

**ADMINISTRATIVE RULES
FISCAL ESTIMATE
AND ECONOMIC IMPACT ANALYSIS**

Type of Estimate and Analysis

Original Updated Corrected

Administrative Rule Chapter, Title and Number

ATCP 17

Subject

Livestock Premises Registration

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Chapter 20 , Stats. Appropriations Affected

20.155(2j) and (2)(ha)

Fiscal Effect of Implementing the Rule

No Fiscal Effect

Indeterminate

Increase Existing Revenues

Decrease Existing Revenues

Increase Costs

Could Absorb Within Agency's Budget

Decrease Costs

The Rule Will Impact the Following (Check All That Apply)

State's Economy

Local Government Units

Specific Businesses/Sectors

Public Utility Rate Payers

Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

Policy Problem Addressed by the Rule

General

Livestock premises registration is mandatory in Wisconsin so that state officials would know where susceptible species of livestock are located in the event of an animal disease outbreak. Animal disease is potentially a risk to all livestock and to public health, regardless of the size of the operation. Therefore, when the rules were implemented for this program, no exemptions were granted for any keepers of livestock. Since implementation of this program, a county circuit court judge ruled that an Amish farmer does not have to register his livestock premises due to firmly held religious beliefs opposing livestock premises registration. This proposed rule creates a limited exemption for keepers of livestock from the premises registration requirement, providing that they belong to a recognized religious group that has firmly held religious beliefs opposing livestock premises registration law under Wis. Stat. s. 95.51 and Wis. Adm. Code ch. ATCP 17. They would still be required to provide the state with similar information that is required to register their premises, but the department would keep the information in a separate location.

DATCP is also proposing to change the expiration date of registered premises from the third December 31 from the date the registration is issued to every July 31 after July 31, 2013, in order to streamline the renewal process and for the department and to move the registration date to a time of the year where temporary employees should be available to assist with the renewal process.

Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

Businesses and Business Sectors

This proposed rule will allow keepers of livestock whose religious groups have firmly held religious beliefs opposing livestock premises registration under Wis. Stat. s. 95.51 and Wis. Adm. Code ch. ATCP 17 to apply for an exemption to the registration. If the exemption is granted, then the keeper of livestock would be allowed to obtain a livestock-related license issued by DATCP without first being

required to register their premises. This rule will likely increase the number of deer farm, animal markets, fish farms, or other livestock operations issued by the department. DATCP expects minimal implementation costs.

Local Governmental Units

These revisions will have no fiscal effect on state or local government.

Public Utility Rate Payers

The rule will have no impact on public utility rate payers as a group.

State's Economy

This rule will not adversely affect the economy, productivity, jobs or the economic competitiveness of the state. It may increase the number of certain livestock-related businesses as a result of the religious exemption.

Economic Impact Analysis Comments

DATCP posted the proposed rule online and sought comments from businesses and the public about the potential economic impact of the rule. The department did not receive any comments about the potential economic impact of the rule.

Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

If DATCP does not provide exemptions to the livestock premises registration, the rule will stay the same and some individuals may not enter livestock-related businesses that require licenses issued by the department.

Long Range Implications of Implementing the Rule

Overall, this rule continues to provide for disease control and prevention for the benefit of the entire livestock and aquaculture industry. This rule will improve flexibility for individual businesses, including small businesses. Overall, this rule has no adverse impacts on small business because there is no fee to register in the premises program or to apply for the religious exemption.

Compare With Approaches Being Used by Federal Government

Most animal health regulations are adopted and administered at the state level. However, the United States Department of Agriculture (USDA) administers federal regulations related to the interstate movement of animals, particularly with respect to certain major diseases. USDA developed the nationally unique premises identification and issue the premises code. While USDA does not require all livestock producers to register premises, they do support livestock premises registration. USDA does not have any rules that would conflict with Wisconsin exempting certain premises from registration.

Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

General

Surrounding state animal health programs are broadly comparable to those in Wisconsin, but there are differences. Disease regulations and control programs may reflect differences in animal populations, animal-based industries, and disease threats in the different states

- Iowa has voluntary livestock premises registration. There is no renewal of premises registration.

- Minnesota has mandatory livestock premises registration for farm raised cervids and voluntary livestock premises registration for all other livestock. Any keeper of livestock can register, there is no required renewal. Information is updated if the producer provides the information.
- Michigan has mandatory livestock premises registration for cattle. Cervids and aquaculture are required to be licensed by the Michigan DNR and this includes a premises registration. All other livestock may be registered voluntarily. There is no specific renewal requirement for premises registration.
- Illinois has voluntary livestock premises registration. There is no renewal of premises registration.
- Indiana has mandatory livestock premises registration for cattle, sheep, goats, swine, bison and farmed cervids. Horses, aquaculture and poultry may register voluntarily. There is no required renewal of premises registration.

Name and Phone Number of Contact Person

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