

State of Wisconsin



2003 Assembly Bill 812

Date of enactment: **April 13, 2004**
Date of publication*: **April 27, 2004**

2003 WISCONSIN ACT 229

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

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

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

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

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

95.51 Livestock premises registration. (1) DEFINITION. In this section, "livestock" means bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, and any other kind of animal that the department identifies by rule for the purposes of this section.

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

1. Keep any bovine animals, equine animals, goats, sheep, swine, poultry, or farm-raised deer.

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

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

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

2. The registrant's business address.

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

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

(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.

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

(4) PREMISES CODE. (a) The department shall assign a unique identification code to each location registered under sub. (2) (a). The department shall use a uniform system to assign codes that is reasonably designed to facilitate animal health and disease control, interstate consistency, and interstate commerce. The department shall use a system that complies with any applicable standards established by the animal and plant health inspection service of the federal department of agriculture. The

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

department shall use premises codes that are federally allocated for premises in this state.

(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 code assigned to each location under par. (a) and the registration information under this section that is associated with that premises code. The department may include in the data base global positioning system coordinates and other information that the department considers appropriate.

(5) CONFIDENTIALITY. (a) Information that a person is required to provide to the department 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 provided under sub. (2) to any other person or agency.

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

(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 inspection service of the federal department of agriculture, if the animal and plant health inspection 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.
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 or the department authorizes disclosure.

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

(7) RULES. The department may promulgate rules for the administration of this section. The department shall promulgate rules to govern the release of aggregate information under this section by the department.

(8) CONTRACT AGENT. The department may contract with an agent to administer the registration program under this section on behalf of the department. The department may not authorize an agent to release aggregate information under this section.

SECTION 3. Nonstatutory provisions.

(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.

SECTION 4. Effective dates. This act takes effect on first day of the 16th month beginning after publication or on November 1, 2005, whichever is later, except as follows:

- (1) SECTION 3 (1) of this act takes effect on the day after publication.