

1977 Assembly Bill 693

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## CHAPTER 146, Laws of 1977

AN ACT to renumber and amend 95.31; to amend 95.31 (title) and 95.32 (1); and to create 95.31 (1), (3) and (4) of the statutes, relating to revising the power of the department of agriculture to slaughter diseased animals.

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

SECTION 1. 95.31 (title) of the statutes is amended to read:

**95.31 (title) Condemnation of diseased animals.**

SECTION 2. 95.31 of the statutes is renumbered 95.31 (2) and amended to read:

95.31 (2) Whenever it is deemed necessary by the department to ~~slaughter~~ condemn diseased animals, ~~either on the premises or at some designated abattoir or any other place for demonstration purposes, the representative of the department may shall, in all cases where the payment of indemnities is authorized under this chapter, appraise the condemned animals and agree in writing with the owner as to the value of such the animals; in condemned or destroyed. In the absence of such an agreement with the owner, written notice of the condemnation shall be given to the owner, his or her agent or the person in charge of such the animals, and to the county court, of the purpose to order the slaughter thereof, giving county in which the animals are located. The notice shall include the number and description of the animals, and the name of the owner.~~

SECTION 3. 95.31 (1), (3) and (4) of the statutes are created to read:

95.31 (1) The department shall have general power and authority to condemn and order the slaughter or destruction of animals affected with or exposed to contagious and infectious diseases as necessary to prevent or control the spread of dangerous diseases among domestic animals of this state. The department shall pay indemnities to the owners of animals condemned and destroyed as provided in this chapter.

(3) In addition to the indemnities for specific animal diseases provided under ss. 95.25, 95.26 and 95.35 or under special emergency programs, the department shall pay indemnities on livestock condemned and destroyed because of unknown or unidentified contagions or infections, the cause or nature of which cannot be fully determined at the time of condemnation. Indemnities for unknown or unidentified diseases shall be equal to the difference between net salvage and appraised or agreed values, but not to exceed \$600. As used in this subsection, "livestock" means bovines, equines, swine, sheep, goats and poultry.

(4) In the event of a major or serious outbreak of dangerous diseases affecting the health of domestic animals requiring special control measures, the department may, under s. 95.17 or with the approval of the governor, petition the joint committee on finance for special emergency appropriations as needed to conduct emergency control

programs independently or in cooperation with federal or local units of government and to pay indemnities on animals condemned and slaughtered or destroyed under the emergency control programs.

SECTION 4. 95.32 (1) of the statutes is amended to read:

95.32 (1) Notice given under s. 95.31 (2) shall be entered on the court record and the county court shall immediately notify the owner, agent or possessor of the animals and summon 3 disinterested citizens of the county not residents of the immediate neighborhood in which the animals are owned or kept to appraise the value ~~thereof~~ of the animals. Every appraiser shall have had experience in the raising and care of livestock, and shall be familiar with the value of livestock and competent to appraise the ~~same livestock~~. The appraisers shall, before entering upon the discharge of their duties, be sworn by the county court to make a true appraisal without prejudice or favor of the market value of ~~such~~ the animals. The appraisers shall immediately make a verified report to the county court, giving the number of animals appraised and the value of each, and if slaughtered on the premises, the appraisers shall certify in their return that they saw the appraised animals slaughtered.

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