~number~~ to each location where livestock are kept and to maintain a data base containing the ~~numbers~~ and related information. Information provided to DATCP under this bill must generally be kept confidential, except for information that is required to be provided under other laws. The bill authorizes DATCP to contract with an agent to administer the livestock premises registration program. code
codes

Under current law, DATCP makes payments to owners of animals that DATCP orders killed to control animal disease. Current law specifies several situations in which owners are not eligible for these payments. Under this bill, the owner of an animal that DATCP orders to be killed to control animal disease is not eligible for a payment from DATCP if the person did not register as required by the bill.

BILL

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.** 95.36 (10) of the statutes is created to read:

2 95.36 (10) If the owner of the animal has failed to comply with s. 95.51 (2).

3 **SECTION 2.** 95.51 of the statutes is created to read:

4 **95.51 Livestock premises, registration and identification. (1)**

5 **DEFINITION.** In this section, "livestock" means bovine animals, equine animals, goats,
6 poultry, sheep, swine, farm-raised deer, and any other kind of animal that the
7 department identifies by rule for the purposes of this section.

8 **(2) REGISTRATION.** (a) Except as provided under sub. (3m), no person may do
9 any of the following at a location in this state unless that person registers that
10 location with the department:

- 11 1. Keep any bovine animals, goats, sheep, swine, or farm-raised deer.
- 12 2. Keep more than 20 poultry.
- 13 3. Keep more than 5 equine animals.
- 14 4. Keep any other kind of livestock that the department identifies by rule.

15 (b) A person shall register under par. (a) on a form provided by the department
16 and shall provide all of the following information:

- 17 1. The registrant's legal name and any trade names under which the registrant
18 keeps livestock in this state.
- 19 2. The registrant's business address.
- 20 3. The address of each location at which the registrant keeps livestock in this
21 state.

BILL

1 4. The type of livestock kept at each location under subd. 3. and the type of
2 livestock operation, using standards and guidelines from the national animal
3 identification plan developed by the animal and plant health inspection service of the
4 federal department of agriculture, to the extent practicable.

5 5. Any other relevant information required by the department.

6 **(3) COORDINATION.** A person to whom sub. (2) applies may comply with sub. (2)
7 as part of the registration process under s. 95.55 or 95.68 or the licensing process
8 under s. 97.22.

9 **(3m) EXEMPTIONS.** The department may promulgate rules specifying
10 exemptions from sub. (2), including exemptions based on the number or type of
11 livestock kept by a person or on the type of locations where a person keeps livestock.

12 **(4) PREMISES NUMBER.** ^{code} (a) The department shall assign a unique identification
13 ~~number~~ ^{code} to each location registered under sub. (2) (a). The department shall use a
14 uniform ~~numbering~~ ^{to assign codes} system that is reasonably designed to facilitate animal health
15 and disease control, interstate consistency, and interstate commerce. The
16 department shall use a ~~numbering~~ system that complies with any applicable
17 standards established by the animal and plant health inspection service of the
18 federal department of agriculture. The department shall use premises ~~numbers~~ ^{codes} that
19 are federally allocated for premises in this state.

20 (b) The department shall establish and maintain an electronic data base
21 related to livestock premises in this state. The department shall include in the data
22 base the premises ~~number~~ ^{code} assigned to each location under par. (a) and the
23 registration information under this section that is associated with that premises
24 ~~number~~ ^{code}. The department may include in the data base global positioning system
25 coordinates and other information that the department considers appropriate.

BILL

1 **(5) CONFIDENTIALITY.** (a) Information that a person is required to provide to the
2 department under sub. (2) is not subject to public inspection under s. 19.35. Except
3 as provided in pars. (b) and (c), the department may not disclose information
4 provided under sub. (2) to any other person or agency.

5 (b) Paragraph (a) does not apply to information that a person is required to
6 provide to the department under other laws.

7 (c) The department may disclose information that a registrant provides under
8 sub. (2) to any of the following:

9 1. A person to whom the registrant authorizes disclosure.

10 2. The animal and plant health inspection service of the federal department of
11 agriculture, if the animal and plant health inspection service agrees not to disclose
12 the information except in situations in which the department is authorized to
13 disclose the information under subd. 1. or 4.

14 3. Any agent of the department under sub. (8).

15 4. Another person or agency if the department believes that the release is
16 necessary to prevent or control disease or to protect public health, safety, or welfare.

17 The department may disclose information under this subdivision subject to any
18 confidentiality requirements that the department determines are appropriate under
19 the circumstances.

20 (d) Any agent of the department under sub. (8) may not disclose information
21 provided under sub. (2) except to a person to whom the registrant ^{or the department} authorizes
22 disclosure.

23 **(6) FUNDING.** The department shall seek federal funding for the administration
24 of this section.

