



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 686

Assembly Amendment 1

Memo published: March 20, 2002

Contact: Shaun Haas, Senior Staff Attorney (267-9025)

Current law [s. 943.76, Stats.] prohibits a person from intentionally introducing a contagious or infectious disease into livestock without the consent of the owner of the livestock. Current law also prohibits a person from intentionally introducing a contagious or infectious disease into wild deer without the consent of the Department of Natural Resources (DNR). A person who violates either of these prohibitions is guilty of a Class C felony (punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 15 years, or both).

2001 Assembly Bill 686 amends current law to prohibit a person from introducing, through “reckless conduct,” as defined in the bill, a contagious or infectious disease other than paratuberculosis (Johne’s Disease) into livestock without the consent of the owner of the livestock. The bill also prohibits a person from introducing, through reckless conduct, a contagious or infectious disease other than paratuberculosis into wild deer without DNR’s consent. A person who violates either of these prohibitions is guilty of a Class A misdemeanor (punishable by a fine not to exceed \$10,000 or imprisonment not to exceed nine months, or both). These prohibitions do not apply if the actor’s conduct is undertaken pursuant to a directive issued by the Department of Agriculture, Trade and Consumer Protection (DATCP) or an agreement between the actor and DATCP, if the purpose of the directive or the agreement is to prevent or control the spread of the disease.

Assembly Amendment 1 adds “poultry” to the current definition of “livestock” in s. 943.76 (1), Stats. As revised, the definition which appears on p. 2, ll. 8 to 10 of the bill, reads:

“Livestock” means cattle, horses, swine, sheep, goats, farm-raised deer, as defined in s. 95.001 (1) (a), poultry and other animals used or to be used in the production of food, fiber, or other commercial products.

The bill, as affected by Assembly Amendment 1, was recommended on January 23, 2002, for passage by the Assembly Committee on Criminal Justice on a vote of Ayes, 14; Noes, 0. On February 5, 2002, the Assembly adopted Assembly Amendment 1 on a voice vote and passed Assembly Bill 686, as amended, on a vote of Ayes, 97; Noes, 0.

On February 28, 2002, the Senate Environmental Resources Committee recommended concurrence in Assembly Bill 686 on a vote of Ayes, 5; Noes, 0.

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