

CHAPTER 577.

AN ACT to repeal and recreate 174.10 (4) and to create 174.13 of the statutes, relating to use or export of cats or dogs for experiments and providing a penalty.

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

SECTION 1. 174.10 (4) of the statutes is repealed and recreated to read:

174.10 (4) Any person who shall violate any of the provisions of this chapter shall be liable to a penalty of not less than \$50, nor more than \$500, and to imprisonment up to 60 days, or both.

SECTION 2. 174.13 of the statutes is created to read:

174.13 HUMANE USE OF DOGS FOR DIAGNOSIS AND TREATMENT. (1) The public health and welfare of this state as expressed by existing statutes is protected and promoted by permitting the humane use of animals for diagnosis and treatment, thereby aiding in the advancement of veterinary, dental, medical and biological sciences, and in the testing, improvement and standardization of laboratory specimens, biological products, pharmaceuticals and drugs. It is the purpose of this section to assure that there shall be an adequate supply of dogs for these purposes.

(2) Notwithstanding any provisions of this chapter to the contrary, any humane officer, constable, village marshal, city police officer, or person or organization who by virtue of deputized authority or contract with a municipality has custody of an unclaimed or unredeemed live dog, as defined in section 174.10, shall dispose of the same to the university of Wisconsin, Marquette university, or to any other educational institution of higher learning chartered under the laws of the state and accredited to the university of Wisconsin, upon requisition thereof by such institution. Such requisition shall be in writing, shall bear the signature of an authorized agent, and shall state that such dog or dogs are requisitioned for scientific or educational purposes. If a requisition is made for a greater number of dogs than is available at a given time, the proper person shall supply those immediately available and shall withhold from other disposition all unclaimed and unredeemed dogs coming into his custody until the requisition has been fully discharged, excluding therefrom impounded dogs as to which ownership is established within a reasonable period. A dog left by its owner for disposition is not to be regarded as an unclaimed or unredeemed dog under this chapter. If operated by a municipality, the pound shall be entitled to the payment of \$1 for each dog so requisitioned. An institution making such requisition shall provide for the transportation of the dog or dogs secured by virtue thereof.

(3) Every person or organization having custody of unclaimed or unredeemed dogs shall maintain a record of all such impounded dogs, together with an identifying description of each such animal, the date impounded and the date disposed of in any manner. Such record shall be a public record. Any person having custody of unclaimed or unredeemed dogs under section 174.10, other than private individuals assuming the custody of such animals on their own premises, shall submit quarterly reports to the state board of health which shall show compliance with this section so as to permit the fulfillment of its purposes. The board shall have authority to inspect all records required by this section at the place in which they are usually kept, to make such investigation or inquiries as may be necessary to assure the carrying out of the purpose of this section, and may make any rules necessary to such end.

(4) It shall be unlawful for any person to take or send outside the state or to purchase or otherwise acquire in this state for the purpose of taking or sending outside the state, any living cat or dog to be used for any medical, surgical, or chemical investigation, experiment or demonstration.

Approved August 1, 1949.