



1997 ASSEMBLY BILL 514

September 16, 1997 - Introduced by Representatives JOHNSRUD, HAHN, OTT, BRANDEMUEHL and KEDZIE. Referred to Committee on Natural Resources.

1 **AN ACT** *to repeal* 29.092 (9), 29.093 (9), 29.255, 29.425 (title), 29.425 (1), 29.425
2 (2), 29.425 (3), 29.425 (4m), 29.427 (title), 29.427 (1), 29.427 (2), 29.427 (3),
3 29.427 (4) (title), 29.427 (5), 29.427 (6), 29.427 (7), 29.54 (1), 29.55, 29.565,
4 29.572, 29.573, 29.574, 29.575, 29.578, 29.579, 29.585, 29.586 and 29.605; **to**
5 **renumber** 23.51 (1) and 29.54 (2); **to renumber and amend** 29.41, 29.42 (2),
6 29.425 (4), 29.425 (5) and 29.427 (4); **to amend** 20.370 (1) (mu), 20.370 (3) (mu),
7 23.09 (2) (f), 23.50 (1), 23.50 (3), 23.51 (5), 23.65 (1), 25.29 (1) (a), 25.29 (4m),
8 29.03 (8), 29.05 (8) (a), 29.05 (8) (b), 29.09 (1), 29.092 (15) (a), 29.092 (15) (f),
9 29.1025 (1) (c), 29.136 (4), 29.17 (1), 29.245 (5) (b) 3., 29.40 (2), 29.40 (6), 29.42
10 (1), 29.43 (5) (b), 29.44 (3), 29.45 (6), 29.46 (5), 29.49 (3), 29.535 (title), 29.535
11 (1) (a) 1., 29.535 (1) (a) 2., 29.535 (1) (c), 29.535 (2) (a), 29.535 (2) (b), 29.54 (title),
12 29.583 (1), 29.59 (1) (f), 29.598 (1), 29.645, 29.65 (1) (intro.), 59.25 (3) (f) 2., 59.40
13 (2) (m), 167.31 (4) (b), 814.60 (2) (e), 895.57 (3), 943.75 (3), 951.015, 951.09,
14 951.16, 951.18 (4) (a) 2., 951.18 (4) (b) 1. and 973.05 (1); and **to create** chapter

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1 22, 23.51 (1d), 23.51 (9m), 23.795 (3), 29.02 (4), 29.134 (10m), 29.41 (2), 29.42
2 (2) (b), 29.42 (5), 29.48 (7), 29.535 (1) (g), 951.01 (1m) and 951.15 (5) of the
3 statutes; **relating to:** the possession of wild animals, granting rule-making
4 authority, making appropriations and providing penalties.

*Analysis by the Legislative Reference Bureau***LICENSING REQUIREMENTS**

This bill creates a new regulatory structure under the department of natural resources (DNR) for captive wildlife. Current law authorizes DNR to issue licenses to persons possessing captive wildlife. These licenses include deer farm licenses for white-tailed deer, game bird and animal farm licenses, pheasant and quail farm licenses and fur animal farm licenses (game farm licenses). Wild animals that are not game animals or birds or wild fur-bearing animals are exempt from any licensing requirements for simple possession. Current law requires a license issued by DNR for exhibiting any wild animal unless the wild animal is being exhibited by a zoo, circus, the state or an educational institution. Current law requires a game farm license or other permit issued by DNR to propagate wild animals. Finally, current law requires a game farm license to sell wild animals.

This bill eliminates all of the current licenses and creates 17 types of licenses which include the following:

1. Class A and Class B captive wild animal farm licenses which authorize the possessing, propagating, killing, exhibiting, purchasing and selling of live captive wild animals.

2. A Class A deer farm license which authorizes the possession, propagation, purchase, sale and exhibition of live nonnative deer that are not farm-raised deer.

3. A Class B deer farm license which authorizes the possession, propagation, purchase, sale and exhibition of live white-tailed deer and the selling of the opportunity to hunt these deer.

4. A wild fur farm license which authorizes the possession, propagation, trapping and sale of certain fur-bearing animals, including beaver, mink, otter, muskrat and raccoon.

5. Class A and Class B bird hunting preserve licenses which authorize the possessing, stocking, propagating, releasing, selling, purchasing and hunting of live pheasants, quail, partridge, mallard ducks and wild turkeys.

6. Dog training licenses which authorize the purchase, possession, release and hunting of captive wild animals for training hunting dogs.

7. Dog trial licenses which authorize the purchase, possession, release and hunting use of captive wild animals for competitive field events.

8. Falconry licenses which authorize the use of raptors for falconry.

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9. A rehabilitation license which authorizes the possession and rehabilitation and of a live wild animal and authorizes the exhibition of a wild animal if specifically authorized to do so by DNR.

10. A scientific research license which authorizes the taking from the wild, possessing, killing and propagating of wild animals for research purposes.

11. Exhibiting licenses which authorize nonresidents and certain nonprofit organizations to possess and exhibit live wild animals.

12. A captive wild animal auction and market licence which authorizes the possessing, exhibiting and conducting of auctions and markets to sell live wild animals.

Public zoos or aquariums and circuses are exempt from most of these licensing requirements.

INTRODUCTION AND STOCKING OF WILD ANIMALS

Under current law, no person may import into this state for stocking or releasing into the wild a wild animal or stock or release a wild animal unless they have a permit issued by DNR. Under the bill, a person may import and stock or release a wild animal if the person has a stocking permit issued by DNR or another type of license which authorizes the stocking or release. These licenses include bird hunting preserve licenses and dog training and trial licenses. In addition, DNR must determine that the wild animal is not environmentally injurious and is not detrimental to the state's natural resources. There are also special requirements if the wild animal has been exposed to, or infected with, any contagious disease.

TYPES OF WILD ANIMALS SUBJECT TO LICENSING REQUIREMENTS

Under current law, all wild animals, including fish and insects, are subject to regulation as wildlife. This bill excludes fish entirely from the regulatory structure created in this bill, and the importing of fish for stocking and the stocking of fish is not affected by this bill. The bill also excludes domesticated animals and specifically excludes farm-raised deer. For purpose of this regulation of captive wildlife, DNR shall promulgate a rule listing all domesticated animals.

Most native wild animals are subject to the licensing requirements except for common species such as ground squirrels, mice, opossum, porcupines, pigeons and sparrows. Most types of wild animals that are not native to Wisconsin are exempt from the licensing requirements except for the following: nonnative inherently dangerous wild animals such as nonnative bear, nonnative deer, certain nonnative wild birds, endangered or threatened species that are native to other parts of the United States or Canada and nonnative wild animals that pose a threat to the environment (environmentally injurious wild animals). Endangered or threatened species that are native to this state, the rest of the United States or Canada are subject to regulation both under this section and under the other state laws covering endangered or threatened species.

The bill imposes specific regulatory schemes on native reptiles and amphibians and white-tailed deer raised for venison. The bill also imposes some tagging, record-keeping and labeling requirements for the sale and purchase of venison from white-tailed deer and of other wild animal parts except for dressed and raw furs.

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The bill authorizes DNR to promulgate rules to designate species of wild animals as inherently dangerous wild animals and imposes additional restrictions on the possession of these animals. DNR must designate cougars and all species of bear as inherently dangerous under these rules.

LICENSE FEES AND EFFECTIVE PERIODS AND RECORD-KEEPING REQUIREMENTS

The bill requires that DNR set the fees for these licenses by rule. Under current law, the fees are set by the legislature. The bill requires that the fees set by DNR provide a discounted fee for additional licenses. The bill requires DNR to provide any necessary tags at cost. Under the bill, periods of validity for the different types of licenses range from 30 days to 3 years, with the most common period of validity being from the date of issuance until the following December 31. Under current law, the most common period of validity for game farm licenses is from the date of issuance until the following December 31.

Under current law, there are various record-keeping requirements for operators of game farms and wildlife exhibits. This bill authorizes DNR to establish record-keeping requirements by rule. This bill also imposes specific record-keeping requirements for most types of licenses. These specific provisions generally require such information as the date of the acquisition or transfer of a captive wild animal, the name and address of the person from whom or to whom the animal was transferred and information concerning the death or escape of captive wild animals. The bill requires that the records for inherently dangerous wild animals, environmentally injurious wild animals and certain families of wild animals such as deer, bear and wild cats be provided to DNR within 7 days after the transaction. The bill also requires license holders to file annual reports with DNR summarizing the number of wild animals acquired, the number transferred or released, the number currently kept and the number that died, were killed or escaped.

ANIMAL HEALTH AND TREATMENT

The bill imposes requirements on transporting wild animals into this state. With limited exceptions, a person bringing a wild animal into this state must have documentation to show that he or she is in legal possession of the wild animal and must have a valid interstate health certificate or a valid certificate of veterinary inspection for the wild animal. One exception applies if the wild animal is being brought directly into this state for slaughter.

The bill requires DNR to promulgate rules to ensure that wild animals receive humane treatment and adequate housing, care and food and that the wild animals are held under sanitary conditions. No person may receive a license unless DNR determines that the person will comply with all of these rules.

The bill gives DNR specific authority to issue quarantine orders. The bill establishes a procedure for issuing these orders. The bill also authorizes DNR to seize wild animals that are being kept in violation of the provisions created in the bill, that are dead, dying or sick, that have escaped or that have a contagious or infectious disease.

LOCAL REGULATION

Under the bill, a city, village, town or county (local governmental unit) may enact and enforce ordinances relating to the possession or sale of live wild animals

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if the ordinances are in strict conformity with state law with the exception that a local governmental unit may enact an ordinance totally prohibiting the possession or sale of certain types of live captive wild animals. Under current law, a local governmental unit may pass an ordinance prohibiting the sale or possession of live game and fur-bearing animals.

Under the bill, a local ordinance must be approved by DNR.

ENFORCEMENT AND PENALTIES

The bill gives DNR the specific authority to enter and inspect land, vehicles and buildings for the purpose of enforcement and to have access to the records that must be kept by license holders. The bill limits this authority to daytime, weekday hours and other hours when the license holder is conducting business, unless the inspection is necessary for public health, safety or welfare. Current law authorizes DNR inspections of the area subject to the license at any time.

The bill imposes a general forfeiture for unlawfully possessing a wild animal and imposes increased penalties for specific activities such as illegally selling or purchasing wild animals, illegally taking live bear or deer from the wild and violating the provisions relating to diseased or environmentally injurious wild animals. The bill imposes increased penalties for repeat violations and contains provisions for licenses being revoked by DNR and by the courts.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.370 (1) (mu) of the statutes is amended to read:

2 20.370 (1) (mu) *General program operations — state funds.* The amounts in
3 the schedule for general program operations under ss. 23.09 to 23.11, 27.01, 30.203
4 and 30.277, subch. VI of ch. 77 and chs. 22, 26, 28 and 29.

5 **SECTION 2.** 20.370 (3) (mu) of the statutes is amended to read:

6 20.370 (3) (mu) *General program operations — state funds.* The amounts in
7 the schedule for law enforcement operations under ss. 23.09 to 23.11 and 166.04 and
8 chs. 22, 29 and 30 and for review of environmental impact requirements under ss.
9 1.11 and 23.40.

10 **SECTION 3.** Chapter 22 of the statutes is created to read:

ASSEMBLY BILL 514**CHAPTER 22****CAPTIVE WILDLIFE****22.01 Definitions.** In this chapter:

(1) "Animal" means any mammal or any bird, reptile, amphibian, mollusk, arthropod or egg thereof.

(2) "Badger" means a wild animal of the species *Taxidea taxus*.

(3) "Beaver" means a wild animal of the species *Castor canadensis*.

(4) "Bobcat" means a wild animal of the species *Lynx rufus*.

(5) "Captive" means any of the following:

(a) Restrained by a cage, pen, fence or other enclosure.

(b) Restrained by physical alterations that limit movement or facilitate capture.

(c) Restrained by a leash or a tether or otherwise tied.

(d) Held in a controlled environment that is designed to prevent the departure from the controlled environment.

(6) "Carcass" means the dead body of any wild animal including the head, hair, skin, plumage, skeleton, meat or any other part thereof.

(7) "Chipmunk" means a wild animal of the species *Tamias striatus* or the species *Eutamias minimus*.

(8) "Chukar partridge" means a wild bird of the species *Alectoris chukar*.

(9) "Circus" means a scheduled event staged by a traveling company with mobile facilities in which entertainment consisting of a variety of performances by acrobats, clowns or trained animals is the primary attraction or principal business.

(10) "Conservation warden" means a warden appointed under s. 23.10.

(11) "Cougar" means a wild animal of the species *Felis concolor*.

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1 **(12)** “Coyote” means a wild animal of the species *Canis latrans*.

2 **(13)** “Department” means the department of natural resources.

3 **(14)** “Domesticated animal” means farm-raised deer or an animal that is all
4 of the following:

5 (a) An animal that, due to a long association with humans, has been bred to a
6 degree that results in changes affecting the animal’s temperament, color,
7 conformation or other attribute of the species to an extent that it makes the animal
8 unique and distinguishable from a wild animal of its species.

9 (b) Listed as a domesticated animal by rule by the department.

10 **(15)** “Dressed fur” has the meaning given in s. 29.134 (1) (a).

11 **(16)** “Endangered or threatened species” means those species of wild animals
12 that are indigenous to the United States or Canada and are identified on the federal
13 list of endangered and threatened species or on the Wisconsin list of endangered and
14 threatened species.

15 **(17)** “English sparrow” means a wild bird of the species *Passer domesticus*.

16 **(18)** “Environmentally injurious wild animal” means a species of wild animal
17 that is not a native wild animal and that is capable of inflicting harm to the
18 environment.

19 **(19)** “Exhibit” means to display for the purpose of public viewing, regardless
20 of whether a fee is charged.

21 **(20)** “Farm-raised deer” has the meaning given in 95.001 (1) (a).

22 **(21)** “Fisher” means a wild animal of the species *Martes pennanti*.

23 **(22)** “Free-roaming” means not captive.

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1 **(23)** “Fur-bearing wild animal” includes badger, beaver, bobcat, coyote, fisher,
2 red fox, gray fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, skunk,
3 weasel and wolf.

4 **(24)** “Gray fox” means a wild animal of the species *Urocyon cinereoargenteus*.

5 **(25)** “Gray partridge” means a wild bird of the species *Perdix perdix*.

6 **(26)** “Ground squirrel” means a wild animal of the family *Spermophilus*.

7 **(27)** “Harm to the environment” includes adversely affecting the natural
8 population dynamics of wild animals or wild plants, adversely affecting the habitat
9 of wild animals or wild plants or displacing wild animals or wild plants from any part
10 of their habitat.

11 **(28)** “Inherently dangerous wild animal” means a species of wild animal that
12 is capable of inflicting severe bodily harm to a human.

13 **(29)** “Introduce” means to release for the purpose of allowing the animal to
14 establish a population in an area in the wild where that type of animal is not
15 naturally present at the time the wild animal is released.

16 **(30)** “Leopard frog” means a wild amphibian of the species *Rana pipiens*.

17 **(31)** “License year” means the year during which a license is valid.

18 **(32)** “Lynx” means a wild animal of the species *Lynx canadensis*.

19 **(33)** “Mallard duck” means a wild bird of the species *Anas platyrhynchos*
20 *platyrhynchos*.

21 **(34)** “Marten” means a wild animal of the species *Martes americana*.

22 **(35)** “Mice” means wild animals of the family *Cricetidae*.

23 **(36)** “Mink” means a wild animal of the species *Mustela vison*.

24 **(37)** “Mole” means a wild animal of the family *Scalopus*.

25 **(38)** “Mud puppy” means a wild amphibian of the species *Necturus maculosus*.

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- 1 **(39)** “Muskrat” means a wild animal of the species *Ondatra zibethicus*.
- 2 **(40)** “Native” means indigenous and occurring or having occurred naturally
3 within the boundaries of this state.
- 4 **(41)** “Nonnative wild animal” means a wild animal that is not native.
- 5 **(42)** “Nonresident” means a person who is not a resident of this state.
- 6 **(43)** “Opossum” means a wild animal of the species *Didelphis marsupialis*.
- 7 **(44)** “Otter” means a wild animal of the species *Lutra canadensis*.
- 8 **(45)** “Painted turtle” means a wild reptile of the species *Chrysemys picta*.
- 9 **(46)** “Person” means any individual, partnership, firm, joint stock company,
10 corporation, association, trust, estate or other legal entity.
- 11 **(47)** “Pigeon” means a wild bird of the species *Columba domestica* or the species
12 *Columba livia*.
- 13 **(48)** “Pocket gopher” means a wild animal of the species *Geomys bursarius*.
- 14 **(49)** “Porcupine” means a wild animal of the species *Erithizon dorsatum*.
- 15 **(50)** “Possess” means to own, control, restrain, transport or keep.
- 16 **(51)** “Propagate” means to breed, encourage or facilitate for the purpose of
17 generating offspring.
- 18 **(52)** “Public zoo or aquarium” means a zoo or aquarium that is operated by the
19 state or by a city, village or county.
- 20 **(53)** “Purchase” means to acquire through a sale or through an exchange for
21 consideration.
- 22 **(54)** “Quail” means a wild bird of the family *Perdidae*.
- 23 **(55)** “Rabbit” means a wild animal of the species *Sylvilagus floridanus*.
- 24 **(56)** “Raccoon” means a wild animal of the species *Procyon lotor*.
- 25 **(57)** “Rat” means a wild animal of the family *Rattus*.

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1 **(58)** “Raw fur” has the meaning given in s. 29.134 (1) (e).

2 **(59)** “Red fox” means a wild animal of the species *Vulpes vulpes*.

3 **(60)** “Red-legged partridge” means a wild bird of the species *Alectoris rufa*.

4 **(61)** “Red squirrel” means a wild animal of the species *Tamiasciurus*
5 *hudsonicus*.

6 **(62)** “Sell” means to transfer or exchange for consideration.

7 **(63)** “Shrew” means a wild animal of the family Soricidae.

8 **(64)** “Skunk” means a wild animal of the species *Mephitis mephitis*.

9 **(65)** “Snapping turtle” means a wild reptile of the species *Chelydra serpentina*.

10 **(66)** “Starling” means a wild bird of the species *Sturnus vulgaris*.

11 **(67)** “State resident” has the meaning given “resident” in s. 27.01 (10) (a).

12 **(68)** “Stock” means to release for the purpose of increasing or maintaining a
13 population of the animal.

14 **(69)** “Take” means to capture, but does not including killing.

15 **(70)** “Tiger salamander” means a wild amphibian of the species *Ambystoma*
16 *tigrinum*.

17 **(71)** “Veterinarian” means an individual who is licensed as a veterinarian
18 under ch. 453 or by another state and who is accredited under 9 CFR subch. J.

19 **(72)** “Vole” means a wild animal of the family Microtus.

20 **(73)** “Weasel” means a wild animal of the species *Mustela*.

21 **(74)** “Wild animal” means any animal of a wild nature that is normally found
22 in the wild and that is not a domesticated animal.

23 **(75)** “Wild amphibian” means a wild animal that is an amphibian.

24 **(76)** “Wild bird” means a wild animal that is a bird.

25 **(77)** “Wild reptile” means a wild animal that is a reptile.

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1 **(78)** “Wild turkey” means a wild bird of the species *Meleagris gallopavo*.

2 **(79)** “Wolf” means a native wild animal of the species *Canis lupus*.

3 **22.02 Title to wild animals. (1) TITLE VESTED IN OWNER.** Except as provided
4 in sub. (3), legal title to a live captive wild animal or the carcass of a captive wild
5 animal is vested in the person who owns the wild animal if the person is in
6 compliance with this chapter and the rules promulgated under this chapter. A
7 person holding legal title may transfer without consideration the live captive wild
8 animal or the carcass of the captive wild animal to a person who is in compliance with
9 this chapter and the rules promulgated under this chapter. A person holding legal
10 title to a live captive wild animal may kill it, or have it killed, in a humane manner.

11 **(2) TITLE WITH STATE.** The department may assume on behalf of the state, or may
12 sell or otherwise transfer to another person, legal title to any live captive wild
13 animal, or the carcass of any captive wild animal, that is possessed by any person in
14 violation of this chapter or the rules promulgated under this chapter.

15 **(3) EXCEPTIONS.** Legal title to a live captive wild animal or the carcass of a
16 captive wild animal that is possessed as authorized under a rehabilitation license or
17 a scientific research license remains with the state. A person holding a rehabilitation
18 license or a scientific research license may transfer or dispose of a live captive wild
19 animal or the carcass of a captive wild animal only as specifically authorized by the
20 department at the time of the transfer or disposal.

21 **22.03 Possession of live wild animals. (1) RESTRICTIONS ON POSSESSION;**
22 **GENERALLY.** (a) No person may possess any live wild animal unless the wild animal
23 is legally obtained.

24 (b) No person may possess any live wild animal unless the person possesses it
25 in compliance with this chapter.

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1 **(2) TEMPORARY POSSESSION.** (a) A person possessing a live native wild animal
2 for a period not to exceed 24 hours is exempt from having a license as required under
3 sub. (1) (b) if the person is possessing the wild animal for any of the following
4 purposes:

5 1. To restrain or transport the wild animal for medical treatment by a
6 veterinarian or by a person holding a rehabilitation license.

7 2. To remove or transport the wild animal from one location to a more
8 appropriate location.

9 3. To restrain or transport the wild animal for game censuses or surveys, or
10 other purposes authorized by the department.

11 (b) If a person possessing a live native wild animal under par. (a) determines
12 that it is necessary to possess the wild animal for a period exceeding 24 hours after
13 the time the wild animal was first possessed, the person shall request that the
14 department approve an extension for the temporary possession. The department
15 may either deny the requested extension or approve it for a specific period of time.

16 (c) An establishment licensed under s. 97.42, or for which inspection is granted
17 under 9 CFR part 304, may keep live white-tailed deer for slaughtering purposes for
18 up to 72 hours without holding a Class B deer farm license.

19 (d) If a live wild animal has been exposed to or infected with any contagious or
20 infectious disease, as defined under rules promulgated by the department of
21 agriculture, trade and consumer protection under s. 95.001 (2), or a reportable
22 disease, as designated by the department of natural resources under s. 22.41 (2),
23 during the time the wild animal is being temporarily possessed, the person
24 possessing the wild animal shall have a valid interstate health certificate or a valid

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1 certificate of veterinary inspection issued by a veterinarian certifying that the wild
2 animal is free of any such diseases before releasing it into the wild.

3 (3) WILD ANIMALS UNDER ANOTHER JURISDICTION. A live wild animal possessed
4 by a nonresident under the legal authority of another state, province or country may
5 be possessed by the nonresident in this state for not more than 60 days from the date
6 the wild animal enters the state if the wild animal is accompanied by a valid
7 interstate health certificate or a valid certificate of veterinary inspection issued by
8 a veterinarian and by all of the licenses or other approvals that are required by the
9 other state, province or country.

10 (4) EXEMPTION FOR CERTAIN WILD ANIMALS. (a) A person is exempt from any
11 licensing requirement under sub. (1) (b) for live native wild animals if the wild
12 animals are not endangered or threatened species and are any of the following:

- 13 1. Arthropods.
- 14 2. Chipmunks.
- 15 3. Pocket gophers.
- 16 4. Mice.
- 17 5. Moles.
- 18 6. Mollusks.
- 19 7. Opossums.
- 20 8. Pigeons.
- 21 9. Porcupines.
- 22 10. Rats.
- 23 11. Shrews.
- 24 12. English sparrows.
- 25 13. Starlings.

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1 14. Ground squirrels.

2 15. Red squirrels.

3 16. Voles.

4 17. Weasels.

5 (b) A person is exempt from any licensing requirement under sub. (1) (b) for live
6 nonnative wild animals that are not endangered or threatened species, except for
7 any of the following:

8 1. Pheasants of the species *Phasianus colchicus* or *Syrmaticus reevesii*, chukar
9 partridge or gray partridge that are possessed for the purpose of hunting under a bird
10 hunting preserve license, a dog training license, a hound training license, a dog club
11 training license, a dog trial license or a hound trial license.

12 2. Nonnative wild animals of the family anatidae or of the family cervidae.

13 3. Nonnative wild animals that are inherently dangerous wild animals.

14 **(5) EXEMPTION FOR CERTAIN PERSONS AND INSTITUTIONS.** (a) Any of the following
15 is exempt from any licensing requirement under sub. (1) (b):

16 1. Veterinarians, for the purpose of providing medical treatment to wild
17 animals.

18 2. Public zoos or aquariums.

19 3. Circuses and the Circus World Museum located in Baraboo, Wisconsin.

20 4. The department.

21 (b) For purposes of par. (a) 1., "medical treatment" does not include
22 rehabilitation.

23 **(6) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** (a) This section does not authorize
24 the possession of environmentally injurious wild animals.

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1 (b) The possession of native wild reptiles and native wild amphibians is subject
2 to s. 22.12 and not to this section.

3 **22.04 Taking of wild animals. (1) PROHIBITION.** No person may take any wild
4 animal from the wild except as authorized under a wild fur farm license, a falconry
5 license, a rehabilitation license or a scientific research license.

6 **(2) EXEMPTION FOR CERTAIN WILD ANIMALS.** A person is exempt from the
7 requirement under sub. (1) if the wild animal that the person takes from the wild is
8 a native wild animal that is exempt under s. 22.03 (4) (a).

9 **(3) EXEMPTION FOR CERTAIN PERSONS AND INSTITUTIONS.** (a) Any of the following
10 is exempt from the licensing requirement under sub. (1):

11 1. Veterinarians, for the purpose of providing medical treatment to wild
12 animals.

13 2. The department.

14 (b) For purposes of par. (a) 1., "medical treatment" does not include
15 rehabilitation.

16 **(4) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** (a) This section does not authorize
17 the taking of environmentally injurious wild animals.

18 (b) The taking of native wild reptiles and native wild amphibians is subject to
19 s. 22.12 and not to this section.

20 **22.05 Introduction, stocking and release of wild animals. (1)**
21 **PROHIBITION; PERSONS OTHER THAN THE DEPARTMENT.** (a) No person may introduce,
22 stock or release into the wild, or import into this state to introduce, stock or release
23 into the wild, any wild animal except as authorized under a bird hunting preserve
24 license, a bird dog training license, a hound dog training license, a dog club training

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1 license, a bird dog trial license, a hound dog trial license, a falconry license, a stocking
2 license, a rehabilitation license or a scientific research license.

3 (b) No person may introduce, stock or release into the wild, or import into this
4 state for introducing, stocking or releasing into the wild, any wild animal unless the
5 department has given its authorization under par. (c) and the person has complied
6 with the requirements under par. (d).

7 (c) The department may authorize the introducing, stocking, releasing into the
8 wild or importing of a species of wild animal only if the department has determined
9 that it is not an environmentally injurious wild animal and that it will not be
10 detrimental in any manner to the conservation of the natural resources of this state.

11 (d) Introducing, stocking or releasing a wild animal under this section is subject
12 to all of the following requirements:

13 1. If a wild animal has been exposed to or infected with any contagious or
14 infectious disease, as defined under rules promulgated by the department of
15 agriculture, trade and consumer protection under s. 95.001 (2), or a reportable
16 disease, as designated by the department of natural resources under s. 22.41 (2), the
17 person introducing, stocking or releasing the wild animal shall hold a valid
18 interstate health certificate or a valid certificate of veterinary inspection issued by
19 a veterinarian certifying that the wild animal is free of any such diseases before the
20 introducing, stocking or release.

21 2. A person introducing, stocking or releasing wild birds under the authority
22 of a stocking license, a bird hunting preserve license, a bird dog training license or
23 a bird dog trial license may only introduce, stock or release wild birds that:

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1 a. Have originated, within 365 days before the introducing, stocking or release,
2 from a flock that meets the requirements under subd. 3. and that have had contact
3 with only captive birds that meet these requirements.

4 b. That, within 30 days before the introducing, stocking or release, comply with
5 any rules promulgated by the department under s. 22.41 (3).

6 3. Wild birds that are introduced, stocked or released under subd. 2. shall
7 originate from a flock of a person participating in the national poultry improvement
8 plan under 9 CFR part 145.

9 **(2) BY THE DEPARTMENT.** The department may import into this state to
10 introduce, stock or release into the wild, may introduce, stock or release into the wild,
11 or may authorize introducing, stocking or releasing into the wild, a wild animal
12 without holding a license as required under sub. (1) (a).

13 **(3) EXEMPTION.** This section does not apply to wild animals that are released
14 into the wild after being accidentally trapped or confined.

15 **22.06 Exhibition of live wild animals. (1) PROHIBITION.** (a) No person may
16 exhibit any captive live native wild animal or any captive live nonnative wild animal
17 of the family ursidae or cervidae except as authorized under a captive wild animal
18 farm license, a deer farm license, a falconry license, a rehabilitation license, a
19 nonprofit educational exhibiting license, a nonresident temporary exhibiting license
20 or a captive wild animal auction and market license.

21 (b) If a person exhibits a wild animal subject to par. (a) under the authority of
22 a captive wild animal farm license, a deer farm license, a falconry license or a
23 rehabilitation license, the person may exhibit only those types of wild animals that
24 are specified by the department on the license.

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1 **(2) EXEMPTION FOR CERTAIN WILD ANIMALS.** A person is exempt from the
2 requirements under sub. (1) if the wild animal that the person exhibits is a wild
3 animal that is exempt under s. 22.03 (4) (a) or (b).

4 **(3) EXEMPTION FOR CERTAIN INSTITUTIONS.** Any of the following is exempt from
5 the licensing requirement under sub. (1):

6 (a) Public zoos or aquariums.

7 (b) Circuses and the Circus World Museum located in Baraboo, Wisconsin.

8 (c) The department.

9 **(4) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** This section does not authorize
10 the exhibiting of environmentally injurious wild animals.

11 **22.07 Propagation of wild animals. (1) PROHIBITION.** No person may
12 propagate any native wild animal or any nonnative wild animal of the family ursidae
13 or cervidae except as authorized under a captive wild animal farm license, a deer
14 farm license, a bird hunting preserve license, a wild fur farm license, a nonprofit
15 educational exhibiting license, a scientific research license or a falconry license.

16 **(2) EXEMPTION FOR CERTAIN WILD ANIMALS.** A person is exempt from the
17 requirements under sub. (1) if the wild animal that the person propagates is a wild
18 animal that is exempt under s. 22.03 (4) (a) or (b).

19 **(3) EXEMPTION FOR CERTAIN INSTITUTIONS.** Any of the following is exempt from
20 the licensing requirement under sub. (1):

21 (a) Public zoos or aquariums.

22 (b) Circuses and the Circus World Museum located in Baraboo, Wisconsin.

23 (c) The department.

24 **(4) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** This section does not authorize
25 the propagating of environmentally injurious wild animals.

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1 **22.08 Rehabilitation of wild animals. (1) PROHIBITION.** No person may
2 rehabilitate any wild animal except as authorized under a rehabilitation license.

3 **(2) INFIRM WILD ANIMALS.** If a wild animal has been exposed to or infected with
4 any contagious or infectious disease, as defined under rules promulgated by the
5 department of agriculture, trade and consumer protection under s. 95.001 (2), or a
6 reportable disease, as designated by the department of natural resources under s.
7 22.41 (2), the person holding the rehabilitation license shall hold a valid interstate
8 health certificate or a valid certificate of veterinary inspection by a veterinarian
9 certifying that the wild animal is free from any such diseases before releasing it into
10 the wild.

11 **(3) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** This section does not authorize
12 the rehabilitation of environmentally injurious wild animals.

13 **22.09 Hunting of captive wild animals. (1) PROHIBITION; GENERALLY.** No
14 person may hunt a captive wild animal except as authorized under s. 22.36 (5) and
15 under a Class B deer farm license, a bird hunting preserve license, a bird dog training
16 license, a hound dog training license, a dog club training license, a bird dog trial
17 license or a hound dog trial license.

18 **(2) PROHIBITION; COMMERCIAL HUNTING.** No person may sell or offer to sell or
19 purchase or offer to purchase the opportunity to hunt any wild animal that is or has
20 been captive except as authorized under a Class B deer farm license or a bird hunting
21 preserve license.

22 **22.10 Selling and purchasing of live wild animals. (1) SELLING.** Except
23 as authorized under a captive wild animal farm license, a bird hunting preserve
24 license, a deer farm license, a captive wild animal auction and market license, a

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1 falconry license, a wild fur farm license or a nonprofit educational exhibiting license,
2 no person may sell or offer to sell any of the following:

3 (a) Any live native wild animal that is not exempt from the licensing
4 requirement under s. 22.03 (4) (a).

5 (b) Any live nonnative wild animal that is not exempt from the licensing
6 requirement under s. 22.03 (4) (b).

7 **(2) PURCHASING.** (a) Except as provided under par. (b) and except as authorized
8 under a captive wild animal farm license, a bird hunting preserve license, a deer farm
9 license, a bird dog training license, a hound dog training license, a dog club training
10 license, a bird dog trial license, a hound dog trial license, a falconry license, a
11 nonprofit educational exhibiting license or a stocking license, no person may
12 purchase or offer to purchase any of the following:

13 1. Any live native wild animal that is not exempt from the licensing
14 requirement under s. 22.03 (4) (a).

15 2. Any live nonnative wild animal that is not exempt from the licensing
16 requirement under s. 22.03 (4) (b).

17 (b) A nonresident who purchases a live wild animal is exempt from holding a
18 license under this chapter to possess the wild animal if the nonresident possesses the
19 wild animal in this state for not more than 10 days after the date of purchase.

20 **(3) AUCTIONS AND MARKETS.** No person may conduct an auction or market to sell
21 live wild animals except as authorized under a captive wild animal auction and
22 market license.

23 **(4) EXEMPTION FOR CERTAIN INSTITUTIONS.** Any of the following is exempt from
24 the requirements under subs. (1) and (2):

25 (a) Public zoos or aquariums.

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1 (b) Circuses and the Circus World Museum located in Baraboo, Wisconsin.

2 (c) The department.

3 **(5) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** (a) This section does not authorize
4 the selling or purchasing of environmentally injurious wild animals.

5 (b) The selling and purchasing of native wild reptiles and native wild
6 amphibians is subject to s. 22.12 and not to this section.

7 (c) The sale of white-tailed deer is subject to s. 22.13 and not to this section.

8 **22.11 Inherently dangerous and environmentally injurious wild**
9 **animals.** **(1) INHERENTLY DANGEROUS WILD ANIMALS.** (a) The department shall
10 designate by rule cougars and members of the family ursidae as inherently
11 dangerous wild animals and may designate by rule other types of wild animals to be
12 inherently dangerous wild animals.

13 **(2) ENVIRONMENTALLY INJURIOUS WILD ANIMALS.** (a) The department may
14 designate by rule the species of wild animals that are environmentally injurious wild
15 animals.

16 (b) No person may possess, take, propagate, sell, purchase, transfer, exhibit or
17 rehabilitate a live environmentally injurious wild animal unless specifically
18 authorized to do so by the department.

19 (c) No person may introduce, stock or release, or import into this state to
20 introduce, stock or release, any environmentally injurious wild animal.

21 **(3) EXEMPTIONS.** (a) Public zoos and aquariums are exempt from the
22 prohibition under sub. (2) (b).

23 (b) 1. Veterinarians are exempt from the prohibition under sub. (2) (b) for the
24 purpose of providing medical treatment to environmentally injurious wild animals.

25 2. For purposes of subd. 1., "medical treatment" does not include rehabilitation.

ASSEMBLY BILL 514**SECTION 3****22.12 Possession and sale of native wild reptiles and wild amphibians.**

1 **(1) POSSESSION OF MORE THAN 5 PROHIBITED.** No person may take from the wild or
2 possess live native wild reptiles or live native wild amphibians unless the person
3 takes or possesses less than 5 of any subspecies or unless sub. (2) or (3) applies.

4 **(2) POSSESSION OF MORE THAN 5.** (a) A person may take from the wild or possess
5 more than 5 leopard frogs, 5 mud puppies, 5 tiger salamanders, 5 snapping turtles
6 or 5 painted turtles if so authorized by the department under a Class A captive wild
7 animal farm license.

8 (b) An authorization under par. (a) for a type of wild reptile or wild amphibian
9 may be subject to a quota established by rule by the department that protects from
10 excessive taking of the population of that wild reptile or wild amphibian from the
11 wild.

12 (c) 1. For any type of native wild reptile or native wild amphibian, other than
13 a wild reptile or wild amphibian subject to par. (a), a person may take from the wild
14 or possess more than 5 of that type of wild reptile or wild amphibian if permission
15 has been granted to the person by the department.

16 2. A request for permission under subd. 1. shall be in writing and shall include
17 the name of the species, the number of wild reptiles or wild amphibians, the location
18 of the proposed taking and the reason for the proposed possession.

19 3. The natural resources board shall create a council under s. 15.04 (1) (c) to
20 review requests for permission under subd. 1. The council shall make
21 recommendations to the department to assist the department in deciding whether
22 it will grant the permission.
23

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1 **(3) POSSESSION OF FROGS.** A person using frogs for bait while fishing may take
2 from the wild, possess and kill more than 5 frogs, but may not possess more than 5
3 of any subspecies of frog for more than 24 hours.

4 **(4) RESTRICTIONS OF SALES.** No person may sell live native wild reptiles or live
5 native wild amphibians except for the following:

6 (a) Color variants of these wild reptiles and wild amphibians that have been
7 bred in captivity and have coloration that is clearly distinct from the normal
8 morphological color patterns.

9 (b) Snapping turtles, painted turtles, leopard frogs, mud puppies and tiger
10 salamanders that are sold under the authorization of a Class A captive wild animal
11 farm license.

12 **(5) EXEMPTION FOR CERTAIN INSTITUTIONS.** Any of the following is exempt from
13 the requirements under this section:

14 (a) Public zoos or aquariums.

15 (b) Circuses and the Circus World Museum located in Baraboo, Wisconsin.

16 (c) The department.

17 **(6) EXEMPTION FOR VETERINARIANS.** (a) Veterinarians are exempt from subs. (1)
18 and (2) for the purpose of providing medical treatment to native wild reptiles and
19 native wild amphibians.

20 (b) For purposes of par. (a), "medical treatment" does not include rehabilitation.

21 **(7) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** This section does not authorize
22 the possessing, taking or selling of reptiles or amphibians that are environmentally
23 injurious wild animals.

24 **22.13 Sale and purchase of white-tailed deer for venison. (1)**

25 **REQUIREMENTS FOR LIVE DEER.** (a) No person may sell a live white-tailed deer to be

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1 processed for venison meat or products except as authorized under a Class B deer
2 farm license. No person may sell a live white-tailed deer to be processed for venison
3 meat or products without first attaching a Class B deer farm shipping tag to the body.

4 (b) No person may purchase a live white-tailed deer to be processed for venison
5 meat or products unless all of the following apply:

6 1. The person operates an establishment licensed under s. 97.42 or for which
7 inspection is granted under 9 CFR part 304.

8 2. The person holds a white-tailed deer venison sales license.

9 3. The deer originated from a Class B deer farm and has a Class B deer farm
10 shipping tag attached to its body.

11 **(2) REQUIREMENTS FOR CARCASSES.** No person may sell venison meat or process
12 venison products from white-tailed deer unless all of the following apply:

13 (a) The person operates an establishment licensed under s. 97.42 or for which
14 inspection is granted under 9 CFR part 304.

15 (b) The person holds a white-tailed deer venison sales license.

16 (c) The white-tailed deer originated from a Class B deer farm.

17 (d) Each individual package of white-tailed deer venison that the person
18 processes and sells contains the license number of the Class B farm from which the
19 white-tailed deer originated and the label clearly states that the venison is from a
20 licensed Class B deer farm.

21 **(3) CONSUMER SALES.** No person may sell venison from white-tailed deer to a
22 consumer, or purchase such venison for resale to a consumer, unless the venison is
23 labeled as required under sub. (2) (d) and the venison came from one of the following:

24 (a) An establishment licensed under s. 97.42 or for which inspection is granted
25 under 9 CFR part 304.

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1 (b) A meat broker or meat distributor registered under s. 97.42.

2 **22.14 Carcasses of captive wild animals. (1) RESTRICTIONS ON SALES AND**
3 PURCHASES. (a) No person may sell the carcass of any captive wild animal unless the
4 seller provides to the purchaser written proof of origin.

5 (b) No person may purchase or possess the carcass of any captive wild animal
6 unless the purchaser maintains written proof of origin during the time the purchaser
7 possesses the carcass.

8 (c) No person may sell or purchase the carcass, except for the hide, of a bear that
9 was a captive wild animal.

10 (d) No person may preserve and mount a carcass of a captive wild animal for
11 consideration unless that person holds a valid taxidermy permit issued under s.
12 29.136.

13 **(2) TAGGING REQUIREMENTS FOR CAPTIVE WILD ANIMAL FARMS.** (a) A person killing
14 a wild animal under the authority of a captive wild animal farm license shall tag the
15 carcass in the manner required by the department before removing the carcass from
16 the farm. No person may remove the tag from the carcass except as provided in par.
17 (b).

18 (b) A person acquiring a carcass tagged under par (a) that is to be consumed
19 for food may remove the tag at the time the carcass is prepared for final consumption.
20 The person shall keep the tag in evidence until the carcass is consumed or otherwise
21 disposed of.

22 (c) For purposes of pars. (a) and (b), for the carcasses of wild reptiles and wild
23 amphibians, a person need not tag each carcass, but shall tag each shipment in the
24 manner required by the department.

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1 **(3) INAPPLICABILITY TO CERTAIN CARCASSES.** (a) Subsections (1) and (2) do not
2 apply to the raw fur or dressed fur of fur-bearing wild animals.

3 (b) Subsection (1) (a) and (b) does not apply to white-tailed deer that is to be
4 processed into venison.

5 (c) The selling, purchasing or possessing of carcasses of endangered or
6 threatened species is subject to s. 29.415 and not to this section.

7 **22.15 Captive wild animal farm licenses. (1) ISSUANCE.** (a) The
8 department shall issue a Class A captive wild animal farm license to operate a
9 captive wild animal farm that grosses \$10,000 or more in annual sales to any
10 qualified person who files a proper application for the license and who pays the
11 applicable fee.

12 (b) The department shall issue a Class B captive wild animal farm license to
13 operate a captive wild animal farm that grosses less than \$10,000 in annual sales to
14 any qualified person who files a proper application for the license and who pays the
15 applicable fee.

16 (c) The department shall issue a Class A captive wild animal farm license to
17 any qualified person who files a proper application for the license and who pays the
18 applicable fee to operate a captive wild animal farm that contains more than 5 of any
19 of the following:

- 20 1. Leopard frogs.
- 21 2. Mud puppies.
- 22 3. Tiger salamanders.
- 23 4. Snapping turtles.
- 24 5. Painted turtles.

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1 (d) The applicant shall specify the location of the enclosures for the wild
2 animals on the application.

3 **(2) AUTHORIZATION.** (a) A captive wild animal farm license authorizes the
4 holder of the license to possess, propagate, kill, exhibit, purchase and sell live captive
5 wild animals of the types specified by the department on the license. The department
6 may not include members of the family cervidae in the types of wild animals
7 specified.

8 (b) A captive wild animal farm license authorizes the killing of captive wild
9 animals only by the holder of the license or an employe of the holder of the license.

10 **(3) CALCULATION OF ANNUAL SALES.** (a) The calculation of annual sales under
11 sub. (1) and par. (b) shall be based on sales from the prior year that involve live
12 captive wild animals that are any of the following:

- 13 1. Native wild animals.
- 14 2. Nonnative wild animals of the family cervidae.
- 15 3. Inherently dangerous wild animals.
- 16 4. Endangered or threatened species.

17 (b) For the first year that a person is issued a captive wild animal farm license,
18 the person shall be issued a Class B captive wild animal farm license, unless the
19 person operated a game bird and animal farm licensed under s. 29.574, 1995 stats.,
20 or a deer farm licensed under s. 29.578, 1995 stats., on the effective date of this
21 paragraph [revisor inserts date], that grossed \$10,000 or more in annual sales.

22 **(4) CONTROL OF WILD ANIMALS.** (a) A person holding a captive wild animal farm
23 license shall control the wild animals at all times in the manner required by the
24 department and shall keep the wild animals at the locations specified on the
25 application for the license.

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1 (b) If any member of the family ursidae, felidae or canidae escapes from its
2 enclosure or fenced area on a captive wild animal farm, the person holding the
3 captive wild animal farm license shall notify the department within 24 hours after
4 the escape.

5 (5) RULES. The department may promulgate rules to establish additional
6 standards, limitations and requirements for captive wild animal farm licenses and
7 for captive wild animal farms, including fencing of the farms.

8 **22.16 Deer farm licenses. (1) ISSUANCE.** The department shall issue a deer
9 farm license to any qualified person who files a proper application for the license and
10 who pays the applicable fee. The applicant shall specify the locations of the
11 enclosures for the deer on the application.

12 (2) AUTHORIZATION. (a) A Class A deer farm license authorizes the holder of the
13 license to possess, propagate, purchase, sell and exhibit live nonnative captive wild
14 animals that are members of the cervidae family.

15 (b) A Class B deer farm license authorizes the holder of the license to do any
16 of the following:

- 17 1. Possess, propagate, purchase, sell and exhibit live captive white-tailed deer.
- 18 2. Sell or offer to sell the opportunity to hunt live white-tailed deer within the
19 boundaries of the deer farm.

20 (c) A person holding a Class B deer farm license shall attach a deer shipping
21 tag to any live white-tailed deer before selling the deer to be processed for venison.

22 (3) EXEMPTION FROM HUNTING RESTRICTIONS. A person hunting white-tailed deer
23 on a Class B deer farm is exempt from having any hunting approval issued under ch.
24 29 and is exempt from any closed season restrictions, bag limits or other conditions
25 or restrictions established by the department under s. 29.174.

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1 **(4) CONTROL OF DEER.** (a) A person holding a deer farm license shall control the
2 deer at all times in the manner required by the department and shall keep the deer
3 at the locations specified on the application for the license.

4 (b) If any deer escapes from its enclosure or fenced area on a deer farm, the
5 person holding the deer farm license shall notify the department within 24 hours
6 after the escape.

7 **(5) RULES.** The department may promulgate rules to establish additional
8 standards, limitations and requirements for deer farm licenses and for deer farms,
9 including fencing of the farms.

10 **22.17 White-tailed deer venison sales license. (1) APPLICATION.** The
11 department shall issue a white-tailed deer venison sales license to any qualified
12 person who files a proper application for the license and who pays the applicable fee.

13 **(2) AUTHORIZATION.** (a) A white-tailed deer venison sales license authorizes the
14 holder of the license to sell, purchase and process venison from white-tailed deer that
15 originates from a Class B deer farm.

16 **(3) RULES.** The department may promulgate rules to establish additional
17 standards, limitations and requirements for white-tailed venison sales licenses and
18 for the premises at which venison from white-tailed deer is processed.

19 **22.18 Wild fur farm license. (1) ISSUANCE.** The department shall issue a wild
20 fur farm license to any qualified person who files a proper application and who pays
21 the applicable fee.

22 **(2) AUTHORIZATION; LIMITATIONS.** (a) A wild fur farm license authorizes all of the
23 following:

24 1. The holder of the license to possess and propagate live muskrat, beaver,
25 raccoon, otter and mink on the land subject to the license.

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1 2. The holder of the license and other persons authorized by the holder to take
2 the live fur-bearing wild animals specified in subd. 1. or kill by trapping the
3 fur-bearing wild animals specified in subd. 1.

4 3. The holder of the license to sell the live fur-bearing wild animals specified
5 in subd. 1. to persons authorized to possess the fur-bearing wild animals.

6 (b) Section 29.134 shall apply to the possession and selling of the raw furs and
7 dressed furs of the fur-bearing wild animals specified in par. (a) 1.

8 (c) The number of otter that are taken or killed may not exceed the quota
9 established by rule by the department under sub. (5) (a).

10 **(3) ELIGIBLE LAND.** (a) Except as provided in par. (b), a wild fur farm licensed
11 under this section shall be in a single parcel and may not exceed 640 acres.

12 (b) Upon the request of the applicant for a license under this section, the
13 department shall issue a single license for a wild fur farm that does not meet all of
14 the requirements of par. (a) if the wild fur farm is licensed as a fur animal farm under
15 s. 29.575, 1995 stats., on the effective date of this paragraph [revisor inserts date].

16 **(4) EXEMPTION FROM TRAPPING RESTRICTIONS.** Except as provided in sub. (2) (c),
17 a person trapping fur-bearing wild animals on a wild fur farm is exempt from having
18 any trapping approval issued under ch. 29 and is exempt from any closed season
19 restrictions, bag limits or other conditions or restrictions established by the
20 department under s. 29.174.

21 **(5) RULES.** (a) The department shall promulgate by rule a quota for taking, or
22 killing by trapping, otter for purposes of this section.

23 (b) The department shall promulgate rules for the purpose of determining
24 whether a piece of land qualifies as a single parcel under sub. (3).

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1 (c) The department may promulgate rules to establish additional standards,
2 limitations and requirements for wild fur farm licenses and for wild fur farms.

3 **22.19 Bird hunting preserve licenses. (1) ISSUANCE.** The department shall
4 issue a Class A or a Class B bird hunting preserve license to any qualified person who
5 files a proper application and who pays the applicable fee.

6 **(2) AUTHORIZATION.** (a) A Class A or a Class B bird hunting preserve license
7 authorizes all of the following:

8 1. Possessing, stocking, propagating, releasing into the wild, selling and
9 purchasing of live wild birds of the species authorized under par. (b) by the holder
10 of the license.

11 2. Hunting of released wild birds of those species that have been stocked in the
12 preserve by the holder of the license and other persons authorized by the holder.

13 (b) The department may authorize only one or more of the following species of
14 live wild birds under a Class A or a Class B bird hunting preserve license:

15 1. Pheasants of the species *Phasianus colchicus* or the species *Syrmaticus*
16 *reevesii*.

17 2. Quail that are of the subfamily *Odontophorinae*.

18 3. Gray partridge.

19 4. Chukar partridge.

20 5. Red-legged partridge.

21 6. Mallard ducks that are bred in captivity.

22 7. Wild turkeys, if the wild turkeys are located outside a wild turkey hunting
23 zone established under s. 29.103 (6).

24 (c) The department shall specify on the license the types of wild birds that the
25 department authorizes under the license.

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1 **(3) REGULATION OF NUMBER OF BIRDS.** (a) A person holding a bird hunting
2 preserve license may not allow the number of wild birds of a given species in the
3 preserve that are killed in a given year to exceed the number of captive wild birds
4 of that species that have been stocked in the preserve for that license year.

5 (b) A Class A bird hunting preserve license authorizes the person holding the
6 license to possess any number of the species specified in sub. (2) (b) 2. to 7. and
7 requires the person to stock at least 1,001 adult pheasants in the preserve during the
8 license year.

9 (c) A Class B bird hunting preserve license authorizes the person holding the
10 license to possess any number of the species specified in sub. (2) (b) 2. to 7. and
11 prohibits the person from stocking more than 1,000 adult pheasants in the preserve.
12 A holder of a Class B bird hunting preserve license possessing pheasants under the
13 license shall stock a minimum of one adult pheasant per 4 huntable acres that are
14 within the boundaries of the licensed preserve during the license year.

15 **(4) REQUIREMENTS FOR MALLARD DUCKS.** A person possessing mallard ducks
16 under the authority of a bird hunting preserve license may possess only mallard
17 ducks that are bred in captivity and shall identify them as required under 50 CFR
18 21.13 (b). The person shall house the mallard ducks in pens that are covered and
19 maintained to prevent free-roaming wild waterfowl from being attracted to the pens
20 with the mallard ducks that are being bred.

21 **(5) EXEMPTION FROM HUNTING RESTRICTIONS.** (a) A person hunting wild birds on
22 a bird hunting preserve that have been stocked on the preserve is exempt from
23 having any hunting approval issued under ch. 29.

24 (b) Except as provided in par. (c), a person hunting wild birds on a bird hunting
25 preserve that have been stocked on the preserve is exempt from any closed season

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1 restrictions, bag limits or other conditions or restrictions established by the
2 department under s. 29.174.

3 (c) A person hunting mallard ducks shall comply with rules promulgated by the
4 department under s. 29.174 governing the hunting of waterfowl.

5 **(6) RULES.** The department may promulgate rules to establish additional
6 standards, limitations and requirements for bird hunting preserve licenses and for
7 bird hunting preserves.

8 **22.20 Dog training licenses. (1) BIRD DOG TRAINING LICENSE.** (a) The
9 department shall issue a bird dog training license to any qualified individual who is
10 at least 12 years of age who files a proper application and who pays the applicable
11 fee.

12 (b) Except as provided in par. (c), a bird dog training license authorizes the
13 holder of the license to purchase, possess, release into the wild and hunt any of the
14 live captive wild birds specified in s. 22.19 (2) (b) 1. to 6. solely for the purposes of
15 training a dog to retrieve, point, flush and track game.

16 (c) The department may restrict the possessing, releasing and hunting of a
17 species of wild birds specified in par. (b) by persons holding dog training licenses in
18 zones or areas for which the department has by rule imposed special hunting
19 restrictions for that species.

20 (d) A person training a bird dog in a bird hunting preserve for which the
21 hunting of pheasant, quail, mallard ducks bred in captivity or partridge has been
22 authorized under a bird hunting preserve license is exempt from holding a bird dog
23 training license to possess, release into the wild and hunt live captive wild birds for
24 the purposes of training the dog to retrieve, point, flush and track wild birds.

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1 **(2) HOUND DOG TRAINING LICENSE.** (a) The department shall issue a hound dog
2 training license to any qualified individual who is at least 12 years of age who files
3 a proper application and who pays the applicable fee.

4 (b) A hound dog training license authorizes the holder of the license to
5 purchase, possess, release into the wild and hunt any of the following live captive
6 wild animals for the purpose of teaching hound dogs to track game:

7 1. Live captive rabbit purchased or otherwise acquired from a person holding
8 a captive wild animal farm license.

9 2. Live captive raccoon.

10 3. Live captive bear of the species *Ursus americanus*.

11 **(3) DOG CLUB TRAINING LICENSE.** (a) The department shall issue a dog club
12 training license to a club that is a nonstock, nonprofit corporation that is described
13 under section 501 (c) (3) or (4) of the Internal Revenue Code, that is exempt from
14 taxation under section 501 (a) of the Internal Revenue Code and that files a proper
15 application and pays the applicable fee.

16 (b) A dog club training license authorizes the club or its members to purchase,
17 possess, release into the wild and hunt species of live captive wild animals that are
18 authorized by the department on property owned or leased by the club for the
19 purpose of teaching a bird dog or hound dog to retrieve, point, flush or track game.

20 **(4) RULES.** The department may promulgate rules to establish additional
21 standards, limitations and requirements for licenses issued under this section. The
22 rules may include standards that provide adequate protection for the wild animals
23 that are authorized under a dog training license.

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1 **(5) RESTRICTIONS.** (a) No person may sell wild animals under a license issued
2 under this section, but a person holding a bird dog training license who has been
3 contracted to train a dog may charge for the wild birds used in the training.

4 (b) A license under this section does not authorize organized competitive field
5 events.

6 **22.21 Dog trial licenses. (1) BIRD DOG TRIAL LICENSE.** (a) The department
7 shall issue a bird dog trial license to any qualified person who files a proper
8 application and who pays the applicable fee.

9 (b) A bird dog trial license authorizes the holder of the license to purchase,
10 possess, release into the wild and hunt any live captive wild bird for any organized
11 competitive field event that involves sporting dog breeds and that is sanctioned,
12 licensed or recognized by a local, state, regional or national dog organization.

13 **(2) HOUND DOG TRIAL LICENSE.** (a) The department shall issue a hound dog trial
14 license to any person who files a proper application and who pays the applicable fee.

15 (b) A hound dog trial license authorizes the holder of the license to purchase,
16 possess, release into the wild and hunt live captive raccoon, live captive rabbit and
17 live captive bear of the species *Ursus americanus* for any organized competitive field
18 event that involves sporting dog breeds and that is sanctioned, licensed or recognized
19 by a local, state, regional or national dog organization.

20 **(3) RULES.** The department may promulgate rules to establish additional
21 standards, limitations and requirements for licenses issued under this section. The
22 rules may include standards that provide adequate protection for the wild animals
23 that are authorized under a dog trial license.

24 **22.22 Falconry license. (1) ISSUANCE.** (a) The department shall issue a
25 falconry license to any qualified individual who is at least 18 years of age, who has

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1 a federal falconry license, who files a proper application and who pays the applicable
2 fee.

3 (b) The department shall issue a youth falconry license to any individual who
4 is a resident of this state, who is at least 14 years of age but less than 18 years of age
5 and who qualifies as a falconry apprentice under 50 CFR 21.29 (e) (1).

6 (2) AUTHORIZATION; POSSESSION. A falconry license authorizes the holder of the
7 license to possess and release raptors for falconry purposes.

8 (3) AUTHORIZATION; EXHIBITING; HUNTING. A falconry license authorizes the
9 holder of the license to do all of the following:

10 (a) Exhibit live captive raptors if specifically authorized to do so by the
11 department.

12 (b) Hunt small game of the type authorized for hunters holding small game
13 hunting licenses under s. 29.10 by engaging in falconry.

14 (4) AUTHORIZATION; TAKINGS. A falconry license authorizes a resident of this
15 state to take raptors from the wild. A falconry license authorizes a nonresident to
16 take raptors from the wild only if the person has a falconry license or other similar
17 approval from the state, province or country of which he or she is a resident and if
18 that state, province or country allows residents of this state to take raptors from the
19 wild in that state, province or country.

20 (5) AUTHORIZATION; OTHER. A falconry license authorizes the person holding the
21 license to do any of the following if the person also has a federal propagation permit
22 issued under 50 CFR 21.30.

23 (a) Propagate and purchase raptors.

24 (b) Sell raptors that are bred in captivity.

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1 **(6) RULES.** The department may promulgate rules to establish all of the
2 following:

3 (a) Additional standards, limitations and requirements for falconry licenses.

4 (b) Bag limits, closed areas and other conditions or restrictions on hunting by
5 engaging in falconry subject to sub. (3) (b).

6 **22.23 Stocking license. (1) ISSUANCE.** The department may issue stocking
7 licenses. If the department issues stocking licenses, it shall issue a stocking license
8 to any qualified person who files a proper application and who pays the applicable
9 fee.

10 **(2) AUTHORIZATION.** A stocking license authorizes the holder of the license to
11 purchase, possess, introduce or stock wild animals.

12 **(3) RULES.** The department may promulgate rules to establish additional
13 standards, limitations and requirements for stocking licenses. The rules may
14 include the species of wild animals that may be introduced or stocked and the
15 locations at which those species of wild animals may be introduced or stocked.

16 **22.24 Rehabilitation license. (1) ISSUANCE.** The department shall issue a
17 rehabilitation license to any qualified individual who is at least 18 years of age, who
18 meets the qualifications under sub. (2) and who files a proper application.

19 **(2) QUALIFICATIONS.** (a) The department may issue a license under this section
20 only to an individual who demonstrates sufficient knowledge in the identification,
21 care and biology of each type of wild animal that the individual is authorized to
22 rehabilitate under the license.

23 (b) Except as provided in par. (c), an individual applying for a license under this
24 section shall demonstrate the degree of knowledge required under par. (a) by
25 successfully completing testing as required by the department and by having

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1 training in the handling, care and treatment of the types of wild animals that the
2 individual will be authorized to rehabilitate under the license. The individual shall
3 be trained by a rehabilitator who is authorized by the department to rehabilitate wild
4 animals on the effective date of this paragraph [revisor inserts date].

5 (c) An individual who is authorized by the department to rehabilitate wild
6 animals on the effective date of this paragraph [revisor inserts date] shall
7 demonstrate the degree of knowledge required under par. (a) by successfully
8 completing testing as required by the department.

9 **(3) AUTHORIZATION.** A rehabilitation license authorizes the holder of the license
10 to do any of the following:

11 (a) Take a wild animal from the wild for the purpose of providing medical
12 treatment.

13 (b) Possess, rehabilitate or release into the wild a live wild animal.

14 (c) Transfer, but not for consideration, or dispose of a live wild animal or its
15 carcass if specifically authorized to do so by the department.

16 (d) Exhibit a live wild animal if specifically authorized to do so by the
17 department.

18 **(4) RULES.** The department may promulgate rules to establish additional
19 standards, limitations and requirements for rehabilitation licenses.

20 **22.25 Scientific research license. (1) ISSUANCE.** (a) The department shall
21 issue a scientific research license to any qualified person who is engaged in a study
22 or in research that the department determines will lead to increased, useful scientific
23 knowledge, who files a proper application and who pays the applicable fee.

24 (b) The department may also require the person to submit with the license
25 application a copy of any of the following:

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- 1 1. The person's study plan or research proposal.
- 2 2. An approval received by the person under 9 CFR 2.31.
- 3 **(2) AUTHORIZATION.** A scientific research license authorizes the holder of the
- 4 license to take from the wild, possess, kill or propagate the types of native wild
- 5 animals that the department authorizes under the license.
- 6 **(3) SCOPE OF LICENSE; CONTENTS.** A scientific research license shall contain the
- 7 holder's name and address, the date of issuance and all of the following conditions
- 8 or limitations:
- 9 (a) The specific purposes for which it is issued.
- 10 (b) The types of wild animals and the number of each type to be studied.
- 11 (c) The locations from where the wild animals will be taken.
- 12 (d) The locations at which the wild animals will be kept and studied.
- 13 (e) The periods of time in which the wild animals may be studied.
- 14 (f) Any other conditions or limitations that the department considers
- 15 reasonable.
- 16 **(4) EQUIPMENT.** A scientific research license may authorize the use of net guns,
- 17 tranquilizer guns and other equipment or supplies for activities related to scientific
- 18 research or study.
- 19 **(5) TITLE TO; TRANSFER AND DISPOSAL OF WILD ANIMALS.** (a) A person holding a
- 20 scientific research license may not transfer any wild animal or its carcass held under
- 21 the authority of the license unless the purpose of the transfer is to trade the wild
- 22 animals for other animals for scientific research or classroom demonstrations and
- 23 the transfer is specifically authorized by the department at the time of the transfer.

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1 (b) A person holding a scientific research license shall release or dispose of a
2 live wild animal possessed under the authority of the license, or its carcass, only in
3 the manner specifically authorized by the department.

4 **(6) RULES.** The department may promulgate rules to establish additional
5 standards, limitations and requirements for scientific research licenses.

6 **22.26 Nonprofit educational exhibiting license. (1) ISSUANCE.** (a) The
7 department shall issue a nonprofit educational exhibiting license to any nature
8 center, aquarium or educational institution if the center, aquarium or institution is
9 a nonstock, nonprofit corporation described under section 501 (c) (3) or (4) of the
10 Internal Revenue Code and exempt from taxation under section 501 (a) of the
11 Internal Revenue Code and if the center, aquarium or institution files a proper
12 application and pays the applicable fee.

13 **(2) AUTHORIZATION.** A nonprofit educational exhibiting license authorizes the
14 person holding the license to do all of the following:

15 (a) Possess and exhibit live wild animals.

16 (b) Purchase and propagate live wild animals subject to sub. (3) (a) for the
17 purpose of exhibiting only.

18 **(3) AUTHORIZATION: RESTRICTION; TRADING.** (a) A person holding a nonprofit
19 educational exhibiting license may purchase or propagate only those types of wild
20 animals that the department specifically authorizes on the license.

21 (b) If a person holding a nonprofit educational exhibiting license determines
22 that the person possesses more live wild animals than are necessary for exhibiting
23 purposes, the person may sell the excess wild animals to another person who is not
24 prohibited under this chapter from possessing the wild animals.

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1 (4) RULES. The department may promulgate rules establishing standards,
2 limitations and requirements for nonprofit educational exhibiting licenses.

3 **22.27 Nonresident temporary exhibiting license. (1) ISSUANCE.** The
4 department shall issue a nonresident temporary exhibiting license to any qualified
5 individual who is a nonresident or to any business organization that is not organized
6 under the laws of this state, who meets the requirement under sub. (2), who files a
7 proper application and who pays the applicable fee.

8 (2) FEDERAL REQUIREMENT. An applicant for a nonresident temporary exhibiting
9 license shall hold any license or permit that may be required under 7 USC 2131 to
10 2159 at the time the department issues the applicant the license.

11 (3) AUTHORIZATION. A person holding a nonresident temporary exhibiting
12 license may do all of the following:

13 (a) Possess and exhibit live wild animals at locations designated by the
14 department under the license for the production of motion pictures or television
15 programs or as parts of theatrical acts, carnivals or other animal attractions or
16 displays.

17 (b) Move live wild animals in mobile facilities that do not meet the rules for
18 housing under s. 22.36.

19 (4) RULES. The department may promulgate rules to establish additional
20 standards, limitations and requirements for nonresident temporary exhibiting
21 licenses.

22 **22.28 Captive wild animal auction and market license. (1) ISSUANCE.**
23 The department shall issue a captive wild animal auction and market license to any
24 qualified person who files a proper application and who pays the applicable fee.

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1 **(2) AUTHORIZATION; LIMITATION.** (a) A captive wild animal auction and market
2 license authorizes the person holding the license to do all of the following:

- 3 1. Possess live wild animals for an auction or market.
- 4 2. Exhibit live wild animals for an auction or market.
- 5 3. Conduct auctions and markets to sell live wild animals to persons authorized
6 to possess the wild animals within and outside this state.

7 (b) No person may conduct a private sale of a live wild animal at the same site
8 and on the same date as the site and date of an auction or market conducted under
9 the authority of a captive wild animal auction and market license.

10 **(3) CONSIGNMENT SALES.** A person may ship or transport a live wild animal into
11 this state for consignment sale at an auction or market by a person holding a captive
12 wild animal auction and market license if all of the following apply:

13 (a) The person shipping or transporting the wild animal is in compliance with
14 any licensing or other approval requirements of the state, province or country of
15 origin.

16 (b) A copy of any license or other approval required by the state, country or
17 province of origin and a valid interstate health certificate or valid certificate of
18 veterinary inspection issued by a veterinarian accompany the wild animal.

19 **(4) RULES.** The department may promulgate rules that establish additional
20 standards, limitations and requirements for captive wild animal auction and market
21 licenses and for captive wild animal auctions and markets.

22 **22.29 Endangered and threatened species.** No person may take from the
23 wild, introduce, stock, release into the wild, exhibit, propagate, rehabilitate, hunt,
24 sell, purchase, transfer or engage in any other activity related to a live wild animal

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1 that is a threatened or endangered species unless the person is in compliance with
2 this chapter and s. 29.415.

3 **22.30 License and tag fees. (1) FEES.** The department shall establish by rule
4 the fees for the issuance or renewal of licenses under this chapter. The department
5 shall establish by rule a late fee for the renewal of any license issued under this
6 chapter that is filed after the expiration date of the license.

7 **(2) APPLICABILITY OF LICENSE; CUMULATIVE FEES.** (a) Except as provided in par.
8 (b), a license issued under this section authorizes the applicable activity on only one
9 block of contiguous land.

10 (b) To a business or other operation that was licensed for certain activities as
11 one legal entity with one set of records under one license under s. 29.573, 29.574,
12 29.575, 29.578 or 29.579, 1995 stats., and that were on noncontiguous land, the
13 department shall continue to issue one license under this chapter for that activity
14 to the business or operation if there is one license that authorizes all of those
15 activities. The department shall continue to issue the one license until the person
16 holding that one license ceases to be issued a license for the activity or until the
17 person holding the one license issued ceases to have a controlling interest in that
18 business or operation.

19 (c) A person applying for 2 or more licenses under this section that are
20 necessary to engage in a single business or other operation shall pay a total fee that
21 equals the fee for the required license with the highest fee that is required, plus 50%
22 of the fee for each additional required license.

23 **(4) TAGS.** Any tags required by this chapter or rules promulgated thereunder
24 shall be provided by the department at cost.

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1 **22.31 Licenses; effective periods. (1) CAPTIVE WILD ANIMAL FARM LICENSE.**

2 A captive wild animal farm license is valid from the date of issuance until the
3 following December 31.

4 **(2) DEER FARM LICENSE.** A deer farm license is valid from the date of issuance
5 until the following December 31.

6 **(3) WHITE-TAILED DEER VENISON SALES LICENSE.** A white-tailed deer venison
7 sales license is valid from the date of issuance until the following December 31.

8 **(4) WILD FUR FARM LICENSE.** A wild fur farm license is valid from the date of
9 issuance until the 3rd December 31 following the date of issuance.

10 **(5) BIRD HUNTING PRESERVE LICENSE.** A bird hunting preserve license is valid
11 from the date of issuance until the following May 30.

12 **(6) DOG TRAINING LICENSES.** (a) A bird dog training license is valid from the date
13 of issuance until the 3rd December 31 following the date of issuance.

14 (b) A hound dog training license is valid from the date of issuance until the 3rd
15 December 31 following the date of issuance.

16 (c) A dog club training license is valid from the date of issuance until the 3rd
17 December 31 following the date of issuance.

18 **(7) DOG TRIAL LICENSES.** (a) A bird dog trial license is valid from the date of
19 issuance until the following December 31.

20 (b) A hound dog trial license is valid from the date of issuance until the
21 following December 31.

22 **(8) FALCONRY LICENSE.** 1. A falconry license issued to a resident of this state
23 is valid from the date of issuance until the 3rd December 31 following the date of
24 issuance or until the license holder reaches 18 years of age, whichever is earlier.

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1 2. A falconry license issued to a nonresident is valid from the date of issuance
2 until the following December 31.

3 **(9) STOCKING LICENSE.** A stocking license is valid for the period specified on the
4 license, which may not exceed 30 days.

5 **(10) REHABILITATION LICENSE.** A rehabilitation license is valid for 3 consecutive
6 years from the date of issuance.

7 **(11) SCIENTIFIC RESEARCH LICENSE.** A scientific research license is valid from the
8 date of issuance until the following December 31.

9 **(12) NONPROFIT EDUCATIONAL EXHIBITING LICENSE.** A nonprofit educational
10 exhibiting license is valid from the date of issuance until the following December 31.

11 **(13) NONRESIDENT TEMPORARY EXHIBITING LICENSE.** (a) Except as provided in par.
12 (b), a nonresident temporary exhibiting license is valid for the period specified on the
13 license, which may not exceed 30 days.

14 (b) Upon application, the department may grant extensions of the nonresident
15 temporary exhibiting license beyond 30 days.

16 **(14) CAPTIVE WILD ANIMAL AUCTION AND MARKET LICENSE.** The captive wild animal
17 auction and market license is valid from the date of issuance until the following
18 December 31.

19 **22.32 Licenses; applications; renewals; terminations. (1) APPLICATION.**
20 The application for a license under this chapter shall be on a form provided by the
21 department or in a format approved by the department, and shall request the
22 information required by the department. The department may not issue a license
23 unless the applicant provides the information required.

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1 **(2) ELIGIBILITY REQUIREMENTS FOR MINORS.** (a) Each applicant for a license under
2 this chapter who is less than 18 years of age shall have the application signed by a
3 parent or guardian.

4 (b) Except for a captive wild animal farm license, an individual who applies for
5 a license under this chapter shall be at least 14 years of age.

6 **(3) RENEWALS.** (a) Except as provided in par. (b), a person applying to renew
7 a license issued under this chapter shall file an application with the department on
8 or before the expiration date of the license.

9 (b) A person may apply for a renewal of a license issued under this chapter not
10 more than 45 days after the license's expiration date if the application is
11 accompanied by the late fee specified by rule under s. 22.30 (1), in addition to the
12 regular license fee.

13 **(4) INCORRECT INFORMATION.** No person may provide information that the
14 person knows to be incorrect in order to obtain a license issued under this chapter
15 to which the person is not entitled.

16 **(5) EXPIRATION OF LICENSE.** A person holding a license issued under this section
17 that expires or is revoked or suspended shall remove or cause to be removed from the
18 land subject to the license any signs indicating that the land was so licensed within
19 45 days after the expiration, revocation or suspension.

20 **(6) COMPLIANCE.** No person may violate any condition or limitation imposed by
21 the department on a license issued under this chapter.

22 **22.33 Record keeping and reporting requirements.** **(1) CAPTIVE WILD**
23 **ANIMAL FARM LICENSES, DEER FARM LICENSES, BIRD HUNTING PRESERVE LICENSES, FALCONRY**
24 **LICENSES, NONPROFIT EDUCATIONAL EXHIBITING LICENSES AND CAPTIVE WILD ANIMAL**
25 **AUCTION AND MARKET LICENSES.** (a) *Records; generally.* Each person holding a captive

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1 wild animal farm license, a deer farm license, a bird hunting preserve license, a
2 falconry license, a nonprofit educational exhibiting license or a captive wild animal
3 auction and market license shall keep a correct and complete record of all of the
4 following information:

5 1. For each transaction in which live wild animals are purchased, sold,
6 acquired, transferred or consigned:

7 a. The complete name and address and the number of any license issued under
8 this chapter of the person from whom the wild animals were purchased, acquired or
9 consigned or of the person to whom the wild animals were sold, transferred or
10 consigned.

11 b. The date of the transaction and the number and species of the wild animals.

12 2. All wild animals belonging to the holder of the license that have died, have
13 been killed or have escaped.

14 (b) *Records; additional requirements; exemptions.* 1. A person holding a bird
15 hunting preserve license is exempt from keeping the records required under par. (a)
16 1. a. for those wild birds that are killed on the land subject to the license.

17 2. For the taking of wild reptiles or wild amphibians from the wild, a person
18 required to hold a license for such taking under this chapter shall include in the
19 person's records the date of the taking and the location of the taking by township and
20 range.

21 3. A person holding a falconry license who takes a raptor from the wild in this
22 state shall keep a record of its species, age and sex, if discernible, and information
23 on the taking. The information shall include the date of the taking, the method of
24 the taking and the location of the taking by township and range.

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1 **(2) WILD FUR FARM LICENSES.** Each person holding a wild fur farm license shall
2 keep a correct and complete record of the complete name and address and the number
3 of any license issued under this chapter of each person to whom the license holder
4 sells a live fur-bearing wild animal.

5 **(3) REHABILITATION LICENSES.** Each person holding a rehabilitation license shall
6 keep a correct and complete record of all of the following information for each wild
7 animal:

8 (a) The date that the wild animal in need of rehabilitation is received and the
9 species of the wild animal.

10 (b) The condition of the wild animal that requires rehabilitation.

11 (c) The disposition of the wild animal, including the date and location of its
12 release into the wild or its transfer to the department.

13 (d) The cause of death, if known, for a wild animal that dies.

14 (e) Health records as required by the department.

15 **(4) DOG TRAINING AND TRIAL LICENSES.** Each person holding a bird dog training
16 license, a hound dog training license, a dog club training license, a bird dog trial
17 license or a hound dog trial license shall keep a receipt of the purchase of each wild
18 animal purchased under the authority of the license and a correct and complete
19 record of any testing for disease on these wild animals that is required under rules
20 promulgated under s. 22.41 (3).

21 **(5) SCIENTIFIC RESEARCH LICENSES.** Each person holding a scientific research
22 license shall keep a correct and complete record of all of the following information for
23 each wild animal:

24 (a) The disposition of the wild animal, including the date and location of its
25 release into the wild or its transfer to the department.

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1 (b) The cause of death, if known, for a wild animal that dies.

2 (6) WHITE-TAILED DEER VENISON SALES LICENSES. Each person holding a
3 white-tailed deer venison sales license shall keep a correct and complete record of
4 all of the following information for each transaction:

5 (a) The complete name, address and number of any license issued under this
6 chapter of the person from whom the venison was acquired.

7 (b) The date of acquisition.

8 (c) The number of pounds of venison acquired.

9 (7) ADDITIONAL INFORMATION. The department may impose additional
10 record-keeping requirements on holders of licenses under this chapter.

11 (8) ZOOS. If a zoo or aquarium is not a member of the American Zoo and
12 Aquarium Association, the governing body of the zoo shall keep correct and complete
13 records of all transactions involving the movement of wild animals that are native
14 wild animals, nonnative wild animals of the family cervidae, inherently dangerous
15 wild animals, environmentally injurious wild animals or endangered or threatened
16 species. The department shall determine the information to be kept in these records.

17 (9) RECORDS; TIMING. (a) A person holding a license subject to this section shall
18 record all of the information required under this section within 7 days after the
19 occurrence of the transaction or activity. A person holding a license subject to this
20 section shall keep these records for 3 years after the last day of the year in which the
21 record was entered.

22 (b) In addition to the requirements under par. (a), the person holding a license
23 subject to this section shall provide a copy of the record required under this section
24 to the department within 7 days after the transaction or activity if the transaction
25 or activity involved any live wild animal of the family cervidae, canidae, ursidae,

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1 mustelidae or felidae, any inherently dangerous wild animal or any environmentally
2 injurious wild animal.

3 (c) In addition to the requirements under par. (a), a nonresident who takes a
4 raptor from the wild in this state shall provide a copy of the record required under
5 sub. (1) (b) 3. to the department within 2 days after the taking.

6 (d) The department may require, by rule, that submission of the records
7 required under this section to the department be a condition for renewal of any
8 license subject to this section.

9 **(10) REPORTS.** (a) Each person holding a license subject to this section shall
10 submit an annual summary report for each license year to the department that
11 contains all of the following information for each species of wild animal possessed by
12 the person holding the license:

13 1. The number of wild animals that the person holding the license possesses
14 on the date of the report.

15 2. The number of wild animals the person holding the license has purchased
16 or otherwise acquired during the reporting year.

17 3. The number of wild animals that the person holding the license has sold,
18 released into the wild or otherwise transferred during the reporting year.

19 4. The number of wild animals that have been killed or have escaped or died
20 during the reporting year.

21 (b) The person holding the license shall submit the annual report under par.
22 (a) within 30 days after the last day of the license year that the report covers.

23 (c) In addition to the report under par. (a), a person holding a Class A deer farm
24 license shall file a semiannual report covering the first 6 months of the license year.

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1 The report shall be filed within 30 days after the last day of the 6th month of the
2 license year.

3 (11) REQUIREMENTS AS TO FORM. The records and reports required under this
4 section shall be in the English language and shall be on forms provided by the
5 department or in a format approved by the department.

6 **22.34 Inspections. (1) DEPARTMENTAL AUTHORITY.** For purposes of enforcing
7 this chapter and the rules promulgated under this chapter, a conservation warden
8 or representative of the department, upon presenting his or her credentials to a
9 person who possesses or has possessed wild animals, may do any of the following:

10 (a) Enter and inspect any land, vehicle, building or other structure where live
11 wild animals are possessed or have been possessed or where carcasses of wild
12 animals are possessed or have been possessed.

13 (b) Inspect any equipment, materials or other activities related to the wild
14 animals.

15 (c) Gain access to and inspect any of the records required under s. 22.33.

16 (d) Inspect wild animals as authorized under sub. (4).

17 (2) TIMES FOR INSPECTIONS. The department may conduct an inspection
18 authorized under sub. (1) during any of the following times:

19 (a) After 8 a.m. and before 8 p.m. on weekdays, excluding legal holidays.

20 (b) During the time that the person who possesses or has possessed wild
21 animals is conducting business.

22 (c) At any time, if the inspection is necessary for public health, safety or welfare.

23 (3) PROHIBITING INSPECTIONS. No person holding a license under this chapter
24 or an operator of a vehicle for such a person, or employe or person acting on behalf

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1 of such a person, may prohibit entry as authorized under this section unless a court
2 restrains or enjoins the entry or inspection.

3 (4) INSPECTIONS OF WILD ANIMALS. The department may investigate and inspect
4 any wild animal or any other animal to be introduced, stocked or released into the
5 wild. Inspection may include the removal of reasonable diagnostic samples from wild
6 animals for biological examination. Only persons determined by the department to
7 be experienced in wildlife disease may remove diagnostic samples and diagnose
8 diseases for purposes of this subsection.

9 (5) TAXIDERMISTS. For an inspection of a taxidermist's place of business for
10 purposes of enforcing this chapter and the rules promulgated under this chapter, this
11 section does not apply and the department shall conduct the inspection as authorized
12 under s. 29.136 (7).

13 **22.35 Entry requirements; interstate health certificates. (1)**
14 **CONDITIONS.** Except as provided in sub. (3), a person may ship or transport a live wild
15 animal into this state only if the person complies with all of the following
16 requirements:

17 (a) The wild animal is accompanied by sufficient documentation to prove that
18 the wild animal was legally obtained and possessed in the state, province or country
19 of its origin.

20 (b) The wild animal is accompanied by a valid interstate health certificate or
21 a valid certificate of veterinary inspection issued by a veterinarian. The original and
22 one copy of the certificate shall be filed with the chief livestock health official in the
23 state, province or country of origin within 7 days after its execution.

24 (c) For wild animals to be exhibited as authorized under a nonresident
25 temporary exhibiting license, the person holding the license shall comply with any

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1 applicable rules promulgated by the department of agriculture, trade and consumer
2 protection.

3 (2) CERTIFICATES. Interstate health certificates or certificates of veterinary
4 inspection are valid only if they are issued within 30 days before entry into this state
5 and only if they certify that all of the rules promulgated under s. 22.41 (3) have been
6 met.

7 (3) EXEMPTIONS FROM STATE ENTRY REQUIREMENTS. (a) Subsection (1) does not
8 apply to a person shipping or transporting a live wild animal into this state if the wild
9 animal will be sent directly to slaughter at an establishment licensed under s. 97.42
10 or for which inspection is granted under 9 CFR part 304 and if the wild animal is
11 accompanied by a bill of lading that contains all of the following information:

- 12 1. A description of the wild animal.
- 13 2. A description of any official identification on the wild animal, including any
14 ear or back tag, leg band or tattoo.
- 15 3. The number of the license or other approval of the person shipping or
16 transporting the wild animal, as required by the state, province or country of origin.
- 17 4. The destination for slaughter.

18 (b) Subsection (1) does not apply to a person shipping or transporting a live wild
19 animal into this state to be sent directly to a veterinarian or a person holding a
20 rehabilitation license for medical treatment.

21 (c) The department may grant an exception from the requirement of having the
22 wild animal accompanied by a valid interstate health certificate or valid certificate
23 of veterinary inspection issued by a veterinarian if any of the following applies:

- 24 1. Any required testing for disease has been conducted and the results are
25 pending.

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1 2. The department authorizes that the required testing for disease be
2 conducted at the point of destination within this state.

3 (d) For an exception under par. (c) that involves testing for a disease that is
4 transmissible to domesticated animals, the department of agriculture, trade and
5 consumer protection shall also authorize the exception.

6 **22.36 Humane care and housing. (1) COMPLIANCE WITH RULES.** No license
7 may be issued under this chapter unless the department determines that the
8 applicant will comply with all of the rules promulgated under subs. (2) and (3).

9 **(2) RULES; GENERAL.** The department shall promulgate and enforce rules for the
10 housing, care, treatment, feeding and sanitation of wild animals subject to this
11 chapter to ensure all of the following:

12 (a) That the wild animals receive humane treatment.

13 (b) That the wild animals are held under sanitary conditions.

14 (c) That the wild animals receive adequate housing, care and food.

15 (d) The public is protected from injury by the wild animals.

16 **(3) RULES; HOUSING.** The rules for housing under sub. (2) shall include
17 requirements for the size and location of permanent enclosures and of temporary
18 enclosures at locations other than those where the wild animals are permanently
19 housed. The rules regulating the location of enclosures shall include the distance
20 required between 2 enclosures. The rules for housing shall include specifications for
21 enclosures for each type of inherently dangerous wild animal that the department
22 designates under s. 22.11 (1).

23 **(4) ORDERS.** (a) The department may issue an order requiring any person
24 holding a license under this chapter to comply with the rules promulgated under sub.
25 (2).

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1 (b) Any person who fails to comply with an order issued under par. (a) within
2 10 days after its issuance will be subject to penalties provided in s. 22.42.

3 (5) FREE-ROAMING WILD ANIMALS. A person holding a captive wild animal farm
4 license or a deer farm license shall make a reasonable effort to drive free-roaming
5 wild animals from land subject to the license that will be enclosed before the land is
6 enclosed. If any white-tailed deer remain in the boundaries of a deer farm fence, the
7 department may authorize the hunting of those deer. A person holding a Class B deer
8 farm license shall pay the department \$250 for each deer remaining within the
9 boundaries.

10 **22.37 Prohibited activities; trespassing.** (1) DISEASED WILD ANIMALS. (a)
11 No person may sell, lease, transfer, move from one location to another, release or
12 dispose of any wild animal if any of the following applies:

13 1. The wild animal is under a quarantine order and the department issuing the
14 order does not authorize the sale, lease, transfer, move or disposal.

15 2. Testing for disease has been conducted and the results are pending.

16 3. The person knows that the wild animal has been exposed to or has been
17 infected with a contagious or infectious disease as defined under rules promulgated
18 by the department of agriculture, trade and consumer protection under s. 95.001 (2),
19 or a reportable disease as designated by the department of natural resources under
20 s. 22.41 (2).

21 (b) No person may misrepresent the disease status of any wild animal.

22 (c) No person may fail to present any wild animal for any required testing for
23 disease as required by the department or by the department of agriculture, trade and
24 consumer protection.

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1 (d) The prohibition under sub. (1) (a) 3. does not apply if results from testing
2 for the disease show that the wild animal is not likely to transmit the disease.

3 (e) No veterinarian may fail to report a contagious or infectious disease, as
4 defined under rules promulgated by the department of agriculture, trade and
5 consumer protection under s. 95.001 (2), or a reportable disease, as designated by the
6 department of natural resources under s. 22.41 (2), in a wild animal.

7 **(2) TAMPERING; COMMINGLING.** (a) No person may remove, alter or tamper in any
8 way with any form of official identification on a wild animal, including any ear or
9 back tag, leg band or tattoo.

10 (b) No person may cause or permit the commingling of wild animals with
11 domesticated animals.

12 **(3) TAKING OF WILD ANIMALS.** A person who hunts, traps, kills or takes a wild
13 animal subject to this chapter on land subject to a license issued under this chapter
14 without the permission of the license holder or of the holder's employe or agent is
15 liable to the license holder for any damage that the person causes to any wild animal
16 that is subject to this chapter or to any property or land that is subject to the license.

17 **22.38 Quarantines. (1) SUMMARY ACTION.** (a) The department of natural
18 resources or the department of agriculture, trade and consumer protection may
19 summarily issue a quarantine order to control contagious, infectious or
20 communicable diseases, to protect the health of wild animals and domesticated
21 animals in this state and to control the possessing of wild animals in this state.

22 (b) No person may move any wild animal in violation of a quarantine order or
23 fail to comply with the terms and conditions of a quarantine order.

24 **(2) SERVICE OF NOTICE.** No quarantine is effective until written notice of the
25 quarantine is served upon any person possessing the wild animals and on any person

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1 controlling the premises affected by the quarantine order. The department issuing
2 the order may serve a quarantine order in any of the following ways:

3 (a) By personal service.

4 (b) By registered mail.

5 (c) By posting a copy of the order at 2 conspicuous places on the premises
6 affected by the quarantine.

7 **(3) PROOF OF SERVICE.** Service of the quarantine order shall be proved by
8 affidavit, except for service by registered mail. Proof of service shall be filed with the
9 department.

10 **(4) CONTENTS OF ORDER.** The quarantine order shall contain all of the following
11 information:

12 (a) The name and address of the person affected by the quarantine.

13 (b) The identification of all wild animals affected by the quarantine.

14 (c) A description of the premises affected by the quarantine.

15 (d) The reason or justification for the quarantine.

16 (e) All terms and conditions applicable to the quarantine.

17 (f) Notice of the right to request a hearing to review the quarantine.

18 **(5) DURATION OF QUARANTINE.** Quarantines shall remain in effect until a written
19 notice of release is issued by the department issuing the order or until a decision
20 releasing the quarantine is rendered under sub. (6).

21 **(6) REVIEW OF QUARANTINE.** Any person affected by a quarantine shall be
22 granted a hearing by the department issuing the order if the person requests the
23 hearing within 30 days after the date of the service of the quarantine order. The
24 hearing shall be treated as a contested case if the requirements of s. 227.42 (1) are
25 met.

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1 **22.39 Disposal and removal of wild animals.** (1) DISPOSITION. The
2 department may seize, dispose of or order the disposal of any of the following:

3 (a) Any animal that is possessed, taken, introduced, stocked, released,
4 exhibited, propagated, rehabilitated, hunted, sold or purchased in violation of this
5 chapter.

6 (b) Any dead, dying or sick wild animal that has been exposed to or is known
7 to be infected with a contagious or infectious disease as defined in the rules
8 promulgated by the department of agriculture, trade and consumer protection under
9 s. 95.001 (2), with a reportable disease as designated by the department of natural
10 resources under s. 22.41 (2) or with a disease or parasite that has pathological
11 significance to humans or to any animals.

12 (c) Any wild animal that has escaped and that has not been returned to its
13 owner or other person authorized to possess the wild animal. The department may
14 not dispose of the wild animal until 72 hours have elapsed after the escape unless
15 the department determines that the wild animal poses a risk to public safety or to
16 the health of other animals.

17 (d) Any wild animal housed or held in an inhumane manner.

18 (2) ENTRY VIOLATIONS. The department shall notify the owner of a wild animal
19 that has entered this state in violation of s. 22.35 or that is in violation of a
20 quarantine order issued under s. 22.38 that the owner has an opportunity to comply
21 with s. 22.35 or the quarantine order issued under s. 22.38 within a given number
22 of days as specified by the department in the notice. If the owner fails to comply
23 within the specified number of days, the department may seize and dispose of the
24 wild animal or order the disposal of the wild animal or its removal from this state.

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1 **(3) EXPENSE OF DISPOSAL.** The owner of a wild animal that is disposed of or
2 removed by the department under this section shall reimburse the department for
3 its expenses incurred in the disposal or removal.

4 **22.40 Local ordinances. (1) STRICT CONFORMITY; EXCEPTION.** (a) A city, village,
5 town or county may enact and enforce an ordinance relating to possessing or selling
6 live wild animals. Except as provided in par. (b), the ordinance shall be in strict
7 conformity with this chapter.

8 (b) An ordinance enacted under this section may do any of the following:

9 1. Prohibit any person or certain groups of persons from possessing certain
10 types of live captive wild animals.

11 2. Prohibit any person or certain groups of persons from selling certain types
12 of live captive wild animals.

13 **(2) DEPARTMENT APPROVAL.** The department shall review and shall approve or
14 disapprove any ordinance proposed to be enacted under sub (1) (b). The department
15 shall disapprove a proposed ordinance if it determines that the ordinance fails to
16 comply with the requirements under sub. (1). The city, village, town or county clerk
17 shall submit the proposed ordinance in writing to the department at least 60 days
18 before final action on the ordinance by the city, village, town or county. No later than
19 20 days after receipt by the department of the proposed ordinance, the department
20 shall notify the clerk of the city, village, town or county in writing of its decision
21 whether to approve or disapprove the ordinance. If the department disapproves the
22 proposed ordinance, the written notification shall include a written decision giving
23 the grounds for the disapproval and suggesting any changes in the ordinance that
24 would result in the ordinance being approved by the department.

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1 **22.41 Rules by the department. (1) DOMESTICATED ANIMALS.** The
2 department shall promulgate rules specifying which animals are domesticated
3 animals for purposes of s. 22.01 (14) (b).

4 **(2) REPORTABLE DISEASES.** The department may promulgate rules listing
5 reportable diseases for purposes of this chapter and s. 29.535.

6 **(3) INTRODUCTION REQUIREMENTS.** (a) The department may promulgate rules to
7 establish the following:

8 1. Additional requirements that wild animals shall meet before they enter this
9 state.

10 2. Additional requirements that any animals shall meet before they may
11 introduced, stocked or released into the wild.

12 (b) The requirements under par. (a) may include mandatory testing of the
13 animals for disease.

14 **(4) CERTIFICATES.** The department may promulgate rules that establish the
15 information that is required for issuing, and that shall be provided on, interstate
16 health certificates and certificates of veterinary inspection.

17 **22.42 Penalties; revocations. (1) DEFINITION.** In this section, “violation of
18 this chapter” means a violation of this chapter or any rule promulgated under this
19 chapter.

20 **(2) PENALTIES.** For a violation of this chapter, a person shall be subject to a
21 forfeiture of not more than \$200, except as follows:

22 (a) *Possession.* For possessing any live wild animal, or a carcass of a wild
23 animal, in violation of this chapter, a person shall forfeit not less than \$100 nor more
24 than \$500.

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1 (b) *Sale or purchase.* For selling or purchasing any live wild animal in violation
2 of this chapter, a person shall be fined not less than \$100 nor more than \$2,000 or
3 imprisoned for not more than 6 months or both.

4 (c) *Possession, sale, release and descenting of live skunks.* For possessing,
5 selling, purchasing, descenting, introducing, stocking or releasing into the wild a live
6 skunk in violation of this chapter, a person shall forfeit not less than \$100 nor more
7 than \$1,000. This penalty shall apply in lieu of the penalties under pars. (a) and (b).

8 (d) *Taking of bear and deer.* For taking bear or deer from the wild in violation
9 of s. 22.04, or a rule promulgate thereunder, a person shall be fined not less than
10 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

11 (e) *Diseased and environmentally injurious wild animals.* For a violation of s.
12 22.11 (2) (b) or (c) or 22.37 (1) or a quarantine order issued under s. 22.38, a person
13 shall be fined not less than \$500 nor more than \$5,000 or imprisoned for not more
14 than 6 months or both.

15 (f) *Selling or purchasing venison from white-tailed deer.* For violation of s.
16 22.13 (1) or (2) or rules promulgated thereunder, a person shall be fined not less than
17 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

18 (g) *Obtaining license during period of revocation.* For obtaining any license
19 under this chapter during the period of time when that license is revoked or
20 suspended by any court, a person shall be fined not more than \$200 or imprisoned
21 for not more than 90 days or both.

22 **(3) DIMINISHED PENALTIES.** No penalty imposed under sub. (2) shall be held to
23 be diminished because the violation for which it is imposed falls also within the scope
24 of a more general prohibition.

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1 **(4) PENALTIES; REPEATERS.** If a person is convicted of any violation of this chapter
2 and it is alleged in the indictment, information or complaint, and proved or admitted
3 on trial or ascertained by the court after conviction that the person was previously
4 convicted within a period of 5 years for a violation of this chapter, the person shall
5 be subject to all of the following in addition to the penalty for the current violation:

6 (a) The person shall be fined not more than \$100 or imprisoned for not more
7 than 6 months or both.

8 (b) For violations under sub. (2) (a), (b), (d) and (e), the court shall revoke all
9 of the licenses issued to the person under this chapter, and the department may not
10 issue any license under this chapter to the person for a period of one year after the
11 current conviction.

12 **(5) COURT REVOCATIONS AND SUSPENSIONS.** In addition to or in lieu of any other
13 penalty for violation of this chapter, the court may revoke or suspend any privilege
14 or license under this chapter for a period of up to 3 years.

15 **(6) REVOCATIONS BY THE DEPARTMENT.** In addition to the revocation proceeding
16 under sub. (4), the department may revoke any license to which any of the following
17 applies:

18 (a) The department determines that the license was fraudulently procured,
19 erroneously issued or otherwise prohibited by law.

20 (b) The department determines that the person holding the license is not in
21 compliance with this chapter or with a rule promulgated under this chapter.

22 **(7) PROHIBITIONS DURING PERIODS OF SUSPENSION OR REVOCATION.** (a) Any person
23 who has had an approval or privilege under this chapter revoked or suspended and
24 who engages in the activity authorized by the approval or in the privilege during the

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1 period of revocation or suspension is subject to the following penalties, in addition
2 to any other penalty imposed for failure to have an approval:

3 1. For the first conviction, the person shall forfeit not less than \$300 nor more
4 than \$500.

5 2. If the number of convictions in a 5-year period equals 2 or more, the person
6 shall be fined not less than \$500 nor more than \$1,000.

7 (b) The 5-year period under par. (a) 2. shall be measured from the dates of the
8 violations which resulted in the convictions.

9 **(8) PARTIES TO A VIOLATION.** (a) Whoever is concerned in the commission of a
10 violation of this chapter is a principal and may be charged with and convicted of the
11 violation of this chapter although he or she did not directly commit it and although
12 the person who directly committed it has not been convicted of the violation of this
13 chapter.

14 (b) A person is concerned in the commission of the violation of this chapter if
15 the person does any of the following:

16 1. Directly commits the violation of this chapter.

17 2. Aids and abets the commission of the violation of this chapter.

18 3. Is a party to a conspiracy with another to commit the violation of this chapter
19 or advises, hires or counsels or otherwise procures another to commit it.

20 **22.43 Natural resources assessments and restitution payments. (1)**

21 NATURAL RESOURCES ASSESSMENTS. (a) If a court imposes a fine or forfeiture for a
22 violation of this chapter or a rule promulgated under this chapter, the court shall
23 impose a natural resources assessment equal to 75% of the amount of the fine or
24 forfeiture.

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1 (b) If a fine or forfeiture is suspended in whole or in part, the natural resources
2 assessment shall be reduced in proportion to the suspension.

3 (c) If any deposit is made for an offense to which this subsection applies, the
4 person making the deposit shall also deposit a sufficient amount to include the
5 natural resources assessment prescribed in this subsection. If the deposit is
6 forfeited, the amount of the natural resources assessment shall be transmitted to the
7 state treasurer under par. (d). If the deposit is returned, the natural resources
8 assessment shall also be returned.

9 (d) The clerk of the court shall collect and transmit to the county treasurer the
10 natural resources assessment and other amounts required under s. 59.40 (2) (m).
11 The county treasurer shall then make payment to the state treasurer as provided in
12 s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the natural
13 resources assessment in the conservation fund.

14 (e) All moneys collected from natural resources assessments shall be deposited
15 in the conservation fund and credited to the appropriation under s. 20.370 (3) (mu).

16 **(2) NATURAL RESOURCES RESTITUTION PAYMENTS.** (a) If a court imposes a fine or
17 forfeiture for a violation of this chapter for failure to obtain a license required under
18 this chapter, the court shall impose a natural resources restitution payment equal
19 to the amount of the fee for the license that was required and should have been
20 obtained.

21 (b) If a fine or forfeiture is suspended in whole or in part, the natural resources
22 restitution payment shall be reduced in proportion to the suspension unless the court
23 directs otherwise.

24 (c) If any deposit is made for an offense to which this subsection applies, the
25 person making the deposit shall also deposit a sufficient amount to include the

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1 natural resources restitution payment prescribed in this subsection. If the deposit
2 is forfeited, the amount of the natural resources restitution payment shall be
3 transmitted to the state treasurer under par. (d). If the deposit is returned, the
4 natural resources restitution payment shall also be returned.

5 (d) The clerk of the court shall collect and transmit to the county treasurer the
6 natural resources restitution payment and other amounts required under s. 59.40
7 (2) (m). The county treasurer shall then make payment to the state treasurer as
8 provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the
9 natural resources restitution payment in the conservation fund.

10 (e) All moneys collected from natural resources restitution payments shall be
11 deposited in the conservation fund and credited to the appropriation account under
12 s. 20.370 (3) (mu).

13 **SECTION 4.** 23.09 (2) (f) of the statutes is amended to read:

14 23.09 (2) (f) (title) *Propagation, game and fish.* Capture, propagate, transport,
15 sell or exchange any species of ~~game or~~ fish needed for stocking or restocking any
16 ~~lands or~~ waters of the state.

17 **SECTION 5.** 23.50 (1) of the statutes is amended to read:

18 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit
19 court to recover forfeitures, penalty assessments, jail assessments, applicable
20 weapons assessments, applicable environmental assessments, applicable wild
21 animal protection assessments, applicable natural resources assessments,
22 applicable fishing shelter removal assessments, applicable snowmobile registration
23 restitution payments and applicable natural resources restitution payments for
24 violations of ss. 77.09, 134.60, 144.783 [299.64] (2), 167.10 (3), 167.31 (2), 281.48 (2)
25 to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08 and 287.81, subch.

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1 VI of ch. 77, this chapter and, ch. 22, chs. 26 to 31 and of ch. 350, and any
2 administrative rules promulgated thereunder, violations of ch. 951 if the animal
3 involved is a captive wild animal, violations of rules of the Kickapoo valley reserve
4 management board under s. 41.41 (7) (k) or violations of local ordinances enacted by
5 any local authority in accordance with s. 23.33 (11) (am) or 30.77.

6 **SECTION 6.** 23.50 (3) of the statutes is amended to read:

7 23.50 (3) All actions in municipal court to recover forfeitures, penalty
8 assessments and jail assessments for violations of local ordinances enacted by any
9 local authority in accordance with s. 23.33 (11) (am) or 30.77 shall utilize the
10 procedure in ch. 800. The actions shall be brought before the municipal court having
11 jurisdiction. Provisions relating to citations, arrests, questioning, releases,
12 searches, deposits and stipulations of no contest in ss. 23.51 (~~1~~) (1m), (3) and (8),
13 23.53, 23.54, 23.56 to 23.64, 23.66 and 23.67 shall apply to violations of such
14 ordinances.

15 **SECTION 7.** 23.51 (1) of the statutes is renumbered 23.51 (1m).

16 **SECTION 8.** 23.51 (1d) of the statutes is created to read:

17 23.51 (1d) "Captive" has the meaning given in s. 22.01 (5).

18 **SECTION 9.** 23.51 (5) of the statutes is amended to read:

19 23.51 (5) "Natural resources restitution payment" means the payment imposed
20 under s. 22.43 (2) or 29.998.

21 **SECTION 10.** 23.51 (9m) of the statutes is created to read:

22 23.51 (9m) "Wild animal" has the meaning given in s. 22.01 (74).

23 **SECTION 11.** 23.65 (1) of the statutes is amended to read:

24 23.65 (1) When it appears to the district attorney that a violation of s. 134.60,
25 144.783 (2) [299.64 (2)], 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4),

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1 287.07, 287.08 or 287.81, this chapter or ch. 22, 26, 27, 28, 29, 30, 31 or 350, violations
2 of ch. 951 if the animal involved is a captive wild animal, or any administrative rule
3 promulgated pursuant thereto, has been committed the district attorney may
4 proceed by complaint and summons.

5 **SECTION 12.** 23.795 (3) of the statutes is created to read:

6 23.795 (3) In lieu of an order of imprisonment under sub. (1) (a) for a violation
7 of ch. 22, the court may revoke or suspend any privilege or license granted under ch.
8 22 as provided in s. 22.42 (5).

9 **SECTION 13.** 25.29 (1) (a) of the statutes is amended to read:

10 25.29 (1) (a) Except as provided in s. 25.295, all moneys accruing to the state
11 for or in behalf of the department under chs. 22, 26, 27, 28, 29 and 350, subchs. I and
12 VI of ch. 77 and ss. 23.09 to 23.42, 23.50 to 23.99, 30.50 to 30.55, 70.58 and 71.10 (5),
13 including grants received from the federal government or any of its agencies except
14 as otherwise provided by law.

15 **SECTION 14.** 25.29 (4m) of the statutes is amended to read:

16 25.29 (4m) Notwithstanding sub. (3), no moneys that accrue to the state for or
17 in behalf of the department under ch. 22 or 29 may be expended or paid for the
18 enforcement of the treaty-based, off-reservation rights to fish held by members of
19 federally recognized American Indian tribes or bands domiciled in Wisconsin.

20 **SECTION 15.** 29.02 (4) of the statutes is created to read:

21 29.02 (4) This section does not apply to wild animals that are subject to
22 regulation under ch. 22.

23 **SECTION 16.** 29.03 (8) of the statutes is amended to read:

24 29.03 (8) Any dog found running deer, except farm-raised deer or deer subject
25 to regulation under ch. 22, at any time, or used in violation of this chapter.

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1 **SECTION 17.** 29.05 (8) (a) of the statutes is amended to read:

2 29.05 (8) (a) The department and its wardens shall seize and hold subject to
3 the order of the court for the county in which the alleged offense was committed, any
4 apparatus, appliance, equipment, vehicle or device, declared by this chapter to be a
5 public nuisance, which they have probable cause to believe is being used in violation
6 of this chapter, an administrative rule promulgated under this chapter or s. 167.31,
7 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, is being used in the commission
8 of a crime involving an animal normally found in the wild in violation of s. 951.09 or
9 is being used in the commission of a crime relating to a submerged cultural resource
10 in violation of s. 44.47. If it is proven that within 6 months previous to the seizure
11 the apparatus, appliance, equipment, vehicle or device was used in violation of this
12 chapter or an administrative rule promulgated under this chapter or s. 167.31,
13 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, was used in the commission of a
14 crime involving an animal normally found in the wild in violation of s. 951.09 or was
15 used in the commission of a crime relating to a submerged cultural resource in
16 violation of s. 44.47, it shall be confiscated if the court directs in its order for
17 judgment.

18 **SECTION 18.** 29.05 (8) (b) of the statutes is amended to read:

19 29.05 (8) (b) Any perishable property seized by the department or its wardens
20 may be sold at the highest available price, and the proceeds of the sale turned into
21 court to await disposition of the proceeds as the court directs. A conservation warden
22 or other officers charged with the enforcement of the laws dealing with the
23 conservation of the natural resources of the state may kill a dog found running,
24 injuring, causing injury to, or killing any deer, other than farm-raised deer or deer
25 subject to regulation under ch. 22, or destroying game birds, their eggs or nests, if

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1 immediate action is necessary to protect the deer or game birds, their nests or eggs,
2 from injury or death.

3 **SECTION 19.** 29.09 (1) of the statutes is amended to read:

4 29.09 (1) LICENSE OR OTHER APPROVAL REQUIRED FOR HUNTING, TRAPPING OR
5 FISHING. Except as specifically provided otherwise by ch. 22 or s. 29.155 (1g) and (1h)
6 or another section of this chapter, no person may hunt any wild animal, trap any
7 game or fish for fish in the waters of this state unless the appropriate approval is
8 issued to the person. A person shall carry the required approval with him or her at
9 all times while hunting, trapping or fishing unless otherwise required by another
10 section of this chapter or unless otherwise authorized or required by the department.
11 A person shall exhibit the approval to the department or its wardens on demand.

12 **SECTION 20.** 29.092 (9) of the statutes is repealed.

13 **SECTION 21.** 29.092 (15) (a) of the statutes is amended to read:

14 29.092 (15) (a) *Issuing fee generally.* In addition to the fees specified for licenses
15 and stamps under subs. (2) to ~~(9)~~ (8), (11) and (13) and any surcharge fee imposed
16 under sub. (14), a person who applies for a license or stamp or for a duplicate license
17 or stamp issued under this chapter shall pay an issuing fee.

18 **SECTION 22.** 29.092 (15) (f) of the statutes is amended to read:

19 29.092 (15) (f) *Addition of issuing fee to be shown with license or stamp fee as*
20 *one amount.* The issuing fee shall be added to the fee provided in subs. (2) to ~~(9)~~ (8),
21 (11) and (13) and any surcharge fee imposed under sub. (14). Any amount shown on
22 the printed license form or stamp shall be the total of the issuing fee and other fees.

23 **SECTION 23.** 29.093 (9) of the statutes is repealed.

24 **SECTION 24.** 29.1025 (1) (c) of the statutes is amended to read:

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1 29.1025 (1) (c) Any person hunting pheasant under s. 29.123 ~~or on premises~~
2 licensed under s. 29.573 is exempt from the requirements under par. (a).

3 **SECTION 25.** 29.134 (10m) of the statutes is created to read:

4 29.134 (10m) This section applies to raw furs and dressed furs from
5 fur-bearing animals that are subject to regulation under ch. 22.

6 **SECTION 26.** 29.136 (4) of the statutes is amended to read:

7 29.136 (4) AUTHORIZATION. Subject to this section and rules promulgated under
8 this section, a taxidermist permit authorizes the permit holder to possess and
9 transport ~~wild animals or carcasses~~ of wild animals in connection with his or her
10 business. This authority supersedes restrictions on the possession and
11 transportation of ~~wild animals and carcasses~~ regardless of bag limits, rest days,
12 closed seasons and similar restrictions, notwithstanding s. 29.174 and rules
13 ~~promulgated by the department under that section~~ carcasses of wild animals under
14 ch. 22 and this chapter and under any rules promulgated under ch. 22 and this
15 chapter. Subject to this section and rules promulgated under this section, a
16 taxidermist permit entitles the permit holder to the same privileges as a Class A fur
17 dealer's license.

18 **SECTION 27.** 29.17 (1) of the statutes is amended to read:

19 29.17 (1) The department may issue a scientific collector permit to a qualified
20 natural person as provided under this section. This permit authorizes the permittee
21 to collect or salvage for scientific purposes only, ~~the eggs, nest and~~ live fish and the
22 nests and carcasses of any wild animals specified in the permit subject to the
23 conditions and limitations specified in the permit and the rules of the department.
24 The permittee may use the specimens for the scientific purposes collected or salvaged
25 and may transport them or cause them to be transported by common carrier.

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1 Possession of these specimens may not be transferred to any other person except
2 these specimens may be exchanged for other specimens for scientific purposes.

3 **SECTION 28.** 29.245 (5) (b) 3. of the statutes is amended to read:

4 29.245 (5) (b) 3. To a person who possesses a flashlight or who uses a flashlight
5 while if the person is on foot and training a dog to track or hunt raccoons, foxes or
6 other unprotected wild animals and if the raccoons, foxes or other wild animals are
7 not subject to regulation under ch. 22.

8 **SECTION 29.** 29.255 of the statutes is repealed.

9 **SECTION 30.** 29.40 (2) of the statutes is amended to read:

10 29.40 (2) DEER TAGS. Except as provided under sub. (5) and s. 29.405 (3), any
11 person who kills a deer shall immediately attach to the ear or antler of the deer a
12 current validated deer carcass tag which is authorized for use on the type of deer
13 killed. Except as provided under sub. (2m) ~~or s. 29.578 (7), (8) or (14)~~, no person may
14 possess, control, store or transport a deer carcass unless it is tagged as required
15 under this subsection.

16 **SECTION 31.** 29.40 (6) of the statutes is amended to read:

17 29.40 (6) (title) ~~FARM-RAISED-DEER~~ DEER. This section does not apply to
18 farm-raised deer or deer that are subject to regulation under ch. 22.

19 **SECTION 32.** 29.41 of the statutes is renumbered 29.41 (1), and 29.41 (1) (c), as
20 renumbered, is amended to read:

21 29.41 (1) (c) Possess the raw skin of any muskrat, mink, otter, fisher or pine
22 marten at any time unless the person is the holder of a scientific collector permit, fur
23 dealer license, trapping license or resident conservation patron license of current
24 issue. No license is required ~~for a person breeding, raising and producing domestic~~
25 ~~fur-bearing animals in captivity as defined in s. 29.579 or for a person authorized~~

ASSEMBLY BILL 514**SECTION 32**

1 to take muskrats on a cranberry marsh under a permit issued to the person by the
2 department.

3 **SECTION 33.** 29.41 (2) of the statutes is created to read:

4 29.41 (2) Subsection (1) does not apply to the skins of fur-bearing animals that
5 are subject to regulation under ch. 22.

6 **SECTION 34.** 29.42 (1) of the statutes is amended to read:

7 29.42 (1) APPROVAL NECESSARY. No person, except a person who is issued a valid
8 hunting license, sports license, a conservation patron license, ~~taxidermist permit or~~
9 scientific collector permit and who is carrying this approval on his or her person, may
10 possess or have under his or her control any game bird, or game animal or the carcass
11 of any game bird or game animal.

12 **SECTION 35.** 29.42 (2) of the statutes is renumbered 29.42 (2) (a) and amended
13 to read:

14 29.42 (2) (a) ~~No Except as provided in par. (b), no person, except a person who~~
15 ~~is issued a valid scientific collector permit,~~ may take, needlessly destroy or possess
16 or have under his or her control the nest or eggs of any wild bird for which a closed
17 season is prescribed under this chapter.

18 **SECTION 36.** 29.42 (2) (b) of the statutes is created to read:

19 29.42 (2) (b) A person who has a valid scientific collector permit may take or
20 possess or have under his or her control the nest of a wild bird and may destroy the
21 nest if necessary for a scientific purpose.

22 **SECTION 37.** 29.42 (5) of the statutes is created to read:

23 29.42 (5) CAPTIVE WILD ANIMALS. This section does not apply to wild animals
24 that are subject to regulation under ch. 22.

25 **SECTION 38.** 29.425 (title) of the statutes is repealed.

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1 **SECTION 39.** 29.425 (1) of the statutes is repealed.

2 **SECTION 40.** 29.425 (2) of the statutes is repealed.

3 **SECTION 41.** 29.425 (3) of the statutes is repealed.

4 **SECTION 42.** 29.425 (4) of the statutes is renumbered 29.42 (1m) and amended
5 to read:

6 29.42 (1m) HUNTING AND TRAPPING. A person who hunts or traps any game
7 animal, game bird or fur-bearing animal shall kill ~~the animal~~ it when it is taken and
8 make it part of the daily bag or shall release ~~the animal~~ it unless authorized ~~the~~
9 person has the authority to possess under s. ~~29.55, 29.572, 29.574, 29.575, 29.578 or~~
10 ~~29.585~~ ch. 22.

11 **SECTION 43.** 29.425 (4m) of the statutes is repealed.

12 **SECTION 44.** 29.425 (5) of the statutes is renumbered 29.42 (5) and amended
13 to read:

14 29.42 (5) PENALTY. A person who violates ~~this section~~ sub. (1m) shall forfeit not
15 less than \$100 nor more than \$1,000.

16 **SECTION 45.** 29.427 (title) of the statutes is repealed.

17 **SECTION 46.** 29.427 (1) of the statutes is repealed.

18 **SECTION 47.** 29.427 (2) of the statutes is repealed.

19 **SECTION 48.** 29.427 (3) of the statutes is repealed.

20 **SECTION 49.** 29.427 (4) (title) of the statutes is repealed.

21 **SECTION 50.** 29.427 (4) of the statutes is renumbered 22.03 (2) (e) and amended
22 to read:

23 22.03 (2) (e) No person may operate on a live ~~wild~~ skunk to remove its scent
24 glands unless the person is a veterinarian and the person who ~~possesses~~ brings the
25 skunk ~~is authorized under s. 29.55~~ to the veterinarian holds a Class A or Class B

ASSEMBLY BILL 514**SECTION 50**

1 captive wild animal farm license. A veterinarian to whom a person brings a live wild
2 skunk for removal of its scent glands ~~or for other treatment~~ shall verify if the person
3 holds such a license. If the person does not hold such a license, the veterinarian shall
4 notify that person that possession of a live skunk is illegal and shall notify the
5 department.

6 **SECTION 51.** 29.427 (5) of the statutes is repealed.

7 **SECTION 52.** 29.427 (6) of the statutes is repealed.

8 **SECTION 53.** 29.427 (7) of the statutes is repealed.

9 **SECTION 54.** 29.43 (5) (b) of the statutes is amended to read:

10 29.43 (5) (b) Subsections (1) to (4) do not apply to the possession,
11 transportation, delivery or receipt of farm-raised deer or wild animals that are
12 subject to regulation under ch. 22.

13 **SECTION 55.** 29.44 (3) of the statutes is amended to read:

14 29.44 (3) Subsection (1) does not apply to the possession, transportation,
15 delivery or receipt of farm-raised deer or wild animals that are subject to regulation
16 under ch. 22.

17 **SECTION 56.** 29.45 (6) of the statutes is amended to read:

18 29.45 (6) This section does not apply to the transportation of farm-raised deer
19 or wild animals that are subject to regulation under ch. 22.

20 **SECTION 57.** 29.46 (5) of the statutes is amended to read:

21 29.46 (5) EXEMPTION; TAXIDERMISTS. Subsections (1) to (3) do not apply to a
22 person who is issued a valid taxidermist permit and who is transporting, in
23 connection with his or her business, the carcass of a game bird ~~in connection with his~~
24 ~~or her business~~ or the carcass of a wild bird that is subject to regulation under ch. 22.

25 **SECTION 58.** 29.48 (7) of the statutes is created to read:

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1 29.48 (7) This section does not apply to the carcass of a wild animal that is
2 subject to regulation under ch. 22.

3 **SECTION 59.** 29.49 (3) of the statutes is amended to read:

4 29.49 (3) EXEMPTION. This section does not apply to the meat from farm-raised
5 deer or to meat that is subject to regulation under s. 22.13 or 22.14.

6 **SECTION 60.** 29.535 (title) of the statutes is amended to read:

7 **29.535 (title) Introduction of wild animals fish.**

8 **SECTION 61.** 29.535 (1) (a) 1. of the statutes is amended to read:

9 29.535 (1) (a) 1. Importing into the state any fish, or spawn or any other wild
10 animal for the purpose of introducing, stocking or planting that fish, or spawn or wild
11 animal.

12 **SECTION 62.** 29.535 (1) (a) 2. of the statutes is amended to read:

13 29.535 (1) (a) 2. Introducing, stocking or planting any fish, or spawn or other
14 wild animal.

15 **SECTION 63.** 29.535 (1) (c) of the statutes is amended to read:

16 29.535 (1) (c) Permits for introducing, stocking or planting under par. (a) 2.
17 shall be issued by the department only after investigation and inspection of the fish,
18 or spawn or other wild animals as the department determines necessary.

19 **SECTION 64.** 29.535 (1) (g) of the statutes is created to read:

20 29.535 (1) (g) The department may promulgate rules to establish additional
21 requirements for the importation, introduction, stocking or planting of fish or spawn.

22 **SECTION 65.** 29.535 (2) (a) of the statutes is amended to read:

23 29.535 (2) (a) Importing into the state any fish, spawn or any other wild animal
24 for the purpose of introducing, stocking or planting that fish, or spawn or wild
25 animal.

ASSEMBLY BILL 514**SECTION 66**

1 **SECTION 66.** 29.535 (2) (b) of the statutes is amended to read:

2 29.535 (2) (b) Introducing, stocking or planting any fish, or spawn ~~or other wild~~
3 ~~animal.~~

4 **SECTION 67.** 29.54 (title) of the statutes is amended to read:

5 **29.54** (title) ~~State propagation of wild mammals and~~ **Food in the wild**
6 **for game birds.**

7 **SECTION 68.** 29.54 (1) of the statutes is repealed.

8 **SECTION 69.** 29.54 (2) of the statutes is renumbered 29.54.

9 **SECTION 70.** 29.55 of the statutes is repealed.

10 **SECTION 71.** 29.565 of the statutes is repealed.

11 **SECTION 72.** 29.572 of the statutes is repealed.

12 **SECTION 73.** 29.573 of the statutes is repealed.

13 **SECTION 74.** 29.574 of the statutes is repealed.

14 **SECTION 75.** 29.575 of the statutes is repealed.

15 **SECTION 76.** 29.578 of the statutes is repealed.

16 **SECTION 77.** 29.579 of the statutes is repealed.

17 **SECTION 78.** 29.583 (1) of the statutes is amended to read:

18 29.583 (1) The department may seize and dispose of or may authorize the
19 disposal of any deer that has escaped from land licensed under s. ~~29.574 or 29.578~~
20 22.16 or owned by a person registered under s. 95.55 if the escaped deer has traveled
21 more than 3 miles from the land or if the licensee or person has not had the deer
22 returned to the land within 72 hours of the discovery of the escape.

23 **SECTION 79.** 29.585 of the statutes is repealed.

24 **SECTION 80.** 29.586 of the statutes is repealed.

25 **SECTION 81.** 29.59 (1) (f) of the statutes is amended to read:

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1 29.59 (1) (f) Notwithstanding s. 29.01 (14), “wild animal” means any
2 undomesticated mammal or bird, but does not include farm-raised deer or wild
3 animals that are subject to regulation under ch. 22.

4 **SECTION 82.** 29.598 (1) of the statutes is amended to read:

5 29.598 (1) DEFINITION. In this section, “wildlife damage” means damage caused
6 by deer ~~that live in the wild~~, bear or geese that are not subject to regulation under
7 ch. 22 and that is done to commercial seedings or crops on agricultural land, to
8 orchard trees or nursery stock or to apiaries or livestock.

9 **SECTION 83.** 29.605 of the statutes is repealed.

10 **SECTION 84.** 29.645 of the statutes is amended to read:

11 **29.645 Larceny of game.** A person who, without permission of the owner,
12 molests, disturbs or appropriates any wild animal or its carcass that has been
13 lawfully reduced to possession by another shall forfeit not less than \$1,000 nor more
14 than \$2,000. This section does not apply to farm-raised deer or to wild animals that
15 are subject to regulation under ch. 22.

16 **SECTION 85.** 29.65 (1) (intro.) of the statutes is amended to read:

17 29.65 (1) (intro.) The department may bring a civil action in the name of the
18 state for the recovery of damages against any person ~~unlawfully~~ killing, wounding,
19 catching, taking, trapping, or ~~having unlawfully in possession~~ possessing in
20 violation of this chapter or of any rule promulgated under this chapter any of the
21 following named protected wild animals, birds, or fish, or any part of an animal, bird
22 or fish, and the sum assessed for damages for each wild animal, bird, or fish shall be
23 not less than the amount stated in this section:

24 **SECTION 86.** 59.25 (3) (f) 2. of the statutes is amended to read:

ASSEMBLY BILL 514**SECTION 86**

1 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
2 deposited in the state treasury, the amounts required by s. 165.87 for the penalty
3 assessment surcharge, the amounts required by s. 167.31 (5) for the weapons
4 assessment, the amounts required by s. 973.045 for the crime victim and witness
5 assistance surcharge, the amounts required by s. 973.046 for the deoxyribonucleic
6 acid analysis surcharge, the amounts required by s. 961.41 (5) for the drug abuse
7 program improvement surcharge, the amounts authorized by s. 971.37 (1m) (c) 1. or
8 required by s. 973.055 (1) for the domestic abuse assessment, the amounts required
9 by s. 346.655 (2) (a) and (b) for the driver improvement surcharge, the amounts
10 required by s. 102.85 (4) for the uninsured employer assessment, the amounts
11 required by s. 299.93 for the environmental assessment, the amounts required by s.
12 29.9965 for the wild animal protection assessment, the amounts required by ~~s. ss.~~
13 22.43 (1) (d) and 29.997 for the natural resources assessment surcharge, the amounts
14 required by s. 29.9967 for the fishing shelter removal assessment, the amounts
15 required by s. 350.115 for the snowmobile registration restitution payment and the
16 amounts required by ~~s. ss.~~ 22.43 (2) (d) and 29.998 for natural resources restitution
17 payments, transmit to the state treasurer a statement of all moneys required by law
18 to be paid on the actions entered during the preceding month on or before the first
19 day of the next succeeding month, certified by the county treasurer's personal
20 signature affixed or attached thereto, and at the same time pay to the state treasurer
21 the amount thereof.

22 **SECTION 87.** 59.40 (2) (m) of the statutes is amended to read:

23 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
24 percentage of the fees required to be paid on each civil action, criminal action and
25 special proceeding filed during the preceding month and pay monthly to the

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1 treasurer for the use of the state the percentage of court imposed fines and forfeitures
2 required by law to be deposited in the state treasury, the amounts required by s.
3 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s.
4 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the
5 crime victim and witness assistance surcharge, the amounts required by s. 973.046
6 for the deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41
7 (5) for the drug abuse program improvement surcharge, the amounts authorized by
8 s. 971.37 (1m) (c) 1. or required by s. 973.055 for the domestic abuse assessment
9 surcharge, the amounts required by s. 346.655 for the driver improvement
10 surcharge, the amounts required by s. 102.85 (4) for the uninsured employer
11 assessment, the amounts required by s. 299.93 for the environmental assessment,
12 the amounts required under s. 29.9965 for the wild animal protection assessment,
13 the amounts required under s. ~~ss. 22.43 (1) (d) and~~ 29.997 (1) (d) for the natural
14 resources assessment surcharge, the amounts required by s. 29.9967 for the fishing
15 shelter removal assessment, the amounts required by s. 350.115 for the snowmobile
16 registration restitution payment and the amounts required under s. ~~ss. 22.43 (2) (d)~~
17 ~~and~~ 29.998 (1) (d) for the natural resources restitution payments. The payments
18 shall be made by the 15th day of the month following receipt thereof.

19 **SECTION 88.** 167.31 (4) (b) of the statutes is amended to read:

20 167.31 (4) (b) Subsections (2) (a), (b) and (c) and (3) (a) and (b) do not apply to
21 the holder of a scientific collector permit research license under s. ~~29.17~~ 22.25 who
22 is using a net gun or tranquilizer gun in an activity related to the purpose for which
23 the permit was issued.

24 **SECTION 89.** 814.60 (2) (e) of the statutes is amended to read:

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1 814.60 (2) (e) Natural resources restitution payment imposed by s. 22.43 (2) (d)
2 or 29.998.

3 **SECTION 90.** 895.57 (3) of the statutes is amended to read:

4 895.57 (3) Subsection (2) does not apply to any humane officer, local health
5 officer, peace officer, employe of the department of natural resources while on any
6 land licensed under s. 22.15, 22.16, 22.17, 22.18, 22.19 or 29.52, 29.573, 29.574,
7 29.575 or 29.578 or designated as a wildlife refuge under s. 29.57 (1) or employe of
8 the department of agriculture, trade and consumer protection if the officer's or
9 employe's acts are in good faith and in an apparently authorized and reasonable
10 fulfillment of his or her duties.

11 **SECTION 91.** 943.75 (3) of the statutes is amended to read:

12 943.75 (3) Subsection (2) does not apply to any humane officer, local health
13 officer, peace officer, employe of the department of natural resources while on any
14 land licensed under s. 22.15, 22.16, 22.17, 22.18, 22.19 or 29.52, 29.573, 29.574,
15 29.575 or 29.578 or designated as a wildlife refuge under s. 29.57 (1) or employe of
16 the department of agriculture, trade and consumer protection if the officer's or
17 employe's acts are in good faith and in an apparently authorized and reasonable
18 fulfillment of his or her duties. This subsection does not limit any other person from
19 claiming the defense of privilege under s. 939.45 (3).

20 **SECTION 92.** 951.01 (1m) of the statutes is created to read:

21 951.01 (1m) "Conservation warden" means a warden appointed under s. 23.10.

22 **SECTION 93.** 951.015 of the statutes is amended to read:

23 **951.015 Construction and application.** This chapter shall not be
24 interpreted as controverting any law regulating wild animals subject to regulation
25 under ch. 22, the taking of game as defined in s. 29.01 (4) to (7) and (10), the trapping

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1 of wild animals under ch. 29, the use of live animals in dog trials or in the training
2 of hunting dogs or the slaughter of animals by persons acting under state or federal
3 law.

4 **SECTION 94.** 951.09 of the statutes is amended to read:

5 **951.09** (title) **Shooting at caged or staked domesticated animals.** No
6 person may instigate, promote, aid or abet as a principal, agent, employe, participant
7 or spectator, or participate in the earnings from, or intentionally maintain or allow
8 any place to be used for the shooting, killing or wounding with a firearm or any deadly
9 weapon, any domesticated animal, as defined in s. 22.01 (14), that is tied, staked out,
10 caged or otherwise intentionally confined in a man-made enclosure, regardless of
11 size. ~~Nothing in this section prohibits the shooting of any wild game in its wild state~~
12 ~~or the shooting of game birds and waterfowl at licensed game farms or licensed~~
13 ~~shooting preserves.~~

14 **SECTION 95.** 951.15 (5) of the statutes is created to read:

15 951.15 (5) For purposes of enforcing this chapter as to wild animals subject to
16 regulation under ch. 22, a conservation warden has the same powers and duties that
17 a law enforcement officer has under this section.

18 **SECTION 96.** 951.16 of the statutes is amended to read:

19 **951.16 Investigation of cruelty complaints.** A person may apply for a
20 search warrant under s. 968.12 if there is reason to believe that a violation of this
21 chapter has taken place or is taking place. If the court is satisfied that probable cause
22 exists, it shall issue a search warrant directing a law enforcement officer in the
23 county to proceed immediately to the location of the alleged violation with a doctor
24 of veterinary medicine, if the court determines that a veterinarian is necessary for
25 purposes of the search, and directing the law enforcement officer to search the place

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1 designated in the warrant, retaining in his or her custody subject to the order of the
2 court such property or things as are specified in the warrant, including any animal.
3 For purposes of enforcing this chapter as to a wild animal that is subject to regulation
4 under ch. 22, the warrant may direct a conservation warden to act as provided in this
5 section. The warrant shall be executed and returned to the court which issued the
6 warrant in accordance with ss. 968.15 and 968.17. This section shall not affect other
7 powers and duties of law enforcement officers or conservation wardens.

8 **SECTION 97.** 951.18 (4) (a) 2. of the statutes is amended to read:

9 951.18 (4) (a) 2. A sentencing court shall require a criminal violator to pay
10 restitution to a person, including any local humane society or county or municipal
11 pound or a law enforcement officer or conservation warden, for any pecuniary loss
12 suffered by the person as a result of the crime, including expenses in keeping any
13 animal that is involved in the crime. This requirement applies regardless of whether
14 the criminal violator is placed on probation under s. 973.09. If restitution is ordered,
15 the court shall consider the financial resources and future ability of the criminal
16 violator to pay and shall determine the method of payment. Upon the application of
17 any interested party, the court shall schedule and hold an evidentiary hearing to
18 determine the value of any pecuniary loss under this paragraph.

19 **SECTION 98.** 951.18 (4) (b) 1. of the statutes is amended to read:

20 951.18 (4) (b) 1. A sentencing court may order that an animal be delivered to
21 the local humane society or the county or municipal pound or to a law enforcement
22 officer if a person commits a crime under this chapter, the person is the owner of the
23 animal that is involved in the crime and the court considers the order to be
24 reasonable and appropriate. A sentencing court may order that an animal be
25 delivered to the department of natural resources, if the animal is a wild animal

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1 subject to regulation under ch. 22 and the court considers the order to be reasonable
2 and appropriate. The society, pound or officer shall release the animal to a person
3 other than the owner or dispose of the animal in a proper and humane manner. If
4 the animal is a dog, the release or disposal shall be in accordance with s. 174.046 (8)
5 or (9), except s. 174.046 (8) (a) does not apply and the fees under s. 174.046 (8) (d) do
6 not apply if the expenses are covered under s. 951.17. If the animal is not a dog, the
7 society, pound or officer may charge a fee for the release of the animal.

8 **SECTION 99.** 973.05 (1) of the statutes is amended to read:

9 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
10 permission for the payment of the fine, of the penalty assessment imposed by s.
11 165.87, the jail assessment imposed by s. 302.46 (1), the crime victim and witness
12 assistance surcharge under s. 973.045, any applicable deoxyribonucleic acid analysis
13 surcharge under s. 973.046, any applicable drug abuse program improvement
14 surcharge imposed by s. 961.41 (5), any applicable domestic abuse assessment
15 imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver improvement
16 surcharge imposed by s. 346.655, any applicable weapons assessment imposed by s.
17 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4), any
18 applicable environmental assessment imposed by s. 299.93, any applicable wild
19 animal protection assessment imposed by s. 29.9965, any applicable natural
20 resources assessment imposed by s. 22.43 (1) (d) or 29.997 and any applicable natural
21 resources restitution payment imposed by s. 22.43 (2) (d) or 29.998 to be made within
22 a period not to exceed 120 days. If no such permission is embodied in the sentence,
23 the fine, the penalty assessment, the jail assessment, the crime victim and witness
24 assistance surcharge, any applicable deoxyribonucleic acid analysis surcharge, any
25 applicable drug abuse program improvement surcharge, any applicable domestic

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SECTION 99

1 abuse assessment, any applicable driver improvement surcharge, any applicable
2 weapons assessment, any applicable uninsured employer assessment, any
3 applicable environmental assessment, any applicable wild animal protection
4 assessment, any applicable natural resources assessment and any applicable
5 natural resources restitution payment shall be payable immediately.

6 **SECTION 100. Effective date.**

7 (1) This act takes effect on January 1, 1999.

8 (END)