



ENGROSSED 1999 ASSEMBLY BILL 684 ✓

March 8, 2000 - Printed by direction of SENATE CHIEF CLERK. ✓

Sen. Cat.

AN ACT to repeal 29.024 (2r) (a) ~~9.024 (2r) (a) 18., 29.024 (2r) (a) 19., 29.024 (2r) (a) 20., 29.024 (2r) (a) 21., 29.321,~~ 29.563 (9) (intro.) and (a) (title), 29.563 (9) (a) 2. to 10. and (b), 29.563 (9) (c), 29.741 (1), 29.745, 29.853 (title), 29.853 (1), 29.853 (2), 29.853 (3), 29.853 (4m), 29.853 (5) (title), 29.855 (title), 29.855 (1), 29.855 (2), 29.855 (3), 29.855 (4) (title), 29.855 (5), 29.855 (6), 29.855 (7), 29.857, 29.861, 29.863, 29.865, 29.867, 29.869, 29.871, 29.877, 29.879 and 29.881; to renumber 23.51 (l), 29.563 (9) (a) l., 29.741 (2) and 29.873; to renumber and amend 29.334, 29.351, 29.354 (2), 29.853 (5), 29.855 (4), 951.015 and 951.09; to amend 20.370 (1) (mu), 20.370 (3) (mu), 23.09 (2) (f), 23.50 (1), 23.50 (3), 23.51 (5), 23.65 (1), 25.29 (1) (a), 25.29 (4m), 29.024 (l), 29.024 (2g) (a) 2., 29.042 (1), 29.047 (2) (b), 29.191 (2) (a) 3., 29.314 (5) (b) 3., 29.319 (1) (intro.), 29.347 (2), 29.347 (6), 29.354 (1), 29.357 (5) (b), 29.361 (6), 29.364 (5), 29.506 (4), 29.541 (3), 29.614 (3), 29.875 (l), 29.885 (1) (f), 29.889 (1) (intro.), 29.921 (7), 29.927 (8), 29.931 (1), 29.931 (2) (a), 29.934 (2), 29.969,

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1 49.857 (1) (d) 2., 59.25 (3) (f) 2., 59.40 (2) (m), 73.0301 (1) (d) 1., 93.07 (10) (b),
 2 167.31 (4) (b), 814.60 (2) (e), 895.57 (3), 943.75 (3), 951.18 (4) (a) 2., 951.18 (4)
 3 (b) 1. and 973.05 (1); **to repeal and recreate** 29.741 (title); and **to create**
 4 chapter 22, 23.51 (Id), 23.51 (9m), 23.795 (3), 29.011 (3), 29.192 (6), 29.351 (2),
 5 **29.354** (2) (b), 29.354 (5), 29.501 (9m), 29.539 (7), 29.931 (4), 95.23 (5), 951.01
 6 (1m), 951.015 (2), 951.09 (2) and 951.09 (3) of the statutes; **relating to:** the
 7 possession of wild animals, enforcement of certain laws relating to
 8 mistreatment of wild animals, hunting of farm-raised deer, granting
 9 rule-making authority, making appropriations and providing penalties.

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

INS "A"

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 and certain types of nonnative 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, a 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 numerous 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, including nonnative deer other than deer of the genus *dama*, *rangifer* or *cervus* (farm-raised deer) which are regulated by the department of agriculture, trade and consumer protection (DATCP).
2. A 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.
3. 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.

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

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

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

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

8. A rehabilitation license which authorizes the possession and rehabilitation and of live wild animals.

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

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

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

12. An initial validation license for which a person is eligible if the person holds a wildlife exhibit or game farm license at the time that this bill becomes law. This validation license authorizes the person to continue an activity that was authorized under the original wildlife exhibit or game farm license but that is no longer allowed under the provisions created in this bill.

13. A subsequent validation license for which a person is eligible if the person held a wildlife exhibit or game farm license at the time that this bill became law and if the person holds any necessary license under the provisions created in this bill. This validation license authorizes the person to continue an activity that was authorized under the original wildlife exhibit or game farm license and under the license needed under this bill's provisions but that is subsequently no longer allowed due to the promulgation of rules by DNR under DNR's authority to impose additional requirements on holders of these licenses.

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

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 are not affected by this bill. The bill also excludes domesticated animals. The bill defines "domesticated animals" to include certain types of pet birds, farm-raised deer, animals that are members of a species of wild animals but that are distinguishable from the wild members of the species due to long association with humans. The bill also requires DNR to promulgate a list of all other domesticated wild 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 this state are exempt from the licensing requirements except for the following: certain nonnative deer, certain

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nonnative wild birds, endangered or threatened species that are native to other parts of the United States or Canada, nonnative inherently dangerous wild animals such as nonnative bear, 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 bill 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.

The bill authorizes DNR to promulgate rules to designate species of wild animals as environmentally injurious or 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.

HUNTING AND KILLING CAPTIVE WILD ANIMALS

Current law prohibits any person from killing or wounding with a deadly weapon any animal, wild or domesticated, that is intentionally confined. Confinement under current law includes being tied, staked out or held captive in an enclosure, regardless of size. Current law provides an exception to this prohibition for game farms licensed by DNR. The bill provides an exception for deer farms and bird hunting preserves licensed under provisions created in this bill. The bill also specifically exempts animals that are killed or wounded in accordance with normally acceptable animal husbandry practices.

Under current law, a conservation warden may not enforce the prohibition forbidding the killing or wounding of a confined animal with a deadly weapon and other provisions dealing with the treatment of captive animals. This bill specifically authorizes conservation wardens to enforce these provisions.

This bill also specifically prohibits hunting captive wild animals except under the authority of a deer farm license, a bird hunting preserve license or a dog training or trial license. The bill prohibits selling or purchasing the opportunity to hunt any captive wild animal except as authorized under a deer farm or a bird hunting preserve license.

The bill also requires DNR to allow hunting of farm-raised deer on farms that are registered with DNR. DNR may impose conditions on the hunting, and shall determine which hunting laws apply to the hunting, of farm-raised deer on these farms.

INTRODUCTION AND STOCKING OF WILD ANIMALS

Under current law, no person may import into this state a wild animal for stocking or releasing into the wild, or stock or release a wild animal, unless the person has 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

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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. At the request of any city, village or town (municipality) in an area in which wild animals are stocked or released, the person stocking or releasing the animals must report to the municipality the type, number and location of the wild animals involved.

LICENSE FEES AND REQUIREMENTS, EFFECTIVE PERIODS**ANDRECORD-KEEPINGREQUIREMENTS**

The bill sets specific fees for these licenses. Under the bill, there is no fee for a rehabilitation license or either type of validation license.

Under the bill, periods of validity for the different types of licenses range from 30 days to five 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.

The bill requires DNR to provide any necessary tags at cost.

Under current law, DNR must require a person who is applying for any type of fish or game approval to provide DNR with his or her social security number. These approvals include recreational hunting and fishing licenses as well as all other fish and game licenses such as game farm licenses and fish dealer and taxidermist permits. DNR must deny the application if the person refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) and to the department of revenue (DOR) so that DWD and DOR may determine whether the person is delinquent in child support or in payment of certain state taxes. These provisions apply to the licenses created in this bill.

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 seven 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. A wild animal is exempt from these requirements if

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it is being brought directly into this state for rehabilitation or for slaughter at an establishment licensed by DATCP.

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 the/se rules.

The bill gives DNR specific authority to issue quarantine orders. The bill establishes a procedure for issuing these orders.

TAKING WILD ANIMALS INTO CUSTODY

This bill authorizes a conservation warden to take custody of a captive wild animal, on behalf of DNR, for various reasons. These reasons include the following:

1. The wild animal is a stray or is abandoned or unwanted.
2. The wild animal is possessed, stocked, exhibited propagated, rehabilitated, hunted, sold or purchased in violation of state laws or local ordinances regulating captive wildlife.
3. The wild animal is not confined as required by quarantine order or has been exposed to certain diseases.
4. The wild animal has caused damage to persons or property.
5. The wild animal is being housed or held in an inhumane manner.

The conservation warden must attempt to notify the owner of a wild animal taken into custody of the procedure by which the owner may recover the animal and the procedure to be followed if the animal is not returned to the owner.

DNR may contract with any other person to provide for the care and disposal of captive wild animals that it takes into custody.

Under this bill, generally, a wild animal taken into custody must be returned to its owner if the owner provides reasonable evidence of ownership, complies with the licensing requirements for captive wildlife and pays any charges incurred as a result of taking custody of the animal.

DNR may withhold a wild animal from its owner for various reasons. These reasons include the following:

1. There exists reasonable grounds to believe that the owner has mistreated the animal in violation of the laws regulating captive wild animals or that the animal poses a significant threat to public health, safety or welfare.
2. The animal may be used in a pending prosecution.
3. The court has ordered the animal to be withheld.

Under this bill, if the owner of an abandoned, escaped or stray wild animal does not claim the animal within seven days after custody is taken, the animal is considered unclaimed. DNR, or the party with whom DNR contracts, may then release the wild animal to a person other than the owner if the person complies with state and local laws regulating captive wildlife and pays any charges incurred as a result of taking custody of the animal. DNR or the contracting party may also dispose of an unclaimed or unwanted wild animal by selling it at public auction or by euthanizing it.

DNR or the contracting party may also euthanize any animal in its custody if the wild animal is hopelessly, injured beyond any reasonable chance of recovery, the

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animal poses an imminent threat to public health or safety or the animal poses an imminent threat to the health or safety of itself or its custodian.

LOCAL REGULATION

Under the bill, a municipality or county may enact and enforce ordinances prohibiting the possession or sale of live wild animals.

ENFORCEMENT AND PENALTIES

The bill gives DNR the specific authority to enter and inspect land, vehicles and buildings for the purpose of enforcement, to inspect wild animals that are to be stock or released into the wild and to have access to the records that must be kept by license holders. The bill limits this authority to normal business 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.

The bill also requires DNR to cooperate with DATCP with respect to the laws governing captive wild animals and other animals regulated by DATCP.

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, as affected by 1999 Wisconsin Act
2 9, is amended to read:

3 20.370 (1) (mu) *General program operations - state funds.* The amounts in
4 the schedule for general program operations that do not relate to the management
5 and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203
6 and 30.277, subch. VI of ch. 77 and chs. 22, 26, 28 and 29 and for transfers to the
7 appropriation account under s. 20.285 (1) (kf).

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

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1 **20.370 (3) (mu)** *General program operations - state funds.* The amounts in
2 the schedule for law enforcement operations under ss. 23.09 to 23.11 and 166.04 and
3 chs. 22, 29 and 30 and for review of environmental impact requirements under ss.
4 1.11 and 23.40.

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

CHAPTER 22**CAPTIVE WILDLIFE**

8 **22.01 Definitions.** In this chapter:

9 (1) "Animal" means any mammal or any bird, reptile, amphibian, mollusk,
10 arthropod or egg thereof, except that "animal" does not include any mollusk,
11 arthropod or egg thereof regulated under ch. 93 or 94.

12 (2) "Captive" means any of the following:

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

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

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

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

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

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

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

25 (6) "Department" means the department of natural resources.

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1 (7) “Domesticated animal” means farm-raised deer, a pet bird that is either a
2 psittacine or a softbill and is not native, is not endangered or threatened and is not
3 a migratory bird on the list in 50 CFR 10.13 that is promulgated under 16 USC 701
4 to 715s or an animal that is all 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 (8) “Dressed fur” has the meaning given in s. 29.501 (1) (a).

11 (9) “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 (10) “Environmentally injurious wild animal” means a species of wild animal
16 that is not a native wild animal and that is capable of inflicting harm to the
17 environment.

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

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

21 (13) “Free-roaming” means not captive.

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

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1 (15) "Harm to the environment" includes adversely affecting the natural
2 population dynamics of wild animals or wild plants, adversely affecting the habitat
3 of wild animals or wild plants or displacing wild animals or wild plants from any part
4 of their habitat.

5 (16) "Humane officer" means an officer appointed under s. 173.03.

6 **(17)** "Inherently dangerous wild animal" means a species of wild animal that
7 is capable of inflicting severe bodily harm to a human.

8 (18) "Introduce" means to release for the purpose of allowing the animal to
9 establish a population in an area in the wild where that type of animal is not
10 naturally present at the time the wild animal is released.

~~11~~ / (19) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c) and
12 does not include a conservation warden. /

13 (20) "License year" means the year during which a license is valid.

14 (21) "Municipality" means a city, village or town.

15 (22) "Native" means indigenous and occurring or having occurred naturally
16 within the boundaries of this state.

17 (23) "Nonnative wild animal" means a wild animal that is not native.

18 (24) "Nonresident" means a person who is not a resident of this state.

19 (25) "Person" means any individual, partnership, firm, joint stock company,
20 corporation, association, trust, estate or other legal entity.

21 (26) "Possess" means to own, control, restrain, transport or keep.

22 (27) "Propagate" means to breed, encourage or facilitate for the purpose of
23 generating offspring.

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1 (28) "Public zoo or aquarium" means a zoo or aquarium that is operated by the
2 state or by a city, village or county or that is an accredited member of the American
3 Zoo and Aquarium Association.

4 (29) "Purchase" means to acquire through a sale or through an exchange for
5 consideration.

6 (30) "Raw fur" has the meaning given in s. 29.501 (1) (e).

7 **(31)** "Sell" means to transfer or exchange for consideration.

8 (32) "State resident" has the meaning given "resident" in s. 27.01 (10) (a).

9 (33) "Stock" means to release for the purpose of increasing or maintaining a
10 population of the animal.

11 (34) "Take" means to capture, but does not include killing.

12 (35) "Veterinarian" means an individual who is licensed as a veterinarian
13 under ch. 453 or by another state and who is accredited under 9 CFR subch. J.

14 (36) "Wild amphibian" means a wild animal that is an amphibian.

15 (37) "Wild animal" means any animal of a wild nature that is normally found
16 in the wild and that is not a domesticated animal.

17 (38) "Wild bird" means a wild animal that is a bird.

18 (39) "Wild reptile" means a wild animal that is a reptile.

19 **22.02 Title to wild animals. (1) TITLE VESTED IN OWNER.** Except as provided
20 in sub. (3), legal title to a live captive wild animal or the carcass of a captive wild
21 animal is vested in the person who owns the wild animal if the person is in
22 compliance with this chapter and the rules promulgated under this chapter. A
23 person holding legal title may transfer without consideration the live captive wild
24 animal or the carcass of the captive wild animal to a person who is in compliance with

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1 this chapter and the rules promulgated under this chapter. A person holding legal
2 title to a live captive wild animal may kill it, or have it killed, in a humane manner.

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

7 (3) **EXCEPTIONS.** Legal title to a live captive wild animal or the carcass of a
8 captive wild animal that is possessed as authorized under a rehabilitation license or
9 a scientific research license remains with the state. A person holding a rehabilitation
10 license or a scientific research license may transfer or dispose of a live captive wild
11 animal or the carcass of a captive wild animal only as specifically authorized by the
12 department.

13 **22.03 Interagency cooperation.** The department of natural resources shall
14 cooperate with the department of agriculture, trade and consumer protection with
15 respect to any wild animal that is subject to regulation under this chapter and ch.
16 93, 94 or 95.

17 **22.04 Possession of live wild animals, (1) RESTRICTIONS ON POSSESSION;**
18 **GENERALLY.** (a) No person may possess any live wild animal unless the wild animal
19 is legally obtained.

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

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

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

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

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

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

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

15 (d) If a live wild animal has been exposed to or infected with any contagious or
16 infectious disease, as defined under rules promulgated by the department of
17 agriculture, trade and consumer protection under s. **95.001** (2), or a reportable
18 disease, as designated by the department of natural resources under s. 22.44 (2),
19 during the time the wild animal is being temporarily possessed, the person
20 possessing the wild animal shall have a valid interstate health certificate or a valid
21 certificate of veterinary inspection issued by a veterinarian certifying that the wild
22 animal is free of any such diseases before releasing it into the wild.

23 **(3) WILD ANIMALS UNDER ANOTHER JURISDICTION.** A live wild animal possessed
24 by a nonresident under the legal authority of another state, province or country may
25 be possessed by the nonresident in this state for not more than 60 days from the date

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1 the wild animal enters the state if the wild animal is accompanied by a valid
2 interstate health certificate or a valid certificate of veterinary inspection issued by
3 a veterinarian and by all of the licenses or other approvals that are required by the
4 other state, province or country.

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

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

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

4 1. Pheasants of the species *Phasianus colchicus* or *Syrmaticus reevesii*, chukar
5 partridge or gray partridge that are possessed for use under a bird hunting preserve
6 license, a dog training license, a hound training license, a dog club training license,
7 a dog trial license or a hound trial license.

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

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

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

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

14 2. Public zoos or aquariums.

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

16 4. The department.

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

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

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

23 **22.05 Taking of wild animals. (1) PROHIBITION.** No person may take any wild
24 animal from the wild except as authorized under a bird hunting preserve license, a

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1 wild fur farm license, a rehabilitation license or a scientific research license or under
2 s. 29.319

3 (2) EXEMPTION FOR CERTAIN WILD ANIMALS. A person is exempt from the
4 requirement under sub. (1) if the wild animal that the person takes from the wild is
5 a native wild animal that is exempt under s. 22.04 (4) (a).

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

8 1. Veterinarians, for the purpose of providing medical treatment to wild
9 animals.

10 2. The department.

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

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

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

22.06 Introduction, stocking and release of wild animals. (1)

17 PROHIBITION; PERSONS OTHER THAN THE DEPARTMENT. (a) No person may introduce,
18 stock or release into the wild, or import into this state to introduce, stock or release
19 into the wild, any wild animal except as authorized under a bird hunting preserve
20 license, a bird dog training license, a hound dog training license, a dog club training
21 license, a bird dog trial license, a hound dog trial license, a stocking license, a
22 rehabilitation license or a scientific research license or under s. 29.313.

23 (b) No person may introduce, stock or release into the wild, or import into this
24 state for introducing, stocking or releasing into the wild, any wild animal unless the
25

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1 department has given its authorization under par. (c) and the person has complied
2 with the requirements under par. (d).

3 (c) The department may authorize the introducing, stocking, releasing into the
4 wild or importing of a species of wild animal only if the department has determined
5 that the wild animal will not be detrimental in any manner to the conservation of the
6 natural resources of this state.

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

9 1. If a wild animal has been exposed to or infected with any contagious or
10 infectious disease, as defined under rules promulgated by the department of
11 agriculture, trade and consumer protection under s. 95.001 (2), or a reportable
12 disease, as designated by the department of natural resources under s. 22.44 (2), the
13 person introducing, stocking or releasing the wild animal shall hold a valid
14 interstate health certificate or a valid certificate of veterinary inspection issued by
15 a veterinarian certifying that the wild animal is free of any such diseases before the
16 introducing, stocking or release.

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

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

23 b. That, within 30 days before the introducing, stocking or release, comply with
24 any rules promulgated by the department under s. 22.44 (3).

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

4 (2) **REPORTS.** At the request of a municipality in an area in which wild animals
5 are introduced, stocked or released under sub. (1), the department shall require a
6 person who introduced, stocked or released those wild animals to report to the
7 municipality the number and type of wild animals introduced, stocked or released
8 and the location at which the animals were introduced, stocked or released.

9 (3) **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 (4) **EXEMPTION.** This section does not apply to wild animals that are released
14 into the wild after being accidentally trapped or confined.

15 **22.07 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 rehabilitation license, a nonprofit educational
19 exhibiting license, a nonresident temporary exhibiting license or a captive wild
20 animal auction and market license ^{under s. 29.319.}

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 or a rehabilitation license, the
23 person may exhibit only those types of wild animals that are specified by the
24 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. 22.04 (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 **22.08 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 or a scientific research license or ~~under s. 29.319.~~

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. 22.04 (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.

1 **22.085 Rehabilitation of wild animals. (1) PROHIBITION.** No person may
2 rehabilitate any wild animal except as authorized under a rehabilitation license.

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

5 **22.09 Hunting of captive wild animals. (1) PROHIBITION; GENERALLY. No**
6 person may hunt a captive wild animal except as authorized under s. 22.16 (5) or
7 under a deer farm license, a bird hunting preserve license, a bird dog training license,
8 a hound dog training license, a dog club training license, a bird dog trial license or
9 a hound dog trial license.

10 (2) PROHIBITION; COMMERCIAL HUNTING. No person may sell or offer to sell or
11 purchase or offer to purchase the opportunity to hunt any wild animal that is or has
12 been captive except as authorized under a deer farm license or a bird hunting
13 preserve license.

14 **22.10 Selling and purchasing of live wild animals. (1) SELLING.** Except
15 as authorized under a captive wild animal farm license, a bird hunting preserve
16 license, a deer farm license, a captive wild animal auction and market license, a wild
17 fur farm license or a nonprofit educational exhibiting license ~~or under s. 29.319,~~ no
18 person may sell or offer to sell any of the following:

19 (a) Any live native wild animal that is not exempt from the licensing
20 requirement under s. 22.04 (4) (a).

21 (b) Any live nonnative wild animal that is not exempt from the licensing
22 requirement under s. 22.04 (4) (b).

23 (2) PURCHASING. (a) Except as provided under par. (b) and except as authorized
24 under a captive wild animal farm license, a bird hunting preserve license, a deer farm
25 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 nonprofit educational
2 exhibiting license or a stocking license [✓] or under s. **29.313**, no person may purchase
3 or offer to purchase any of the following:

4 1. Any live native wild animal that is not exempt from the licensing
5 requirement under s. 22.04 (4) (a).

6 2. Any live nonnative wild animal that is not exempt from the licensing
7 requirement under s. 22.04 (4) (b).

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

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

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

16 (a) Public zoos or aquariums.

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

18 (c) The department.

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

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

23 (c) The sale of white-tailed deer to be processed for venison meat or products
24 is subject to s. 22.13 and not to this section.

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22.11 Inherently dangerous and environmentally injurious wild

animals. (1) INHERENTLY DANGEROUS WILD ANIMALS. (a) The department shall designate by rule cougars and members of the family ursidae as inherently dangerous wild animals and may designate by rule other types of wild animals to be inherently dangerous wild animals.

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

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

(c) No person may introduce, stock or release, or import into this state to introduce, stock or release, any environmentally injurious wild animal unless specifically authorized to do so by the department under s. 22.06 (1) (c).

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

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

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

22.12/Sale of native wild reptiles and wild amphibians. (1) POSSESSION

~~OF GENERAL.~~ *keep semicolon* No person may take from the wild or possess live native wild reptiles or live native wild amphibians unless the person ~~is~~ authorized to do so under rules promulgated by the department or unless sub. (3) applies. *7*

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

4 **(4) RESTRICTIONS ON SALES AND PURCHASES.** Unless authorized to do so under
5 rules promulgated by the department, no person may sell or purchase live native
6 wild reptiles or live native wild amphibians except for the following:

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

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

12 (c) Native reptiles or amphibians that are legally taken or reared outside this
13 state and that are sold to educational institutions under the authorization of a Class
14 A captive wild animal farm license.

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

17 (a) Public zoos or aquariums.

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

19 (c) The department.

20 **(6) EXEMPTION FOR VETERINARIANS.** (a) Veterinarians are exempt from ~~sub. (1)~~
21 for the purpose of providing medical treatment to native wild reptiles and native wild
22 amphibians.

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

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1 (7) ~~INAPPLICABILITY TO CERTAIN WILD ANIMALS.~~ This section does not authorize
2 the possessing, taking, ~~selling or purchasing~~/of reptiles or amphibians that are
3 environmentally injurious wild animals.

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

4 **REQUIREMENTS FOR LIVE DEER.** (a) No person may sell a live white-tailed deer to be
5 processed for venison meat or products except as authorized under a deer farm
6 license. No person may sell a live white-tailed deer to be processed for venison meat
7 or products without providing a deer farm shipping tag that will accompany the deer.
8

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

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

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

14 3. The deer originated from a deer farm and has an accompanying deer farm
15 shipping tag attached to its body.

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

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

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

21 (c) The white-tailed deer originated from a deer farm.

22 (d) Each individual package of white-tailed deer venison that the person
23 processes and sells clearly states that the venison is from a licensed deer farm.

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

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

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

7 **22.14 Carcasses of captive wild animals. (1) RESTRICTIONS ON SALES AND**
8 **PURCHASES.** (a) No person may sell the carcass of any captive wild animal unless the
9 seller provides to the purchaser written proof of origin.

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

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

15 (d) No person may preserve and mount a carcass of a captive wild animal for
16 consideration unless that person holds a valid taxidermist permit issued under s.
17 29.506.

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

22 (b).

23 (b) A person acquiring a carcass tagged under par. (a) that is to be consumed
24 for food may remove the tag at the time the carcass is prepared for final consumption.

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1 The person shall keep the tag in evidence until the carcass is consumed or otherwise
2 disposed of.

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

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

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

10 (c) The selling, purchasing or possessing of carcasses of endangered or
11 threatened species is subject to s. 29.604 and not to this section.

12 **22.15 Captive wild animal farm licenses. (1) ISSUANCE.** (a) The
13 department shall issue a Class A captive wild animal farm license to operate a
14 captive wild animal farm that grosses \$10,000 or more in annual sales to any person
15 who files a proper application for the license and who pays the applicable fee.

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

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

22 (2) AUTHORIZATION. (a) A captive wild animal farm license authorizes the
23 holder of the license to possess, propagate, kill, exhibit, purchase and sell live captive
24 wild animals of the types specified by the department on the license.

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

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

- 6 1. Native wild animals.
- 7 2. Nonnative wild animals of the family cervidae.
- 8 3. Inherently dangerous wild animals.
- 9 4. Endangered or threatened species.

10 (b) For the first year that a person is issued a captive wild animal farm license,
11 the person shall be issued a Class B captive wild animal farm license, unless one of
12 the following applies:

13 1. The person operated a game bird and animal farm licensed under s. 29.867,
14 1997 stats., or a deer farm licensed under s. 29.871, 1997 stats., on the effective date
15 of this subdivision [revisor inserts date], that grossed \$10,000 or more in annual
16 sales.

17 2. The person elects to be issued a Class A captive wild animal farm license.

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

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

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

4 **22.16 Deer farm license. (1) ISSUANCE.** The department shall issue a deer
5 farm license to ~~any~~ person who files a proper application for the license and who pays
6 the applicable fee. The applicant shall specify the locations of the enclosures for the
7 deer on the application.

8 (2) **AUTHORIZATION.** (a) A deer farm license authorizes the holder of the license
9 to do any of the following:

10 1. Possess, propagate, purchase, sell and exhibit live captive white-tailed deer.

11 2. Sell or offer to sell the opportunity to hunt live white-tailed deer within the
12 boundaries of the deer farm.

13 (b) A person holding a deer farm license shall provide a deer shipping tag that
14 will accompany each live white-tailed deer that the person sells to be processed for
15 venison.

16 (3) **EXEMPTIONFROMHUNTINGRESTRICTIONS.** A person hunting white-tailed deer
17 on a deer farm is exempt from having any hunting approval issued under ch. 29 and
18 is exempt from any closed season restrictions, bag limits or other conditions or
19 restrictions established by the department under s. 29.014 (1).

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

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

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1 (5) ~~FREE-ROAMING DEER~~. A person applying for a deer farm license shall make
2 a reasonable effort to drive free-roaming white-tailed deer from land subject to the
3 license that will be enclosed before the land is enclosed. ~~A~~ person holding a deer farm
4 license shall pay the department \$250 for each white-tailed deer remaining within
5 the boundaries.

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

9 **22.17 White-tailed deer venison sales license. (1) APPLICATION.** The
10 department shall issue a white-tailed deer venison sales license to any ~~person~~ who
11 files a proper application for the license and who pays the applicable fee.

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

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

18 **22.18 Wild fur farm license. (1) ISSUANCE.** The department shall issue a wild
19 fur farm license to any ~~person~~ who files a proper application and who pays the
20 applicable fee.

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

23 1. The holder of the license to possess and propagate live muskrat, beaver,
24 ~~coyote, 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 29.501 ~~is~~ **§ 1** 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. 29.869, 1997 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. 29.014 (1) or 29.192.

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~~ person who files a
5 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 or taking of released wild birds of those species that have been
12 stocked in the preserve by the holder of the license and other persons authorized by
13 the holder.

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

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

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

19 3. Gray partridge.

20 4. Chukar partridge.

21 5. Red-legged partridge.

22 6. Mallard ducks that are bred in captivity.

23 7. Wild turkeys, if the wild turkeys are located outside a wild turkey hunting
24 zone established under s. 29.164.

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

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

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

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

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

23 **(4m) RESTRICTIONS ON HEN PHEASANTS.** A person holding a Class B bird hunting
24 preserve license may not allow the hunting or taking of hen pheasants beginning on
25 December 15 of each year and ending on the following March 31 within the

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1 boundaries of the licensed preserve if the preserve is located totally or partially
2 within a pheasant management zone, as established by the department, for purposes
3 of s. 29.191.

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

7 (b) Except as provided in par. (c), a person hunting or taking wild birds on a bird
8 hunting preserve that have been stocked on the preserve is exempt from any closed
9 season restrictions, bag limits or other conditions or restrictions established by the
10 department under s. 29.014 (1) or 29.192.

11 (c) A person hunting mallard ducks shall comply with rules promulgated by the
12 department under ss. 29.014 and 29.192 governing the hunting of waterfowl.

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

16 **22.20 Dog training licenses. (1) BIRD DOG TRAINING LICENSE.** (a) The
17 department shall issue a bird dog training license to any individual who is at least
18 12 years of age who files a proper application and who pays the applicable fee.

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

23 (c) The department may restrict the possessing, releasing and hunting of a
24 species of wild birds specified in par. (b) by persons holding dog training licenses in

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1 zones or areas for which the department has by rule imposed special hunting
2 restrictions for that species.

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

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

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

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

16 2. Live captive raccoon.

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

18 **(3) DOG CLUB TRAINING LICENSE.** (a) The department may issue a dog club
19 training license to an organization that meets the conditions established by the
20 department by rule for dog club training licenses that files a proper application and
21 that pays the applicable fee.

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

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

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

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

10 **22.21 Dog trial licenses. (1) BIRD DOG TRIAL LICENSE.** (a) The department
11 shall issue a bird dog trial license to any person who files a proper application and
12 who pays the applicable fee.

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

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

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

24 **(3) RULES.** The department may promulgate rules to establish additional
25 standards, limitations and requirements for licenses issued under this section. The

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1 rules may include standards that provide adequate protection for the wild animals
2 that are authorized under a dog trial license.

3 **22.23 Stocking license. (1) ISSUANCE.** The department may issue stocking
4 licenses. If the department issues stocking licenses, it shall issue a stocking license
5 to any person who files a proper application and who pays the applicable fee.

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

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

12 **22.24 Rehabilitation license. (1) ISSUANCE.** The department shall issue a
13 rehabilitation license to rehabilitate wild animals to any individual who is at least
14 18 years of age, who meets the qualifications under rules promulgated under sub. (2)
15 and who files a proper application.

16 (2) **QUALIFICATIONS; RULES.** The department shall promulgate rules to establish
17 the qualifications required to obtain a rehabilitation license, the types of activities
18 authorized by a rehabilitation license and the standards, limitations and
19 requirements for rehabilitation licenses. The department may promulgate rules to
20 establish standards for exempting an individual from any of these rules or from any
21 provisions under this chapter.

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

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

3 1. The person's study plan or research proposal.

4 2. An approval received by the person under 9 CFR 2.31.

5 (2) **AUTHORIZATION.** A scientific research license authorizes the holder of the
6 license to take from the wild, possess, kill or propagate the types of native wild
7 animals that the department authorizes under the license.

8 (3) **SCOPE OF LICENSE; CONTENTS.** A scientific research license shall contain the
9 holder's name and address, the date of issuance and all of the following conditions
10 or limitations:

11 (a) The specific purposes for which it is issued.

12 (b) The types of wild animals and the number of each type to be studied.

13 (c) The locations from where the wild animals will be taken.

14 (d) The locations at which the wild animals will be kept and studied.

15 (e) The periods of time in which the wild animals may be studied.

16 (f) Any other conditions or limitations that the department considers
17 reasonable.

18 (4) **EQUIPMENT.** A scientific research license may authorize the use of net guns,
19 tranquilizer guns and other equipment or supplies for activities related to scientific
20 research or study.

21 (5) **TITLE TO; TRANSFER AND DISPOSAL OF WILD ANIMALS.** (a) A person holding a
22 scientific research license may not transfer any wild animal or its carcass held under
23 the authority of the license unless the purpose of the transfer is to trade the wild
24 animals for other animals for scientific research or classroom demonstrations and
25 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.** 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 individual
5 who is a nonresident or to any business organization that is not organized under the
6 laws of this state, who meets the requirement under sub. (2), who files a proper
7 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. 22.39.

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 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 Validation licenses. (1) ELIGIBILITY.** (a) *Initial validation license.* A
23 person who meets all of the following conditions is eligible for an initial validation
24 license:

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1 1. The person has a license or permit under s. 29.863, 1997 stats., s. 29.865,
2 1997 stats., s. 29.867, 1997 stats., s. 29.869, 1997 stats., s. 29.871, 1997 stats., or s.
3 29.877, 1997 stats., on the effective date of this subdivision [revisor inserts date].

4 2. The licenses available under ss. 22.15 to 22.28 do not permit the continuation
5 of an activity that was allowed under the license or permit under s. 29.863, 1997
6 stats., s. 29.865, 1997 stats., s. 29.867, 1997 stats., s. 29.869, 1997 stats., s. 29.871,
7 1997 stats., or s. 29.877, 1997 stats., on the effective date of this subdivision
8 [revisor inserts date], at the location where the activity is being conducted on the
9 effective date of this subdivision [revisor inserts date].

10 3. The person obtains licenses under this chapter for any activity that was
11 allowed under the license or permit under s. 29.863, 1997 stats., s. 29.865, 1997
12 stats., s. 29.867, 1997 stats., s. 29.869, 1997 stats., s. 29.871 or 29.877, 1997 stats.,
13 on the effective date of this subdivision [revisor inserts date], and for which a
14 license under ss. 22.15 to 22.28 is available.

15 (b) *Subsequent validation license.* A person who meets all of the following
16 conditions is eligible for a subsequent validation license:

17 1. The person had a license or permit under s. 29.863, 1997 stats., s. 29.865,
18 1997 stats., s. 29.867, 1997 stats., s. 29.869, 1997 stats., s. 29.871, 1997 stats., or s.
19 29.877, 1997 stats., on the effective date of this subdivision [revisor inserts date].

20 2. The person obtained a license under ss. 22.15 to 22.28 for an activity that was
21 allowed under the license or permit under s. 29.863, 1997 stats., s. 29.865, 1997
22 stats., s. 29.867, 1997 stats., s. 29.869, 1997 stats., 29.871, 1997 stats., or s. 29.877,
23 1997 stats., on the effective date of this subdivision [revisor inserts date].

24 3. Rules applicable to licenses available under ss. 22.15 to 22.28 are
25 promulgated so as not to permit the continuation of an activity that was allowed

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1 under the license or permit under s. 29.863, 1997 stats., s. 29.865, 1997 stats., s.
2 29.867, 1997 stats., s. 29.869, 1997 stats., s. 29.871, 1997 stats., or s. 29.877, 1997
3 stats., on on the effective date of this subdivision [revisor inserts date], at the
4 location where the activity was conducted on the effective date of this subdivision
5 [revisor inserts date].

6 (2) **APPLICATION.** (a) *Initial validation license.* An eligible person may apply
7 for an initial validation license no later than December 31, 2001.

8 (b) *Subsequent validation license.* An eligible person may apply for a
9 subsequent license no later than 6 months after the promulgation of rules described
10 under sub. (1) (b) 3.

11 (3) **ISSUANCE.** The department shall issue a single validation license to any
12 eligible person who files a proper application for the license. The validation license
13 shall apply to all activities described under sub. (4) (a). The department shall specify
14 on the validation license the activities that are permitted under the license. The
15 department shall combine a subsequent validation license with an initial validation
16 license that has been previously issued to the same person.

17 (4) **AUTHORIZATION; LIMITATIONS.** (a) Except as provided in pars. (c) to (e) and
18 sub. (5), a validation license authorizes the continuation of all activities that the
19 holder of the validation license is authorized to conduct on the effective date of this
20 paragraph [revisor inserts date], under a license or permit issued under s. 29.863,
21 1997 stats., s. 29.865, 1997 stats., s. 29.867, 1997 stats., s. 29.869, 1997 stats., s.
22 29.871, 1997 stats., or s. 29.877, 1997 stats., if the holder is actually engaged in those
23 activities on the effective date of this paragraph [revisor inserts date].

24 (b) The authorization under par. (a) applies even though the activity is
25 prohibited or limited under this chapter.

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1 (c) This section does not apply to falconry or to the rehabilitation of wild
2 animals.

3 (d) A validation license does not authorize the hunting of pheasants in excess
4 of the number of pheasants stocked.

5 (e) A validation license does not allow the hunting or taking of hen pheasants
6 beginning on December 15 of each year and ending on the following March 31 within
7 the boundaries of a pheasant and quail farm licensed under s. 29.864, 1997 stats.,
8 if the licensed farm is located totally or partially within a pheasant management
9 zone that is established by the department for purposes of s. 29.191.

10 **(5) CONDITIONS.** (a) The department shall impose all of the conditions,
11 restrictions and regulations 'on the validation license that were applicable to the
12 same activity under s. 29.863, 1997 stats., s. 29.865, 1997 stats., s. 29.867, 1997
13 stats., s. 29.869, 1997 stats., s. 29.871, 1997 stats., or s. 29.877, 1997 stats., and under
14 any rules promulgated under those sections that were in effect on the effective date
15 of this paragraph [revisor inserts date].

16 (b) A validation license is subject to ss. 22.09, 22.11, 22.30, 22.33, 22.34, 22.35,
17 22.36, 22.37, 22.38, 22.39, 22.40, 22.41, 22.42, 22.43, 22.44, 22.45 and 22.46.

18 **(6) RENEWAL; TRANSFERABILITY.** (a) The department shall renew or transfer a
19 validation license upon the same conditions as the original validation license.

20 (b) The department shall transfer a validation license, or any portion of a
21 validation license, to any person who does all of the following:

22 1. Acquires the land that is subject to the validation license.

23 2. Meets the requirements of this section.

24 3. Applies to the department for transfer of the validation license, or any
25 portion of the validation license, within 3 months after acquiring the land.

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1 (c) If the holder of a validation license fails to renew the license within 45 days
2 after the license's expiration date, the license expires and may never be renewed.

3 (d) If the land subject to a validation license is transferred and the validation
4 license is not transferred as provided in par. (b), the license expires and may never
5 be renewed.

6 **22.30 Endangered and threatened species.** No person may take from the
7 wild, introduce, stock, release into the wild, exhibit, propagate, rehabilitate, hunt,
8 sell, purchase, transfer or engage in any other activity related to a live wild animal
9 that is a threatened or endangered species unless the person is in compliance with
10 this chapter and s. 29.604.

11 **22.31 License and tag fees. (1) FEES.** The following fees shall be paid to the
12 department for the issuance or renewal of licenses:

13 (a) *Captive wild animal farm licenses.* 1. The fee for an initial Class A captive
14 wild animal farm license is \$200 and the fee for an initial Class B captive wild
15 animal farm license is \$50. The department shall waive the fee for an initial license
16 under this subdivision for an individual who is under 14 years of age if the individual
17 is a member of a 4-H club or a sporting club.

18 2. The fee for a renewal of a Class A captive wild animal farm license is \$100,
19 and the fee for a renewal of a Class B captive wild animal farm license is \$25.

20 (b) *Deer farm license.* 1. The fee for an initial deer farm license is \$200.

21 2. The fee for a renewal of a deer farm license is \$100.

22 (c) *White-tailed deer venison sales license.* The fee for the white-tailed deer
23 venison sales license is \$100.

24 (d) *Wild fur farm license.* The fee for a wild fur farm license is \$50.

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1 (e) *Bird hunting preserve licenses.* 1. The fee for an initial Class A bird hunting
2 preserve license is \$300, and the fee for an initial Class B bird hunting preserve
3 license is \$200.

4 2. The fee for a renewal of a Class A bird hunting preserve license is \$200, and
5 the fee for a renewal of a Class B bird hunting preserve license is \$100.

6 (f) *Dog training licenses.* 1. The fee for a bird dog training license is \$25.

7 2. The fee for a hound dog training license is \$25.

8 3. The fee for a dog club training license is \$100.

9 (g) *Dog trial licenses.* 1. The fee for a bird dog trial license is \$25.

10 2. The fee for a hound dog trial license is \$25.

11 (i) *Stocking license.* The fee for a stocking license is \$25.

12 (j) *Rehabilitation license.* There is no fee for a rehabilitation license.

13 (k) *Scientific research license.* The fee for a scientific research license is \$25.

14 (L) *Nonprofit educational exhibiting license.* The fee for a nonprofit
15 educational exhibiting license is \$25.

16 (m) *Nonresident temporary exhibiting license.* The fee for a nonresident
17 temporary exhibiting license is \$50.

18 (n) *Captive wild animal auction and market license.* The fee for a captive wild
19 animal auction and market license is \$300.

20 (o) *Validation license.* There is no fee for an initial or subsequent validation
21 license.

22 (2) **LATE FEE.** The late fee for the renewal of any license issued under this
23 chapter that is filed after the expiration date of the license is \$20.

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

4 (b) To a business or other operation that was licensed for certain activities as
5 one legal entity with one set of records under one license under s. 29.865, 1997 stats.,
6 s. 29.867, 1997 stats., s. 29.869, 1997 stats., or s. 29.871, 1997 stats., and that were
7 on noncontiguous land, the department shall continue to issue one license under this
8 chapter for that activity to the business or operation if there is one license that
9 authorizes all of those activities. The department shall continue to issue the one
10 license until the person holding that one license ceases to be issued a license for the
11 activity or until the person holding the one license issued ceases to have a controlling
12 interest in that business or operation.

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

17 (4) **TAGS.** Any tags required by this chapter or rules promulgated under this
18 chapter may be provided by the department at cost.

19 **22.32 Licenses; effective periods. (1) CAPTIVE WILD ANIMAL FARM LICENSE.**
20 A captive wild animal farm license is valid from the date of issuance until the
21 following December 31.

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

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

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

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

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

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

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

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

13 (b) A hound dog trial license is valid from the date of issuance until the
14 following December 3 1.

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

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

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

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

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

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

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

6 **(15) VALIDATION LICENSES.** An initial or subsequent validation license is valid
7 from the date of issuance until the 5th December 31 after the date of issuance and
8 may be renewed for 5-year periods thereafter.

9 **22.33 Licenses; applications; renewals; terminations. (1) APPLICATION.**
10 The application for a license under this chapter shall be on a form provided by the
11 department or in a format approved by the department, and shall request the
12 information required by the department. The department may not issue a license
13 unless the applicant provides the information required.

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

17 (b) Except as provided in pars. (c) and (d), an individual who applies for a
18 license under this chapter shall be at least 14 years of age.

19 (c) An individual who applies for a captive wild animal farm license may be less
20 than 14 years of age if the individual is a member of a 4-H club or a sporting club.

21 (d) An individual who applies for a dog training license or a hound training
22 license shall be at least 12 years of age.

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

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1 (b) A person may apply for a renewal of a license issued under this chapter not
2 more than 45 days after the license's expiration date if the application is
3 accompanied by the late fee specified under s. 22.31 (2), in addition to any regular
4 renewal fee.

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

8 (5) **EXPIRATION OF LICENSE.** A person holding a license issued under this section
9 that expires or is revoked or suspended shall remove or cause to be removed from the
10 land subject to the license any signs indicating that the land was so licensed within
11 45 days after the expiration, revocation or suspension.

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

14 **22.34 Denial and revocation of approvals based on child support**
15 **delinquency. (1) SOCIAL SECURITY NUMBERS REQUIRED.** The department shall
16 require an applicant who is an individual to provide his or her social security number
17 as a condition of applying for, or applying to renew, any license issued under this
18 chapter.

19 (2) **DISCLOSURE OF SOCIAL SECURITY NUMBERS.** The department of natural
20 resources may not disclose any social security numbers received under sub. (1) to any
21 person except to the department of workforce development for the sole purpose of
22 administering s. 49.22.

23 (3) **DENIAL OF APPROVALS.** (a) As provided in the memorandum of understanding
24 required under s. 49.857 (2), the department shall deny an application to issue or
25 renew, suspend if already issued or otherwise withhold or restrict an approval

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1 specified in sub. (1) if the applicant for or the holder of the approval is delinquent in
2 making court-ordered payments of child or family support, maintenance, birth
3 expenses, medical expenses or other expenses related to the support of a child or
4 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
5 issued by the department of workforce development or a county child support agency
6 under s. 59.53 (5) and relating to paternity or child support proceedings.

7 (b) As provided in the memorandum of understanding required under s. 49.857
8 (2), the department shall deny an application to issue or renew an approval specified
9 in sub. (1) if the applicant for or the holder of the approval fails to provide his or her
10 social security number as required under sub. (1).

11 **22.35 Denial and revocation of approvals based on tax delinquency.**

12 **(1) SOCIAL SECURITY AND IDENTIFICATION NUMBERS REQUIRED.** The department shall
13 require an applicant who is an individual to provide his or her social security number
14 and an applicant who is not an individual to provide the applicant's federal employer
15 identification number as a condition of applying for, or applying to renew, any of the
16 following approvals:

17 (a) A captive wild animal farm license issued under s. 22.15.

18 (b) A deer farm license issued under s. 22.16.

19 (c) A white-tailed deer venison sales license issued under s. 22.17.

20 (d) A wild fur farm license issued under s. 22.18.

21 (e) A bird hunting preserve license issued under s. 22.19.

22 (f) A dog training license issued under s. 22.20 (1) or (2).

23 (g) A dog trial license issued under s. 22.21.

24 (i) A stocking license issued under s. 22.23.

25 (j) A rehabilitation license issued under s. 22.24.

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1 (k) A scientific research license issued under s. 22.25.

2 (L) A captive wild animal auction and market license issued under s. 22.28.

3 (m) A validation license issued under s. 22.29.

4 (2) DISCLOSURE OF NUMBERS. The department of natural resources may not
5 disclose any information received under sub. (1) to any person except to the
6 department of revenue for the sole purpose of making certifications required under
7 s. 73.0301.

8 (3) DENIAL AND REVOCATION. The department shall deny an application to issue
9 or renew, or shall revoke if already issued, an approval specified in sub. (1) if the
10 applicant for or the holder of the approval fails to provide the information required
11 under sub. (1) or if the department of revenue certifies that the applicant or approval
12 holder is liable for delinquent taxes under s. 73.0301.

13 **22.36 Record-keeping and reporting requirements. (1) CAPTIVE WILD**
14 **ANIMAL FARM LICENSES, DEER FARM LICENSES, BIRD HUNTING PRESERVE LICENSES,**
15 **NONPROFIT EDUCATIONAL EXHIBITING LICENSES AND CAPTIVE WILD ANIMAL AUCTION AND**
16 **MARKET LICENSES.** (a) Records; *generally*. Each person holding a captive wild animal
17 farm license, a deer farm license, a bird hunting preserve license, a nonprofit
18 educational exhibiting license or a captive wild animal auction and market license
19 shall keep a correct and complete record of all of the following information:

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

22 a. The complete name and address and the number of any license issued under
23 this chapter of the person from whom the wild animals were purchased, acquired or
24 consigned or of the person to whom the wild animals were sold, transferred or
25 consigned.

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

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

4 (b) *Records; additional requirements; exemptions.* 1. A person holding a bird
5 hunting preserve license is exempt from keeping the records required under par. (a)

6 1. a. for those wild birds that are killed on the land subject to the license.

7 2. For the taking of wild reptiles or wild amphibians from the wild, a person
8 required to hold a license for such taking under this chapter shall include in the
9 person's records the date of the taking and the location of the taking.

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

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

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

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

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

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

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

24 (4) **DOG TRAINING AND TRIAL LICENSES.** Each person holding a bird dog training
25 license, a hound dog training license, a dog club training license, a bird dog trial

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1 license or a hound dog trial license shall keep a receipt of the purchase of each wild
2 animal purchased under the authority of the license and a correct and complete
3 record of any testing for disease on these wild animals that is required under rules
4 promulgated under s. 22.44 (3).

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

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

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

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

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

16 (b) The date of acquisition.

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

18 (7) **ADDITIONAL INFORMATION.** The department may impose additional
19 record-keeping requirements on any holders of licenses under this chapter.

20 (8) **Zoos.** If a zoo or aquarium is not an accredited member of the American Zoo
21 and Aquarium Association, the governing body of the zoo or aquarium shall keep
22 correct and complete records of all transactions involving the movement of wild
23 animals that are native wild animals, nonnative wild animals of the family cervidae,
24 inherently dangerous wild animals, environmentally injurious wild animals or

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1 endangered or threatened species. The department shall determine the information
2 to be kept in these records.

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

8 (b) In addition to the requirements under par. (a), the person holding a license
9 subject to this section shall provide a copy of the record required under this section
10 to the department on a quarterly basis, as determined by the department, if the
11 transaction or activity involved any live wild animal of the family cervidae, canidae,
12 ursidae, mustelidae or felidae, any inherently dangerous wild animal or any
13 environmentally injurious wild animal.

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

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

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

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

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

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

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

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

10 **22.37 Inspections. (1) DEPARTMENTAL AUTHORITY.** For purposes of enforcing
11 this chapter and the rules promulgated under this chapter with respect to a person
12 who is required to have a license or maintain records under this chapter, a
13 conservation warden or representative of the department, upon presenting his or her
14 credentials to that person, may do any of the following:

15 (a) Enter and inspect any land, vehicle, building or other structure where live
16 wild animals are possessed or where carcasses of wild animals are possessed.

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

19 (c) Gain access to and inspect any records required to be kept under s. 22.36.

20 (d) Investigate and inspect any wild animal or any other animal to be
21 introduced, stocked or released into the wild. Inspection under this paragraph may
22 include the removal of reasonable diagnostic samples from wild animals for
23 biological examination.

24 **(2) TIMES FOR INSPECTIONS.** An inspection authorized under sub. (1) or (4) may
25 be conducted during any of the following times:

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1 (a) Normal business hours.

2 (b) During the time that the person who possesses wild animals or carcasses
3 of wild animals is conducting business.

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

5 **(3) PROHIBITING INSPECTIONS.** No person required to have a license issued under
6 this chapter or an operator of a vehicle for such a person, or employe or person acting
7 on behalf of such a person, may prohibit entry as authorized under this section unless
8 a court restrains or enjoins the entry or inspection.

9 **(4) INSPECTIONS OF INTRODUCED OR STOCKED ANIMALS.** Only persons determined
10 by the department to be experienced in wildlife disease may remove diagnostic
11 samples and diagnose diseases under sub. (1) (d).

12 **(5) TAXIDERMISTS.** For an inspection of a taxidermist's place of business, this
13 section does not apply and the department shall conduct the inspection as authorized
14 under s. 29.506 (7).

15 **22.38 Entry requirements; interstate health certificates. (1)**
16 **CONDITIONS.** Except as provided in sub. (4), a person may ship or transport a live wild
17 animal into this state if the person complies with all of the following requirements:

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

21 (b) For wild animals to be exhibited as authorized under a nonresident
22 temporary exhibiting license, the person holding the license complies with any
23 applicable rules promulgated by the department of agriculture, trade and consumer
24 protection.

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1 (2) ~~OTHER REQUIREMENTS~~. (a) In addition to the requirements under sub. (1)
2 (a) and (b), the department of natural resources may require that the wild animal be
3 accompanied by a valid interstate health certificate or a valid certificate of
4 veterinary inspection issued by a veterinarian. The person shipping or transporting
5 the animal shall file a copy of the certificate with the chief livestock health official
6 in the state, province or country of origin in accordance with the laws of the
7 jurisdiction. The department may also require that the person shipping or
8 transporting the live wild animal file a copy of the certificate with that department.

9 (b) If the department requires a certificate under par. (a) and if the wild animal
10 is a wild bird, the department shall accept a certification under the national poultry
11 improvement plan under 9 CFR part 145 in lieu of the certificate.

12 (3) ~~CERTIFICATES~~. Interstate health certificates or certificates of veterinary
13 inspection are valid only if they are issued within 30 days before entry into this state
14 and only if all of the following apply:

15 (a) The certificate shows that all of the requirements established under the
16 rules promulgated under s. 22.44 (3) have been met.

17 (b) The certificate shows the results of any testing for disease that is required
18 under the rules promulgated under s. 22.44 (3).

19 (4) ~~EXEMPTIONSFROMSTATEENTRYREQUIREMENTS~~. (a) Subsections (1) and (2) do
20 not apply to a person shipping or transporting a live wild animal into this state if the
21 wild animal will be sent directly to slaughter at an establishment licensed under s.
22 97.42 or for which inspection is granted under 9 CFR part 304 and if the wild animal
23 is accompanied by a bill of lading that contains all of the following information:

24 1. A description of the wild animal.

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1 2. A description of any official identification on the wild animal, including any
2 ear or back tag, leg band or tattoo.

3 3. The number of the license or other approval of the person shipping or
4 transporting the wild animal, as required by the state, province or country of origin.

5 4. The destination for slaughter.

6 (b) Subsections (1) and (2) do not apply to a person shipping or transporting a
7 live wild animal into this state for medical treatment if the wild animal is sent
8 directly to a veterinarian or to a person holding a rehabilitation license for medical
9 treatment.

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

13 1. Any required testing for disease has been conducted and the results are
14 pending.

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

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

20 **22.39 Humane care and housing. (1) COMPLIANCE WITH RULES.** No license
21 may be issued under this chapter unless the department determines that the
22 applicant will comply with all of the rules promulgated under subs. (2) and (3).

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

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

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

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

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

5 (3) **RULES; HOUSING.** The rules for housing under sub. (2) shall include
6 requirements for the size and location of permanent enclosures and of temporary
7 enclosures at locations other than those where the wild animals are permanently
8 housed. The rules regulating the location of enclosures shall include the distance
9 required between 2 enclosures. The rules for housing shall include specifications for
10 enclosures for each type of inherently dangerous wild animal that the department
11 designates under s. 22.11 (1).

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

14 **22.40 Prohibited activities; trespassing. (1) DISEASED WILD ANIMALS.** (a)
15 No person may sell, lease, transfer, move from one location to another, release or
16 dispose of any wild animal if any of the following applies:

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

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

20 3. The person knows that the wild animal has been exposed to or has been
21 infected with a contagious or infectious disease as defined under rules promulgated
22 by the department of agriculture, trade and consumer protection under s. 95.001 (2),
23 or a reportable disease as designated by the department of natural resources under
24 s. 22.44 (2).

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

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

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

6 (e) No veterinarian may fail to report a contagious or infectious disease, as
7 defined under rules promulgated by the department of agriculture, trade and
8 consumer protection under s. 95.001 (2), or a reportable disease, as designated by the
9 department of natural resources under s. 22.44 (2), in a wild animal.

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

13 (b) No person may cause or permit the commingling of wild animals with
14 domesticated animals, except as authorized by the department.

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

20 **22.41 Quarantines. (1) SUMMARY ACTION.** (a) The department of natural
21 resources may summarily issue a quarantine order to control contagious, infectious
22 or communicable diseases, to protect the health of wild animals and domesticated
23 animals in this state and to control the possessing of wild animals in this state.

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

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1 **(2) SERVICE OF NOTICE.** No quarantine order is effective until written notice of
2 the order is served upon any person possessing the wild animals affected by the
3 quarantine order. The department may serve the order in any of the following ways:

4 (a) By personal service.

5 (b) By registered mail.

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

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

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

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

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

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

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

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

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

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

22 **(6) REVIEW OF ORDER.** Any person affected by a quarantine order shall be
23 granted a hearing by the department to determine whether the order shall remain
24 in effect if the person requests the hearing within 30 days after the date of service

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1 of the order. The hearing shall be treated as a contested case if the requirements of
2 s. 227.42 (1) are met.

3 **22.42 Taking custody of captive wild animals. (1)** INTAKE OF WILD ANIMALS .

4 A conservation warden may take into custody a wild animal that is subject to
5 regulation under this chapter on behalf of the department of natural resources if the
6 conservation warden has reasonable grounds to believe that the wild animal is one
7 of the following:

8 (a) An abandoned or stray captive wild animal.

9 (b) An unwanted captive wild animal delivered to the conservation warden.

10 (c) A wild animal possessed, taken, introduced, stocked, released, exhibited,
11 propagated, rehabilitated, hunted, sold or purchased in violation of this chapter or
12 any ordinance enacted under s. 22.43.

13 (d) A captive wild animal that is not confined as required by a quarantine order
14 under s. 22.41 or any rule or ordinance relating to the control of any animal disease.

15 (e) A captive wild animal that has caused damage to persons or property.

16 (f) A participant in an animal fight intentionally instigated by any person.

17 (g) A captive wild animal that has been mistreated in violation of this chapter
18 or ch. 951.

19 (h) A captive wild animal delivered by a veterinarian under s. 173.13 (2).

20 (i) A captive wild animal that is dead, dying or sick and that has been exposed
21 to, or is known to be infected with, a contagious or infectious disease as defined in
22 the rules promulgated by the department of agriculture, trade and consumer
23 protection under s. 95.001 (2), with a reportable disease as designated by the
24 department of natural resources under s. 22.44 (2), or with a disease or parasite that
25 has pathological significance to humans or to any animals.

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1 (j) A captive wild animal that has escaped and has not been returned to its
2 owner or another person who is authorized to possess the animal.

3 (k) A wild animal that is being housed or held in violation of s. 22.39.

4 (L) A wild animal that has entered the state in violation of s. 22.38.

5 **(2) TRANSFER OF WILD ANIMALS.** (a) A conservation warden shall accept into
6 custody any wild animal that is delivered by a law enforcement officer or humane
7 officer.

8 (b) A conservation warden and the department shall comply with the
9 applicable procedures under ss. **29.931**, 29.934 and 968.20 as they relate to seized
10 and confiscated wild animals, carcasses, vehicles, boats or other objects or property.

11 **22.43 Local ordinances.** A municipality or county may enact and enforce an
12 ordinance that prohibits the possession or selling of live wild animals.

13 **22.44 Rules by the department. (1) DOMESTICATED ANIMALS.** The
14 department shall promulgate rules specifying which animals are domesticated
15 animals for purposes of s. 22.01 (7) (b). The rules shall specify that fur-bearing
16 animals to which s. 29.627 apply are domesticated animals.

17 **(2) REPORTABLE DISEASES.** The department may promulgate rules listing
18 reportable diseases for purposes of this chapter.

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

21 1. Additional requirements that wild animals shall meet before they enter this
22 state.

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

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

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

6 **22.45 Penalties; revocations. (1)** DEFINITION. In this section, “violation of
7 this chapter” means a violation of this chapter or any rule promulgated under this
8 chapter.

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

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

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

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

21 (d) *Taking of bear and deer.* For taking bear or deer from the wild in violation
22 of s. 22.05, or a rule promulgate thereunder, a person shall be fined not less than
23 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

24 (e) *Diseased and environmentally injurious wild animals.* For a violation of s.
25 22.11 (2) (b) or (c) or 22.40 (1) or a quarantine order issued under s. 22.41, a person

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1 shall be fined not less than \$500 nor more than \$5,000 or imprisoned for not more
2 than 6 months or both.

3 (f) *Selling or purchasing venison from white-tailed deer.* For violation of s.
4 22.13 (1) or (2) or rules promulgated thereunder, a person shall be fined not less than
5 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

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

10 (3) **PENALTY; VIOLATION OF ORDER.** Any person who fails to comply with an order
11 issued under s. 22.39 (4) within 10 days after its issuance is subject to a forfeiture
12 of not more than \$200.

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

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

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

23 (b) For violations under sub. (2) (a), (b), (d) and (e), the court shall revoke all
24 of the licenses issued to the person under this chapter, and the department may not

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1 issue any license under this chapter to the person for a period of one year after the
2 current conviction.

3 **(6) COURTREVOCATIONSAND SUSPENSIONS.** In addition to or in lieu of any other
4 penalty for violation of this chapter, the court may revoke or suspend any privilege
5 or license under this chapter for a period of up to 3 years.

6 **(7) REVOCATIONS BY THE DEPARTMENT.** In addition to revocations under subs. (5)
7 (b) and (6), the department may revoke any license to which any of the following
8 applies:

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

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

13 **(8) PROHIBITIONS DURING PERIODS OF SUSPENSION OR REVOCATION.** (a) Any person
14 who has had an approval or privilege under this chapter revoked or suspended and
15 who engages in the activity authorized by the approval or in the privilege during the
16 period of revocation or suspension is subject to the following penalties, in addition
17 to any other penalty imposed for failure to have an approval:

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

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

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

24 **(9) PARTIES TO A VIOLATION.** (a) Whoever is concerned in the commission of a
25 violation of this chapter is a principal and may be charged with and convicted of the

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1 violation of this chapter although he or she did not directly commit it and although
2 the person who directly committed it has not been convicted of the violation of this
3 chapter.

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

6 1. Directly commits the violation of this chapter.

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

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

10 **22.46 Natural resources assessments and restitution payments. (1)**

11 **NATURAL RESOURCES ASSESSMENTS.** (a) If a court imposes a fine or forfeiture for a
12 violation of this chapter or a rule promulgated under this chapter, the court shall
13 impose a natural resources assessment equal to 75% of the amount of the fine or
14 forfeiture.

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

17 (c) If any deposit is made for an offense to which this subsection applies, the
18 person making the deposit shall also deposit a sufficient amount to include the
19 natural resources assessment prescribed in this subsection. If the deposit is
20 forfeited, the amount of the natural resources assessment shall be transmitted to the
21 state treasurer under par. (d). If the deposit is returned, the natural resources
22 assessment shall also be returned.

23 (d) The clerk of the court shall collect and transmit to the county treasurer the
24 natural resources assessment and other amounts required under s. 59.40 (2) (m).
25 The county treasurer shall then make payment to the state treasurer as provided in

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1 s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the natural
2 resources assessment in the conservation fund.

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

5 **(2) NATURALRESOURCESRESTITUTIONPAYMENTS .** (a) Ifacourtimposesafineor
6 forfeiture for a violation of this chapter for failure to obtain a license required under
7 this chapter, the court shall impose a natural resources restitution payment equal
8 to the amount of the fee for the license that was required and should have been
9 obtained.

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

13 (c) If any deposit is made for an offense to which this subsection applies, the
14 person making the deposit shall also deposit a sufficient amount to include the
15 natural resources restitution payment prescribed in this subsection. If the deposit
16 is forfeited, the amount of the natural resources restitution payment shall be
17 transmitted to the state treasurer under par. (d). If the deposit is returned, the
18 natural resources restitution payment shall also be returned.

19 (d) The clerk of the court shall collect and transmit to the county treasurer the
20 natural resources restitution payment and other amounts required under s. 59.40

21 **(2) (m).** The county treasurer shall then make payment to the state treasurer as
22 provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the
23 natural resources restitution payment in the conservation fund.

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

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

5 *23.09 (2) (f) Propagation, - of fish.* Subject to s. 95.60, capture,
6 propagate, transport, sell or exchange any species of ~~game or~~ fish needed for stocking
7 or restocking any ~~lands or~~ waters of the state.

8 **SECTION 5.** 23.50 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
9 amended to read:

10 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit
11 court to recover forfeitures, penalty assessments, jail assessments, applicable
12 weapons assessments, applicable environmental assessments, applicable wild
13 animal protection assessments, applicable natural resources assessments,
14 applicable fishing shelter removal assessments, applicable snowmobile registration
15 restitution payments and applicable natural resources restitution payments for
16 violations of ss. 77.09, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57
17 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch.
18 77, this chapter and chs. 22 and 26 to 31 and of ch. 350, and any administrative rules
19 promulgated thereunder, violations specified under s. 285.86, violations of ch. 951
20 if the animal involved is a captive wild animal, violations of rules of the Kickapoo
21 reserve management board under s. 41.41 (7) (k) or violations of local ordinances
22 enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

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

24 23.50 (3) All actions in municipal court to recover forfeitures, penalty
25 assessments and jail assessments for violations of local ordinances enacted by any

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1 local authority in accordance with s. 23.33 (11) (am) or 30.77 shall utilize the
2 procedure in ch. 800. The actions shall be brought before the municipal court having
3 jurisdiction. Provisions relating to citations, arrests, questioning, releases,
4 searches, deposits and stipulations of no contest in ss. 23.51 ~~(1)~~ (1m), (3) and (8),
5 23.53, 23.54, 23.56 to 23.64, 23.66 and 23.67 shall apply to violations of such
6 ordinances.

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

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

9 23.51 **(1d)** "Captive" has the meaning given in s. 22.01 (2).

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

11 23.51 **(5)** "Natural resources restitution payment" means the payment imposed
12 under s. 22.46 (2) or 29.989.

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

14 23.51 **(9m)** "Wild animal" has the meaning given in s. 22.01 (37).

15 **SECTION 11.** **23.65** (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
16 amended to read:

17 23.65 **(1)** When it appears to the district attorney that a violation of s. 134.60,
18 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81
19 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative
20 rule promulgated pursuant thereto, ~~or~~ a violation specified under s. 285.86, or a
21 violation of ch. 951. if the animal involved is a captive wild animal. has been
22 committed the district attorney may proceed by complaint and summons.

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

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1 23.795 (3) In lieu of an order of imprisonment under sub. (1) (a) for a violation
2 of ch. 22, the court may revoke or suspend any privilege or license granted under ch.
3 22 as provided in s. 22.45 (6).

4 **SECTION 13.** 25.29 (1) (a) of the statutes, as affected by 1999 Wisconsin Act 9,
5 is amended to read:

6 25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing
7 to the state for or in behalf of the department under chs. 22, 26, 27, 28, 29 and 350,
8 subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50
9 to 30.55, 70.58, 71.10 (5) and 71.30 (10), including grants received from the federal
10 government or any of its agencies except as otherwise provided by law.

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

12 25.29 (4m) Notwithstanding sub. (3), no moneys that accrue to the state for or
13 in behalf of the department under ch. 22 or 29 may be expended or paid for the
14 enforcement of the treaty-based, off-reservation rights to fish held by members of
15 federally recognized American Indian tribes or bands domiciled in Wisconsin.

16 **SECTION 15.** 29.011 (3) of the statutes is created to read:

17 29.011 (3) This section does not apply to wild animals that are subject to
18 regulation under ch. 22.

19 **SECTION 16.** 29.024 (1) of the statutes is amended to read:

20 **29.024 (1) APPROVALS REQUIRED.** Except as specifically provided in ch. 22 or this
21 chapter, no person may hunt or trap in this state, fish in the waters of this state or
22 engage in any of the activities regulated under this chapter unless the appropriate
23 approval is issued to the person. A person shall carry the required approval with him
24 or her at all times while hunting, trapping or fishing or engaged in regulated
25 activities unless otherwise required by this chapter or unless otherwise authorized

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1 or required by the department. A person shall exhibit the approval to the
2 department or its wardens on demand.

3 SECTION 17. 29.024 (2g) (a) 2. of the statutes is amended to read:

4 29.024 (2g) (a) 2. Any permit issued under s. ~~29.38, 29.521, 29.525, 29.53 or~~
5 ~~29.578~~ 29.537, 29.733, 29.735 or 29.736.

6 SECTION 18. 29.024 (2r) (a) 17. of the statutes is repealed.

7 SECTION 19. 29.024 (2r) (a) 18. of the statutes is repealed.

8 SECTION 20. 29.024 (2r) (a) 19. of the statutes is repealed.

9 SECTION 21. 29.024 (2r) (a) 20. of the statutes is repealed.

10 SECTION 22. 29.024 (2r) (a) 21. of the statutes is repealed.

11 SECTION 23. 29.042 (1) of the statutes is amended to read:

12 29.042 (1) Beginning on January 1, 1998, the department may not enter into
13 any agreement to make payments to persons holding approvals issued under s.
14 29.501, 29.503, 29.506, 29.509, 29.512, 29.514, 29.519, 29.523, 29.526, 29.529,
15 29.531, 29.533, 29.537, 29.607, 29.611, or 29.614, ~~29.865, 29.867, 29.869, 29.871 or~~
16 ~~29.877~~ in exchange for the retirement of the approval or for the temporary or
17 permanent cessation of any activity authorized under the approval.

18 SECTION 24. 29.047 (2) (b) of the statutes is amended to read:

19 29.047 (2) (b) The possession, transportation, delivery or receipt of farm-raised
20 deer ~~or~~, farm-raised fish or wild animals that are subject to regulation under ch. 22.

21 SECTION 25. 29.191 (2)(a) 3. of the statutes is amended to read:

22 29.191 (2) (a) 3. Any person hunting pheasant under s. 29.195 ~~or on premises~~
23 ~~licensed under s. 29.865~~ is exempt from the requirements under subd. 1.

24 SECTION 26. 29.192 (6) of the statutes is created to read:

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1 29.192 (6) The department shall permit the hunting of farm-raised deer on the
2 premises on which farm-raised deer are kept by persons registered under s. 95.55.
3 The department shall determine the requirements and conditions for hunting
4 farm-raised deer under this subsection, and shall determine the provisions of this
5 chapter that are applicable to hunting farm-raised deer under this subsection. The
6 department shall cooperate with the department of agriculture, trade and consumer
7 protection with respect to the hunting of farm-raised deer.

8 **SECTION 27.** 29.314 (5) (b) 3. of the statutes is amended to read:

9 29.314 (5) (b) 3. To a person who possesses a flashlight or who uses a flashlight
10 ~~while if the person is on foot and training a dog to track or hunt raccoons, foxes or~~
11 ~~other unprotected wild animals and if the raccoons, foxes or other unprotected wild~~
12 ~~animals are not subject to regulation under ch. 22.~~

13 / **SECTION 27m.** 29.319 (1) (intro.) of the statutes, as created by 1999 Wisconsin
14 Act 9, is amended to read:

15 29.319 (1) (intro.) ~~In regulating~~ The denartment may regulate falconry and the
16 taking of raptors for use in falconry, ~~In so doing,~~ the department may do any of the
17 following:

18 **SECTION 28.** 29.321 of the statutes is repealed.

19 **SECTION 29.** 29.334 of the statutes is renumbered 29.334 (1) and amended to
20 read:

21 29.334 (1) A person who hunts or traps any game animal, game bird or
22 fur-bearing animal shall kill ~~the animal~~ & when it is taken and make it part of the
23 daily bag or shall release ~~the animal~~ it unless ~~authorized under s. 29.857, 29.863,~~
24 ~~28.867, 29.869, 29.871 or 29.877~~ the person has the authority to possess it under ch.
25 22.

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1 **SECTION 30.** 29.347 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
2 amended to read:

3 29.347 (2) ~~DEER TAGS.~~ Except as provided under sub. (5) and s. 29.324 (3), any
4 person who kills a deer shall immediately attach to the ear or antler of the deer a
5 current validated deer carcass tag which is authorized for use on the type of deer
6 killed. Except as provided under sub. (2m) ~~or s. 29.871 (7), (8) or (14) or s. 29.89 (6),~~
7 no person may possess, control, store or transport a deer carcass unless it is tagged
8 as required under this subsection. The carcass tag may not be removed before
9 registration. The removal of a carcass tag from a deer before registration renders the
10 deer untagged.

11 **SECTION 31.** 29.347 (6) of the statutes is amended to read:

12 29.347 (6) ~~FARM-RAISED-DEER DEER.~~ This section does not apply to farm-raised
13 deer or deer that are subject to regulation under ch. 22.

14 **SECTION 32.** 29.351 of the statutes is renumbered 29.351 (l), and 29.351 (1) (c),
15 as renumbered, is amended to read:

16 29.351 (1) (c) Possess the raw skin of any muskrat, mink, otter, fisher or pine
17 marten at any time unless the person is the holder of a valid scientific collector
18 permit, fur dealer license, trapping license or resident conservation patron license.

19 No license is required for a person breeding, raising and producing domestic
20 fur-bearing animals in captivity, as defined in s. ~~29.873~~ 29.627, or for a person

21 authorized to take muskrats on a cranberry marsh under a permit issued to the
22 person by the department.

23 **SECTION 33.** 29.351 (2) of the statutes is created to read:

24 29.351 (2) Subsection (1) does not apply to the skins of fur-bearing animals
25 that are subject to regulation under ch. 22.

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1 **SECTION 34.** 29.354 (1) of the statutes is amended to read:

2 29.354 (1) APPROVAL NECESSARY. No person, ~~except a person who has a valid~~
3 ~~hunting license, sports license, conservation patron license, taxidermist permit or~~
4 ~~scientific collector permit and who is carrying this approval on his or her person,~~ may
5 possess or have under his or her control any game bird, or game animal or the carcass
6 of any game bird or game animal unless the nerson is rehabilitating the game bird
7 or game animal or unless the nerson has a valid hunting license, snorts license,
8 conservation patron license, taxidermist permit or scientific collector permit.

9 **SECTION 35.** 29.354 (2) of the statutes is renumbered 29.354 (2) (a) and
10 amended to read:

11 29.354 (2) (a) ~~No person, except a~~ Except as provided in nar. (b), no person who
12 ~~has a valid scientific collector permit,~~ may take, needlessly destroy or possess or have
13 under his or her control the nest or eggs of any wild bird for which a closed season
14 is prescribed under this chapter.

15 **SECTION 36.** 29.354 (2) (b) of the statutes is created to read:

16 29.354 (2) (b) A person who has a valid scientific collector permit may take or
17 possess or have under his or her control the nest of a wild bird and may destroy the
18 nest if necessary for a scientific purpose.

19 **SECTION 37.** 29.354 (5) of the statutes is created to read:

20 29.354 (5) CAPTIVE WILD ANIMALS. This section does not apply to wild animals
21 that are subject to regulation under ch. 22.

22 **SECTION 38.** 29.357 (5) (b) of the statutes is amended to read:

23 29.357 (5) (b) Subsections (1) to (4) do not apply to the possession,
24 transportation, delivery or receipt of farm-raised deer ~~or,~~ farm-raised fish or wild
25 animals that are subject to regulation under ch. 22.

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1 **SECTION 39.** 29.361 (6) of the statutes is amended to read:

2 29.361 **(6)** This section does not apply to the transportation of farm-raised deer
3 or deer that are subject to regulation under ch. 22.

4 **SECTION 40.** 29.364 (5) of the statutes is amended to read:

5 29.364 (5) **EXEMPTION; TAXIDERMISTS.** Subsections (1) to (3) do not apply to a
6 person who has a valid taxidermist permit and who is transporting, in connection
7 with his or her business, the carcass of a game bird ~~in connection with his or her~~
8 business or the carcass of a wild bird that is subject to regulation under ch. 22.

9 **SECTION 41.** 29.501 (9m) of the statutes is created to read:

10 29.501 **(9m)** This section applies to raw furs and dressed furs from fur-bearing
11 animals that are subject to regulation under ch. 22.

12 **SECTION 42.** 29.506 (4) of the statutes is amended to read:

13 29.506 (4) **AUTHORIZATION.** Subject to this section, a taxidermist permit
14 authorizes the permit holder to possess and transport ~~wild animals or~~ carcasses of
15 wild animals in connection with his or her business. This authority supersedes, to
16 the extent permitted under this section, restrictions on the possession and
17 transportation of ~~wild animals and~~ carcasses of wild animals established under ch.
18 22 and this chapter. A taxidermist permit entitles the permit holder to the same
19 privileges as a Class A fur dealer's license.

20 **SECTION 43.** 29.539 (7) of the statutes is created to read:

21 29.539 (7) This section does not apply to the carcass of a wild animal that is
22 subject to regulation under ch. 22.

23 **SECTION 44.** 29.541 (3) of the statutes is amended to read:

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1 29.541 (3) EXEMPTION. This section does not apply to the meat from
2 farm-raised deer or ~~from~~ farm-raised fish or to meat that is subject to regulation
3 under s. 22.13 or 22.14.

4 **SECTION 45.** 29.563 (9) (intro.) and (a) (title) of the statutes are repealed.

5 **SECTION 46.** 29.563 (9) (a) 1. of the statutes is renumbered 29.563 (7) (c) 5m.

6 **SECTION 47.** 29.563 (9) (a) 2. to 10. and (b) of the statutes, as affected by 1999
7 Wisconsin Act 9, are repealed.

8 **SECTION 48.** 29.563 (9) (c) of the statutes, as created by 1999 Wisconsin Act 9,
9 is repealed.

10 **SECTION 49.** 29.614 (3) of the statutes is amended to read:

11 29.614 (3) A scientific collector permit authorizes the permittee to collect or
12 salvage, for scientific purposes only, ~~the eggs, nest and~~ live fish and the nests and
13 carcasses of any wild animals specified in the permit subject to the conditions and
14 limitations specified in the permit and the rules of the department. The permittee
15 may use the specimens for the scientific purposes for which collected or salvaged and
16 may transport them or cause them to be transported by common carrier. Possession
17 of these specimens may not be transferred to any other person, except that these
18 specimens may be exchanged for other specimens for scientific purposes. A scientific
19 collector permit may authorize the use of net guns and tranquilizer guns for activities
20 related to the purposes for which the permit is issued. Any person who is convicted
21 of violating this chapter shall forfeit the person's permit and the permit is thereby
22 revoked, in addition to all other penalties. Any person so convicted is not eligible for
23 a permit under this section for one year following the conviction.

24 **SECTION 50.** 29.741 (title) of the statutes is repealed and recreated to read:

25 29.741 (title) **Food in the wild for game birds.**

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1 **SECTION 51.** 29.741 (1) of the statutes is repealed.

2 **SECTION 52.** 29.741 (2) of the statutes is renumbered 29.741.

3 **SECTION 53.** 29.745 of the statutes is repealed.

4 **SECTION 54.** 29.853 (title) of the statutes is repealed.

5 **SECTION 55.** 29.853 (1) of the statutes is repealed.

6 **SECTION 56.** 29.853 (2) of the statutes is repealed.

7 **SECTION 57.** 29.853 (3) of the statutes is repealed.

8 **SECTION 58.** 29.853 (4m) of the statutes is repealed.

9 **SECTION 59.** 29.853 (5) (title) of the statutes is repealed.

10 **SECTION 60.** 29.853 (5) of the statutes is renumbered 29.334 (2) and amended
11 to read:

12 29.334 (2) A person who violates ~~this section sub. (1)~~ shall forfeit not less than
13 \$100 nor more than \$1,000.

14 **SECTION 61.** 29.855 (title) of the statutes is repealed.

15 **SECTION 62.** 29.855 (1) of the statutes is repealed.

16 **SECTION 63.** 29.855 (2) of the statutes is repealed.

17 **SECTION 64.** 29.855 (3) of the statutes is repealed.

18 **SECTION 65.** 29.855 (4) (title) of the statutes is repealed.

19 **SECTION 66.** 29.855 (4) of the statutes is renumbered 22.04 (2) (e) and amended
20 to read:

21 22.04 (2) (e) No person may operate on a live ~~wild~~ skunk to remove its scent
22 glands unless the person ~~who possesses~~ holds a Class A or Class B captive wild
23 animal farm license or unless the person is a veterinarian and the person bringing
24 the skunk is authorized under s. 29.857 or 29.869 to the veterinarian holds such a
25 license. A veterinarian to whom a person brings a live ~~wild~~ skunk for removal of its

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1 scent glands ~~or for other treatment~~ shall verifv whether the nerson holds a Class A
2 or Class B captive wild animal farm license. If the nerson does not hold such a license,
3 the veterinarian shall notify that person that possession of a live skunk is illegal and
4 shall notify the department.

5 SECTION 67. 29.855 (5) of the statutes is repealed.

6 SECTION 68. 29.855 (6) of the statutes is repealed.

7 SECTION 69. 29.855 (7) of the statutes is repealed.

8 SECTION 70. 29.857 of the statutes is repealed.

9 SECTION 71. 29.861 of the statutes is repealed.

10 SECTION 72. 29.863 of the statutes is repealed.

11 SECTION 73. 29.865 of the statutes is repealed.

12 SECTION 74. 29.867 of the statutes is repealed.

13 SECTION 75. 29.869 of the statutes is repealed.

14 SECTION 76. 29.871 of the statutes is repealed.

15 / SECTION 77m. 29.873 of the statutes is renumbered 29.627. ✓

16 SECTION 78. 29.875 (1) of the statutes is amended to read:

17 29.875 (1) The department may seize and dispose of or may authorize the
18 disposal of any deer that has escaped from land licensed under s. ~~29.867 or 29.871~~
19 22.15 or 22.16 or owned by a person registered under s. 95.55 if the escaped deer has
20 traveled more than 3 miles from the land or if the licensee or person has not had the
21 deer returned to the land within 72 hours of the discovery of the escape.

22 SECTION 79. 29.877 of the statutes is repealed.

23 SECTION 80. 29.879 of the statutes is repealed.

24 SECTION 81. 29.881 of the statutes is repealed.

25 SECTION 82. 29.885 (1) (f) of the statutes is amended to read:

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1 29.885 (1) (f) Notwithstanding s. ~~29.01(14)~~ 29.001(90), “wild animal” means
2 any undomesticated mammal or bird, but does not include farm-raised deer or
3 farm-raised fish or wild animals that are subject to regulation under ch. 22.

4 **SECTION 83.** 29.889 (1) (intro.) of the statutes is amended to read:

5 29.889 (1) **DEFINITION.** (intro.) In this section, “wildlife damage” means damage
6 caused by any of the following ~~noncaptive~~ wild animals that are not subject to
7 regulation under ch. 22:

8 **SECTION 84.** 29.921 (7) of the statutes is amended to read:

9 **29.921 (7) DOGS INJURING WILDLIFE.** A warden may kill a dog found running,
10 injuring, causing injury to, or killing, any deer, other than farm-raised deer or deer
11 subject to regulation under ch. 22, or destroying game birds, their eggs or nests, if
12 immediate action is necessary to protect the deer or game birds, their nests or eggs,
13 from injury or death.

14 **SECTION 85.** 29.927 (8) of the statutes is amended to read:

15 29.927 (8) Any dog found running deer, except farm-raised deer or deer subject
16 to regulation under ch. 22, at any time, or used in violation of this chapter.

17 **SECTION 85m.** 29.931 (1) of the statutes is amended to read:

18 29.931 (1) **SEIZURE AND CONFISCATION OF WILD ANIMALS OR PLANTS.** The
19 department and its wardens shall seize and confiscate any wild animal, carcass or
20 plant caught, killed, taken, had in possession or under control, sold or transported
21 in violation of ch. 22 or this chapter and the~~The~~ officer may, with or without
22 warrant, open, enter and examine all buildings, camps, boats on inland or outlying
23 waters, vehicles, valises, packages and other places where the officer has probable
24 cause to believe that wild animals, carcasses or plants, taken or held in violation of
25 this chapter, are to be found.

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1 **SECTION 86.** 29.931 (2) (a) of the statutes is amended to read:

2 29.931 (2) (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 vehicle, boat or object declared by this chapter to be a public nuisance, or which they
5 have probable cause to believe is being used in violation of ~~ch. 22 or~~ this chapter or
6 s. 167.31, 287.81, 940.24, 941.20, 948.60, 948.605 or **948.61**, is being used in the
7 commission of a crime involving an animal normally found in the wild in violation
8 of s. 951.09 or is being used in the commission of a crime relating to a submerged
9 cultural resource in violation of s. 44.47. If it is proven that the vehicle, boat or object
10 is a public nuisance or that within 6 months previous to the seizure the vehicle, boat
11 or object was used in violation of ~~ch. 22 or~~ this chapter or s. 167.31, 287.81, 940.24,
12 **941.20**, 948.60, 948.605 or 948.61, was used in the commission of a crime involving
13 an animal normally found in the wild in violation of s. 951.09 or was used in the
14 commission of a crime relating to a submerged cultural resource in violation of s.
15 44.47, it shall be confiscated if the court directs in its order for judgment.

16 / **SECTION 86m.** 29.931 (4) of the statutes is created to read:

17 29.931 (4) **ORDINANCE VIOLATIONS.** For purposes of this section a violation of ch.
18 22 includes a violation of an ordinance enacted under s. 22.43.

19 **SECTION 86r.** 29.934 (2) of the statutes is amended to read:

20 29.934 (2) On any sales under this section of wild animals or carcasses, the
21 department or the agent selling them shall issue to each purchaser a certificate, on
22 forms prepared and furnished by the department, covering the sales. The wild
23 animals or carcasses subject to regulation under this chapter that are so purchased
24 shall be consumed or otherwise disposed of by the purchaser within a period to be set

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1 by the department, but may not be resold or exchanged, in whole or in part, to any
2 other person, except as provided in sub. (3).

3 **SECTION 87.** 29.969 of the statutes is amended to read:

4 **29.969 Larceny of game.** A person who, without permission of the owner,
5 disturbs or appropriates any wild animal or its carcass that has been lawfully
6 reduced to possession by another shall forfeit not less than \$1,000 nor more than
7 \$2,000. This section does not apply to farm-raised deer ~~or~~, farm-raised fish or wild
8 animals that are subject to regulation under ch. 22.

9 **SECTION 88.** 49.857 (1) (d) 2. of the statutes is amended to read:

10 49.857 **(1)** (d) 2. An approval specified in s. ~~29.09 (11m)~~ 22.34 or 29.024 (2g).

11 **SECTION 89.** 59.25 (3) (f) 2. of the statutes, as affected by 1999 Wisconsin Act
12 9, is amended to read:

13 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
14 deposited in the state treasury, the amounts required by s. 757.05 for the penalty
15 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories
16 and drug law enforcement assessment, the amounts required by s. ~~167.31~~ **(5)** for the
17 weapons assessment, the amounts required by s. 973.045 for the crime victim and
18 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the
19 delinquency victim and witness assistance surcharge, the amounts required by s.
20 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by
21 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts
22 required by s. 100.261 for the consumer information assessment, the amounts
23 authorized by s. ~~971.37~~ **(1m)** (c) **1.** or required by s. 973.055 **(1)** for the domestic abuse
24 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment
25 under the supplemental food program for women, infants and children, the amounts

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1 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing
2 improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the
3 driver improvement surcharge, the amounts required by s. 102.85 (4) for the
4 uninsured employer assessment, the amounts required by s. 299.93 for the
5 environmental assessment, the amounts required by s. 29.983 for the wild animal
6 protection assessment, the amounts required by ~~s.~~ ss. 22.46 (1) and 29.987 for the
7 natural resources assessment surcharge, the amounts required by s. 29.985 for the
8 fishing shelter removal assessment, the amounts required by s. 350.115 for the
9 snowmobile registration restitution payment and the amounts required by ~~s.~~ ss.
10 22.46 (2) and 29.989 for natural resources restitution payments, transmit to the state
11 treasurer a statement of all moneys required by law to be paid on the actions entered
12 during the preceding month on or before the first day of the next succeeding month,
13 certified by the county treasurer's personal signature affixed or attached thereto,
14 and at the same time pay to the state treasurer the amount thereof.

15 **SECTION 90.** 59.40 (2) (m) of the statutes, as affected by 1999 Wisconsin Act 9,
16 is amended to read:

17 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
18 percentage of the fees required to be paid on each civil action, criminal action and
19 special proceeding filed during the preceding month and pay monthly to the
20 treasurer for the use of the state the percentage of court imposed fines and forfeitures
21 required by law to be deposited in the state treasury, the amounts required by s.
22 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for
23 the crime laboratories and drug law enforcement assessment, the amounts required
24 by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for
25 the crime victim and witness assistance surcharge, the amounts required by s.

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1 938.34 (8d) for the delinquency victim and witness assistance surcharge, the
2 amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the
3 amounts required by s. 961.41 (5) for the drug abuse program improvement
4 surcharge, the amounts required by s. 100.261 for the consumer information
5 assessment, the amounts authorized by s. 971.37 (lm) (c) 1. or required by s. 973.055
6 for the domestic abuse assessment surcharge, the amounts required by s. 253.06 (4)
7 (c) for the enforcement assessment under the supplemental food program for women,
8 infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r)
9 for the railroad crossing improvement assessment, the amounts required by s.
10 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4)
11 for the uninsured employer assessment, the amounts required by s. 299.93 for the
12 environmental assessment, the amounts required under s. 29.983 for the wild
13 animal protection assessment, the amounts required under ~~s. ss. 22.46 (1)(d) and~~
14 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required
15 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.
16 350.115 for the snowmobile registration restitution payment and the amounts
17 required under ~~s. ss. 22.46 (2)(d) and~~ 29.989 (1) (d) for the natural resources
18 restitution payments. The payments shall be made by the 15th day of the month
19 following receipt thereof.

20 **SECTION 91.** 73.0301 (1) (d) 1. of the statutes is amended to read:

21 73.0301 (1) (d) 1. An approval specified in s. ~~29.09 (11r)~~ 22.35 or 29.024 (2r).

22 **SECTION 91g.** 93.07 (10) (b) of the statutes is amended to read:

23 93.07 (10) (b) To protect the health of domestic animals ~~of~~ and wild animals
24 subject to regulation under ch. 22 that are located in the state; to determine and
25 employ the most efficient and practical means for the prevention, suppression,

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1 control and eradication of communicable diseases among domestic animals and wild
2 animals subject to regulation under ch. 22, and for these purposes it may establish,
3 maintain, enforce and regulate such quarantine and such other measures relating
4 to the importation, movement and care of animals and their products, the
5 disinfection of suspected localities and articles, and the disposition of animals, as the
6 department may deem necessary. The definition of "communicable disease" in s.
7 **990.01** (5g) does not apply to this paragraph. /

8 / **SECTION 91r.** 95.23 (5) of the statutes is created to read:

9 95.23 (5) This section applies to wild animals that are subject to regulation
10 under ch. 22. /

11 **SECTION 92. 167.31** (4) (b) of the statutes is amended to read:

12 167.31 (4) (b) Subsections (2) (a), (b) and (c) and (3) (a) and (b) do not apply to
13 the holder of a scientific research license under s. 22.25 or a scientific collector permit
14 under s. **29.614** who is using a net gun or tranquilizer gun in an activity related to
15 the purpose for which the license or permit was issued.

16 **SECTION 147.** 814.60 (2) (e) of the statutes is amended to read:

17 **814.60** (2) (e) Natural resources restitution payment imposed by s. 22.46 (2) (d)
18 or 29.989.

19 **SECTION 148.** 895.57 (3) of the statutes is amended to read:

20 895.57 (3) Subsection (2) does not apply to any humane officer, local health
21 officer, peace officer, employe of the department of natural resources while on any
22 land licensed under s. ~~29.865, 29.867, 29.869 or 29.871~~ 22.15, 22.16, 22.17, 22.18 or
23 22.19 or designated as a wildlife refuge under s. 29.621 (1) or employe of the
24 department of agriculture, trade and consumer protection if the officer's or employe's

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1 acts are in good faith and in an apparently authorized and reasonable fulfillment of
2 his or her duties.

3 SECTION 149. 943.75 (3) of the statutes is amended to read:

4 943.75 (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. ~~29.865, 29.867, 29.869 or 29.871~~ 22.15, 22.16, 22.17, 22.18 or
7 22.19 or designated as a wildlife refuge under s. 29.621 (1) or employe of the
8 department of agriculture, trade and consumer protection if the officer's or employe's
9 acts are in good faith and in an apparently authorized and reasonable fulfillment of
10 his or her duties. This subsection does not limit any other person from claiming the
11 defense of privilege under s. 939.45 (3).

12 SECTION 150. 951.01 (1m) of the statutes is created to read:

13 951.01 (1m) "Conservation warden" means a warden appointed under s. 23.10.

14 SECTION 151. 951.015 of the statutes is renumbered 951.015 (1) and amended
15 to read:

16 951.015 (1) This chapter may not be interpreted as controverting any law
17 regulating ~~wild animals that are subject to regulation under ch. 22.~~ the taking of ~~a~~
18 ~~wild animal~~ wild animals, as defined in s. 29.001 (90), ~~the trapping of animals, the~~
19 ~~use of live animals in dog trials or in training of hunting dogs or the slaughter~~
20 of animals by persons acting under state or federal law.

21 SECTION 152. 951.015 (2) of the statutes is created to read:

22 951.015 (2) For purposes of enforcing this chapter as to wild animals subject
23 to regulation under ch. 22, a conservation warden has the same powers and duties
24 that a law enforcement officer has under this chapter.

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1 **SECTION 153.** 951.09 of the statutes is renumbered 951.09 (1) and amended to
2 read:

3 951.09 (1) No person may ~~instigate, promote, aid or abet as a principal, agent,~~
4 ~~employe, participant or spectator, or participate in the earnings from, or~~
5 ~~intentionally maintain or allow any place to be used for the shooting, killing or~~
6 ~~wounding~~ shoot, kill or wound with a firearm, or with any deadly weapon, any animal
7 that is tied, staked out, caged or otherwise intentionally confined in ~~a man-made~~ an
8 artificial enclosure, regardless of size. ~~Nothing in this section prohibits the shooting~~
9 ~~of any wild game in its wild state or the shooting of game birds and waterfowl at~~
10 ~~licensed game farms or licensed shooting preserves.~~

11 **SECTION 154.** 951.09 (2) of the statutes is created to read:

12 951.09 (2) (a) Whoever is concerned in the commission of a violation of this
13 section is a principal and may be charged with and convicted of the violation although
14 he or she did not directly commit it and although the person who directly committed
15 it has not been convicted of the violation.

16 (b) A person is concerned in the commission of a violation of this section under
17 par. (a) if the person does any of the following:

18 1. Instigates, promotes, aids or abets the violation as a principal, agent,
19 employe, participant or spectator.

20 2. Participates in any earnings from the commission of the violation.

21 3. Intentionally maintains or allows any place to be used for the commission
22 of the violation.

23 **SECTION 155.** 951.09 (3) of the statutes is created to read:

24 951.09 (3) This section does not apply to any of the following animals:

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1 (a) A white-tailed deer that is shot, killed or wounded as authorized under s.
2 **22.09 (2)** or 22.16 (5).

3 (b) A captive wild bird that is shot, killed or wounded as authorized under s.
4 **22.09 (2)**.

5 (c) Farm-raised deer, as defined in s. 95.001 (1) (a).

6 (d) Animals that are treated in accordance with normally acceptable
7 husbandry practices.

8 **SECTION 156.** 951.18 (4) (a) 2. of the statutes, as affected by 1997 Wisconsin Act
9 192, is amended to read:

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

21 **SECTION 157.** 951.18 (4) (b) 1. of the statutes, as affected by 1997 Wisconsin Act
22 192, is amended to read:

23 951.18 (4) (b) 1. A sentencing court may order that an animal be delivered to
24 the local humane officer or society or the county or municipal pound or to a law
25 enforcement officer if a person commits a crime under this chapter, the person is the

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1 owner of the animal that is involved in the crime and the court considers the order
2 to be reasonable and appropriate. A sentencing court may order that an animal be
3 delivered to the department of natural resources, if the animal is a wild animal that
4 is subject to regulation under ch. 22 and the court considers the order to be
5 reasonable and annronriate. The society, pound ~~or~~, officer or denartment of natural
6 resources shall release the animal to a person other than the owner or dispose of the
7 animal in a proper and humane manner. If the animal is a dog, the release or disposal
8 shall be in accordance with s. 173.23 (lm), except that the fees under s. 173.23 (1m)
9 (a) 4. do not apply if the expenses are covered under s. 173.24. If the animal is not
10 a dog, the society, pound or officer may charge a fee for the release of the animal.

11 **SECTION 158.** 973.05 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
12 is amended to read:

13 -973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
14 permission for the payment of the fine, of the penalty assessment imposed by s.
15 757.07, the jail assessment imposed by s. 302.46 (1), the crime victim and witness
16 assistance surcharge under s. 973.045, the crime laboratories and drug law
17 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid
18 analysis surcharge under s. 973.046, any applicable drug abuse program
19 improvement surcharge imposed by s. 961.41 (5), any applicable consumer
20 information assessment imposed by s. 100.261, any applicable domestic abuse
21 assessment imposed by s. 971.37 (lm) (c) 1. or 973.055, any applicable driver
22 improvement surcharge imposed by s. 346.655, any applicable enforcement
23 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed
24 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),
25 any applicable environmental assessment imposed by s. 299.93, any applicable wild

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1 animal protection assessment imposed by s. 29.983, any applicable natural resources
2 assessment imposed by s. ~~22.46 (1)~~ or 29.987 and any applicable natural resources
3 restitution payment imposed by s. ~~22.46 (2)~~ or 29.989 to be made within a period not
4 to exceed 60 days. If no such permission is embodied in the sentence, the fine, the
5 penalty assessment, the jail assessment, the crime victim and witness assistance
6 surcharge, the crime laboratories and drug law enforcement assessment, any
7 applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse
8 program improvement surcharge, any applicable consumer information assessment,
9 any applicable domestic abuse assessment, any applicable driver improvement
10 surcharge, any applicable enforcement assessment, any applicable weapons
11 assessment, any applicable uninsured employer assessment, any applicable
12 environmental assessment, any applicable wild animal protection assessment, any
13 applicable natural resources assessment and any applicable natural resources
14 restitution payment shall be payable immediately.

15 **SECTION 159. Effective dates.** This act takes effect on January 1, 2001, except
16 as follows:

17 (1) The treatment of sections 22.29, 22.34 and 22.35 of the statutes takes effect
18 on the day after publication.

19 (END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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Engrossment information:

The text of Engrossed 1999 Assembly Bill 684 consists of the following documents adopted in the assembly on March 7, 2000: Assembly Amendment 1 and Assembly Amendment 3. The text also includes the March 2, 2000, ~~CRB~~ correction to Assembly Amendment 1.

Content of Engrossed 1999 assembly bill 684:

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AA
chief clerk's

and the March 13, 2000,
chief clerk's correction
to assembly amendment 1

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1 49.857 (1) (d) 2., 59.25 (3) (f) 2., 59.40 (2) (m), 73.0301 (1) (d) 1., 93.07 (10) (b),
 2 167.31 (4) (b), 814.60 (2) (e), 895.57 (3), 943.75 (3), 951.18 (4) (a) 2., 951.18 (4)
 3 (b) 1. and 973.05 (1); **to repeal and recreate** 29.741 (title); and **to create**
 4 chapter 22, 23.51 (Id), 23.51 (9m), 23.795 (3), 29.011 (3), 29.192 (6), 29.351 (2),
 5 **29.354 (2)** (b), 29.354 (5), 29.501 (9m), 29.539 (7), 29.931 (4), 95.23 (5), 951.01
 6 (1m), 951.015 (2), 951.09 (2) and 951.09 (3) of the statutes; **relating to:** the
 7 possession of wild animals, enforcement of certain laws relating to
 8 mistreatment of wild animals, hunting of farm-raised deer, granting
 9 rule-making 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 and certain types of nonnative deer, game bird and animal farm licenses, pheasant and quail farm licenses and fur animal farm licenses (game farm licenses). Under current law, 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, a 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 numerous 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, including nonnative deer other than deer of the genus *dama*, rangifer or *cervus* (farm-raised deer) which are regulated by the department of agriculture, trade and consumer protection (DATCP).

2. A 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.

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

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

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

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

7. A rehabilitation license which authorizes the possession and rehabilitation and of live wild animals.

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

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

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

11. An initial validation license for which a person is eligible if the person holds a wildlife exhibit or game farm license at the time that this bill becomes law. This validation license authorizes the person to continue an activity that was authorized under the original wildlife exhibit or game farm license but that is no longer allowed under the provisions created in this bill.

12. A subsequent validation license for which a person is eligible if the person held a wildlife exhibit or game farm license at the time that this bill became law and if the person holds any necessary license under the provisions created in this bill. This validation license authorizes the person to continue an activity that was authorized under the original wildlife exhibit or game farm license and under the license needed under this bill's provisions but that is subsequently no longer allowed due to the promulgation of rules by DNR under DNR's authority to impose additional requirements on holders of these licenses.

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

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 are not affected by this bill. The bill also excludes domesticated animals. The bill defines "domesticated animals" to include certain types of pet birds, farm-raised deer, animals that are members of a species of wild animals but that are distinguishable from the wild members of the species due to long association with humans. The bill also requires DNR to promulgate a list of all other domesticated wild animals. DNR must include fur-bearing animals bred and raised in captivity on this list.

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 this state are exempt from the licensing requirements except for the following: certain nonnative deer, certain

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nonnative wild birds, endangered or threatened species that are native to other parts of the United States or Canada, nonnative inherently dangerous wild animals such as nonnative bear, 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 bill 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.

The bill authorizes DNR to promulgate rules to designate species of wild animals as environmentally injurious or 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.

HUNTING AND KILLING CAPTIVE WILD ANIMALS

Current law prohibits any person from killing or wounding with a deadly weapon any animal, wild or domesticated, that is intentionally confined. Confinement under current law includes being tied, staked out or held captive in an enclosure, regardless of size. Current law provides an exception to this prohibition for game farms licensed by DNR. The bill provides an exception for deer farms and bird hunting preserves licensed under provisions created in this bill. The bill also specifically exempts animals that are killed or wounded in accordance with normally acceptable animal husbandry practices.

Under current law, a conservation warden may not enforce the prohibition forbidding the killing or wounding of a confined animal with a deadly weapon and other provisions dealing with the treatment of captive animals. This bill specifically authorizes conservation wardens to enforce these provisions.

This bill also specifically prohibits hunting captive wild animals except under the authority of a deer farm license, a bird hunting preserve license or a dog training or trial license. The bill prohibits selling or purchasing the opportunity to hunt any captive wild animal except as authorized under a deer farm or a bird hunting preserve license.

The bill also requires DNR to allow hunting of farm-raised deer on farms that are registered with DNR. DNR may impose conditions on the hunting, and shall determine which hunting laws apply to the hunting, of farm-raised deer on these farms.

INTRODUCTION AND STOCKING OF WILD ANIMALS

Under current law, no person may import into this state a wild animal for stocking or releasing into the wild, or stock or release a wild animal, unless the person has 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

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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. At the request of any city, village or town (municipality) in an area in which wild animals are stocked or released, the person stocking or releasing the animals must report to the municipality the type, number and location of the wild animals involved.

**LICENSE FEES AND REQUIREMENTS, EFFECTIVE PERIODS
AND RECORD-KEEPING REQUIREMENTS**

The bill sets specific fees for these licenses. Under the bill, there is no fee for a rehabilitation license or either type of validation license.

Under the bill, periods of validity for the different types of licenses range from 30 days to five 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.

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The bill authorizes DNR to provide any necessary tags at cost.

Under current law, DNR must require a person who is applying for any type of fish or game approval to provide DNR with his or her social security number. These approvals include recreational hunting and fishing licenses as well as all other fish and game licenses such as game farm licenses and fish dealer and taxidermist permits. DNR must deny the application if the person refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) and to the department of revenue (DOR) so that DWD and DOR may determine whether the person is delinquent in child support or in payment of certain state taxes. These provisions apply to the licenses created in this bill.

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 seven 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. A wild animal is exempt from these requirements if

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it is being brought directly into this state for rehabilitation or for slaughter at an establishment licensed by DATCP

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 gives DATCP general authority to protect the health of captive wild animals.

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TAKING WILD ANIMALS INTO CUSTODY

This bill authorizes a conservation warden to take custody of a captive wild animal, on behalf of DNR, for various reasons. These reasons include the following:

1. The wild animal is a stray or is abandoned or unwanted.
2. The wild animal is possessed, stocked, exhibited propagated, rehabilitated, hunted, sold or purchased in violation of state laws or local ordinances regulating captive wildlife.
3. The wild animal is not confined as required by quarantine order or has been exposed to certain diseases.
4. The wild animal has caused damage to persons or property.
5. The wild animal is being housed or held in an inhumane manner.

The procedures under current fish and game law for the seizure and disposal of wild animals found in the wild apply to the taking into custody of captive wild animals.

LOCAL REGULATION

Under the bill, a municipality or county may enact and enforce ordinances prohibiting the possession or sale of live wild animals.

ENFORCEMENT AND PENALTIES

The bill gives DNR the specific authority to enter and inspect land, vehicles and buildings for the purpose of enforcement, to inspect wild animals that are to be stock or released into the wild and to have access to the records that must be kept by license holders. The bill limits this authority to normal business 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 also gives DATCP general authority to conduct inspections to enforce laws related to the health of captive wild animals. No limit is imposed on the hours when DATCP may conduct these inspections.

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.

The bill also requires DNR to cooperate with DATCP with respect to the laws governing captive wild animals and other animals regulated by DATCP



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

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(end)

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, as affected by 1999 Wisconsin Act
2 9, is amended to read:

3 20.370 (1) (mu) *General program operations — state funds.* The amounts in
4 the schedule for general program operations that do not relate to the management
5 and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203
6 and 30.277, subch. VI of ch. 77 and chs. 22, 26, 28 and 29 and for transfers to the
7 appropriation account under s. 20.285 (1) (kf).

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

9 20.370 (3) (mu) *General program operations — state funds.* The amounts in
10 the schedule for law enforcement operations under ss. 23.09 to 23.11 and 166.04 and
11 chs. 22, 29 and 30 and for review of environmental impact requirements under ss.
12 1.11 and 23.40.

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

CHAPTER 22

CAPTIVE WILDLIFE

14
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16 **22.01 Definitions.** In this chapter:

17 (1) "Animal" means any mammal or any bird, reptile, amphibian, mollusk,
18 arthropod or egg thereof, except that "animal" does not include any mollusk,
19 arthropod or egg thereof regulated under ch. 93 or 94.

20 (2) "Captive" means any of the following:

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