

SENATE BILL 55

SECTION 1059

1 *~~1622/2.19~~* SECTION 1059. 23.33 (2) (ir) of the statutes is created to read:

2 23.33 (2) (ir) *Fees*. 1. In addition to the applicable fee under par. (c), (d), or (e),
3 each agent appointed under par. (i) 3. shall collect an expedited service fee of \$3 each
4 time the agent issues a validated registration receipt under par. (ig) 1. a. The agent
5 shall retain the entire amount of each expedited service fee the agent collects.

6 2. In addition to the applicable fee under par. (c), (d), or (e), the department or
7 the agent appointed under par. (i) 3. shall collect an expedited service fee of \$3 each
8 time the expedited service under par. (ig) 1. b. is provided. The agent shall remit to
9 the department \$1 of each expedited service fee the agent collects.

10 *~~1622/2.20~~* SECTION 1060. 23.33 (2) (j) of the statutes is repealed.

11 *~~1622/2.21~~* SECTION 1061. 23.33 (2) (k) of the statutes is repealed.

12 *~~1622/2.22~~* SECTION 1062. 23.33 (2) (L) of the statutes is repealed.

13 *~~1622/2.23~~* SECTION 1063. 23.33 (2) (m) of the statutes is repealed.

14 *~~1622/2.24~~* SECTION 1064. 23.33 (2) (n) of the statutes is repealed.

15 *~~1622/2.25~~* SECTION 1065. 23.33 (2) (o) of the statutes is amended to read:

16 23.33 (2) (o) ~~*Renewals; remittal Receipt of fees. An agent appointed under par.*~~
17 ~~(m) shall remit to the department \$2 of each \$3 fee collected under par. (n). Any All~~
18 ~~fees remitted to or collected by the department under par. (L) or (n) (ir) shall be~~
19 ~~credited to the appropriation account under s. 20.370 (9) (hu).~~

20 *~~1622/2.26~~* SECTION 1066. 23.33 (2) (p) (title) and 1. of the statutes are
21 created to read:

22 23.33 (2) (p) (title) *Rules*. 1. The department may promulgate rules to establish
23 eligibility and other criteria for the appointment of agents under par. (i) 3. and to
24 regulate the activities of these agents.

25 *~~1394/2.6~~* SECTION 1067. 23.50 (1) of the statutes is amended to read:

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1 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit
2 court to recover forfeitures, penalty assessments, law enforcement training fund
3 assessments, jail assessments, applicable weapons assessments, applicable
4 environmental assessments, applicable wild animal protection assessments,
5 applicable natural resources assessments, applicable fishing shelter removal
6 assessments, applicable snowmobile registration restitution payments, and
7 applicable natural resources restitution payments for violations of ss. 77.09, 134.60,
8 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4),
9 287.07, 287.08, 287.81, and 299.64 (2), subch. VI of ch. 77, this chapter and chs. 26
10 to 31 and of ch. 350, and any administrative rules promulgated thereunder,
11 violations specified under s. 285.86, violations of rules of the Kickapoo reserve
12 management board under s. 41.41 (7) (k), or violations of local ordinances enacted
13 by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

14 ***-1394/2.7*** SECTION 1068. 23.50 (2) of the statutes is amended to read:

15 23.50 (2) All actions to recover these forfeitures, penalty assessments, law
16 enforcement training fund assessments, jail assessments, applicable weapons
17 assessments, applicable environmental assessments, applicable wild animal
18 protection assessments, applicable natural resources assessments, applicable
19 fishing shelter removal assessments, applicable snowmobile registration restitution
20 payments, and applicable natural resources restitution payments are civil actions
21 in the name of the state of Wisconsin, shall be heard in the circuit court for the county
22 where the offense occurred, and shall be recovered under the procedure set forth in
23 ss. 23.50 to 23.85.

24 ***-1394/2.8*** SECTION 1069. 23.50 (3) of the statutes is amended to read:

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1 23.50 (3) All actions in municipal court to recover forfeitures, penalty
2 assessments, law enforcement training fund assessments, and jail assessments for
3 violations of local ordinances enacted by any local authority in accordance with s.
4 23.33 (11) (am) or 30.77 shall utilize the procedure in ch. 800. The actions shall be
5 brought before the municipal court having jurisdiction. Provisions relating to
6 citations, arrests, questioning, releases, searches, deposits, and stipulations of no
7 contest in ss. 23.51 (1), (3), and (8), 23.53, 23.54, 23.56 to 23.64, 23.66, and 23.67 shall
8 apply to violations of such ordinances.

9 ***-1394/2.9*** SECTION 1070. 23.51 (3t) of the statutes is created to read:

10 23.51 (3t) “Law enforcement training fund assessment” means the assessment
11 imposed under s. 165.87 (1).

12 ***-1394/2.10*** SECTION 1071. 23.51 (8) of the statutes is amended to read:

13 23.51 (8) “Violation” means conduct which is prohibited by state law or
14 municipal ordinance and punishable by a forfeiture, a penalty assessment, a law
15 enforcement training fund assessment, a jail assessment, and a crime laboratories
16 and drug law enforcement assessment.

17 ***-1394/2.11*** SECTION 1072. 23.53 (1) of the statutes is amended to read:

18 23.53 (1) The citation created under this section shall, in all actions to recover
19 forfeitures, penalty assessments, law enforcement training fund assessments, jail
20 assessments, applicable weapons assessments, applicable environmental
21 assessments, applicable wild animal protection assessments, applicable natural
22 resources assessments, applicable fishing shelter removal assessments, applicable
23 snowmobile registration restitution payments, and applicable natural resources
24 restitution payments for violations of those statutes enumerated in s. 23.50 (1), any
25 administrative rules promulgated thereunder, and any rule of the Kickapoo reserve

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1 management board under s. 41.41 (7) (k) be used by any law enforcement officer with
2 authority to enforce those laws, except that the uniform traffic citation created under
3 s. 345.11 may be used by a traffic officer employed under s. 110.07 in enforcing s.
4 167.31 or by an officer of a law enforcement agency of a municipality or county or a
5 traffic officer employed under s. 110.07 in enforcing s. 287.81. In accordance with s.
6 345.11 (1m), the citation shall not be used for violations of ch. 350 relating to highway
7 use. The citation may be used for violations of local ordinances enacted by any local
8 authority in accordance with s. 23.33 (11) (am) or 30.77.

9 ***-1394/2.12* SECTION 1073.** 23.54 (3) (e) of the statutes is amended to read:

10 23.54 (3) (e) The maximum forfeiture, penalty assessment, law enforcement
11 training fund assessment, jail assessment, crime laboratories and drug law
12 enforcement assessment, applicable weapons assessment, applicable environmental
13 assessment, applicable wild animal protection assessment, applicable natural
14 resources assessment, applicable fishing shelter removal assessment, applicable
15 snowmobile registration restitution payment, and applicable natural resources
16 restitution payment for which the defendant might be found liable.

17 ***-1394/2.13* SECTION 1074.** 23.54 (3) (i) of the statutes is amended to read:

18 23.54 (3) (i) Notice that, if the defendant makes a deposit and fails to appear
19 in court at the time fixed in the citation, the defendant will be deemed to have
20 tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a
21 law enforcement training fund assessment, a jail assessment, a crime laboratories
22 and drug law enforcement assessment, any applicable weapons assessment, any
23 applicable environmental assessment, any applicable wild animal protection
24 assessment, any applicable natural resources assessment, any applicable fishing
25 shelter removal assessment, any applicable snowmobile registration restitution

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1 payment, and any applicable natural resources restitution payment plus costs,
2 including any applicable fees prescribed in ch. 814, not to exceed the amount of the
3 deposit. The notice shall also state that the court may decide to summon the
4 defendant rather than accept the deposit and plea.

5 ***-1394/2.14* SECTION 1075.** 23.54 (3) (j) of the statutes is amended to read:

6 23.54 (3) (j) Notice that, if the defendant makes a deposit and signs the
7 stipulation, the defendant will be deemed to have tendered a plea of no contest and
8 submitted to a forfeiture, a penalty assessment, a law enforcement training fund
9 assessment, a jail assessment, a crime laboratories and drug law enforcement
10 assessment, any applicable weapons assessment, any applicable environmental
11 assessment, any applicable wild animal protection assessment, any applicable
12 natural resources assessment, any applicable fishing shelter removal assessment,
13 any applicable snowmobile registration restitution payment, and any applicable
14 natural resources restitution payment plus costs, including any applicable fees
15 prescribed in ch. 814, not to exceed the amount of the deposit. The notice shall also
16 state that the court may decide to summon the defendant rather than accept the
17 deposit and stipulation, and that the defendant may, at any time prior to or at the
18 time of the court appearance date, move the court for relief from the effects of the
19 stipulation.

20 ***-1394/2.15* SECTION 1076.** 23.55 (1) (b) of the statutes is amended to read:

21 23.55 (1) (b) A plain and concise statement of the violation identifying the event
22 or occurrence from which the violation arose and showing that the plaintiff is entitled
23 to relief, the statute upon which the cause of action is based, and a demand for a
24 forfeiture, the amount of which shall not exceed the maximum set by the statute
25 involved, a penalty assessment, a law enforcement training fund assessment, a jail

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1 assessment, a crime laboratories and drug law enforcement assessment, any
2 applicable weapons assessment, any applicable environmental assessment, any
3 applicable wild animal protection assessment, any applicable natural resources
4 assessment, any applicable fishing shelter removal assessment, any applicable
5 snowmobile registration restitution payment, any applicable natural resources
6 restitution payment, and any other relief that is sought by the plaintiff.

7 ***-1394/2.16* SECTION 1077.** 23.66 (2) of the statutes is amended to read:

8 23.66 (2) The person receiving the deposit shall prepare a receipt in triplicate
9 showing the purpose for which the deposit is made, stating that the defendant may
10 inquire at the office of the clerk of court or municipal court regarding the disposition
11 of the deposit, and notifying the defendant that if he or she fails to appear in court
12 at the time fixed in the citation he or she will be deemed to have tendered a plea of
13 no contest and submitted to a forfeiture, a penalty assessment, a law enforcement
14 training fund assessment, a jail assessment, a crime laboratories and drug law
15 enforcement assessment, any applicable weapons assessment, any applicable
16 environmental assessment, any applicable wild animal protection assessment, any
17 applicable natural resources assessment, any applicable fishing shelter removal
18 assessment, any applicable snowmobile registration restitution payment, and any
19 applicable natural resources restitution payment plus costs, including any
20 applicable fees prescribed in ch. 814, not to exceed the amount of the deposit which
21 the court may accept. The original of the receipt shall be delivered to the defendant
22 in person or by mail. If the defendant pays by check, share draft, or other draft, the
23 check, share draft, or other draft or a microfilm copy of the check, share draft, or other
24 draft shall be considered a receipt. If the defendant makes the deposit by use of a
25 credit card, the credit charge receipt shall be considered a receipt.

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1 ***-1394/2.17*** **SECTION 1078.** 23.66 (4) of the statutes is amended to read:

2 23.66 (4) The basic amount of the deposit shall be determined in accordance
3 with a deposit schedule that the judicial conference shall establish. Annually, the
4 judicial conference shall review and may revise the schedule. In addition to the basic
5 amount determined according to the schedule, the deposit shall include court costs,
6 including any applicable fees prescribed in ch. 814, any applicable penalty
7 assessment, any applicable law enforcement training fund assessment, any
8 applicable jail assessment, any applicable crime laboratories and drug law
9 enforcement assessment, any applicable weapons assessment, any applicable
10 environmental assessment, any applicable wild animal protection assessment, any
11 applicable natural resources assessment, any applicable fishing shelter removal
12 assessment, any applicable snowmobile registration restitution payment, and any
13 applicable natural resources restitution payment.

14 ***-1394/2.18*** **SECTION 1079.** 23.67 (2) of the statutes is amended to read:

15 23.67 (2) The deposit and stipulation of no contest may be made at any time
16 prior to the court appearance date. By signing the stipulation, the defendant is
17 deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty
18 assessment, a law enforcement training fund assessment, a jail assessment, a crime
19 laboratories and drug law enforcement assessment, any applicable weapons
20 assessment, any applicable environmental assessment, any applicable wild animal
21 protection assessment, any applicable natural resources assessment, any applicable
22 fishing shelter removal assessment, any applicable snowmobile registration
23 restitution payment, and any applicable natural resources restitution payment plus
24 costs, including any applicable fees prescribed in ch. 814, not to exceed the amount
25 of the deposit.

SENATE BILL 55**SECTION 1080**

1 ***-1394/2.19*** **SECTION 1080.** 23.67 (3) of the statutes is amended to read:

2 23.67 (3) The person receiving the deposit and stipulation of no contest shall
3 prepare a receipt in triplicate showing the purpose for which the deposit is made,
4 stating that the defendant may inquire at the office of the clerk of court or municipal
5 court regarding the disposition of the deposit, and notifying the defendant that if the
6 stipulation of no contest is accepted by the court the defendant will be deemed to have
7 submitted to a forfeiture, a penalty assessment, a law enforcement training fund
8 assessment, a jail assessment, a crime laboratories and drug law enforcement
9 assessment, any applicable weapons assessment, any applicable environmental
10 assessment, any applicable wild animal protection assessment, any applicable
11 natural resources assessment, any applicable fishing shelter removal assessment,
12 any applicable snowmobile registration restitution payment, and any applicable
13 natural resources restitution payment plus costs, including any applicable fees
14 prescribed in ch. 814, not to exceed the amount of the deposit. Delivery of the receipt
15 shall be made in the same manner as in s. 23.66.

16 ***-1394/2.20*** **SECTION 1081.** 23.75 (3) (a) 2. of the statutes is amended to read:

17 23.75 (3) (a) 2. If the court considers the nonappearance to be a plea of no
18 contest and enters judgment accordingly, the court shall promptly mail a copy or
19 notice of the judgment to the defendant. The judgment shall allow the defendant not
20 less than 20 working days from the date the judgment copy or notice is mailed to pay
21 the forfeiture, penalty assessment, law enforcement training fund assessment, jail
22 assessment, and crime laboratories and drug law enforcement assessment, any
23 applicable weapons assessment, any applicable environmental assessment, any
24 applicable wild animal protection assessment, any applicable natural resources
25 assessment, any applicable fishing shelter removal assessment, any applicable

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1 snowmobile registration restitution payment, and any applicable natural resources
2 restitution payment plus costs, including any applicable fees prescribed in ch. 814.

3 ***-1394/2.21* SECTION 1082.** 23.75 (3) (b) of the statutes is amended to read:

4 23.75 (3) (b) If the defendant has made a deposit, the citation may serve as the
5 initial pleading and the defendant shall be deemed to have tendered a plea of no
6 contest and submitted to a forfeiture, a penalty assessment, a law enforcement
7 training fund assessment, a jail assessment, a crime laboratories and drug law
8 enforcement assessment, any applicable weapons assessment, any applicable
9 environmental assessment, any applicable wild animal protection assessment, any
10 applicable natural resources assessment, any applicable fishing shelter removal
11 assessment, any applicable snowmobile registration restitution payment, and any
12 applicable natural resources restitution payment plus any applicable fees prescribed
13 in ch. 814, not exceeding the amount of the deposit. The court may either accept the
14 plea of no contest and enter judgment accordingly, or reject the plea and issue a
15 summons. If the defendant fails to appear in response to the summons, the court
16 shall issue an arrest warrant. If the court accepts the plea of no contest, the
17 defendant may move within 90 days after the date set for appearance to withdraw
18 the plea of no contest, open the judgment, and enter a plea of not guilty if the
19 defendant shows to the satisfaction of the court that failure to appear was due to
20 mistake, inadvertence, surprise, or excusable neglect. If a party is relieved from the
21 plea of no contest, the court or judge may order a written complaint to be filed and
22 set the matter for trial. After trial the costs and fees shall be taxed as provided by
23 law. If on reopening the defendant is found not guilty, the court shall delete the
24 record of conviction and shall order the defendant's deposit returned.

25 ***-1394/2.22* SECTION 1083.** 23.75 (3) (c) of the statutes is amended to read:

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1 23.75 (3) (c) If the defendant has made a deposit and stipulation of no contest,
2 the citation may serve as the initial pleading and the defendant shall be deemed to
3 have tendered a plea of no contest and submitted to a forfeiture, a penalty
4 assessment, a law enforcement training fund assessment, a jail assessment, a crime
5 laboratories and drug law enforcement assessment, any applicable weapons
6 assessment, any applicable environmental assessment, any applicable wild animal
7 protection assessment, any applicable natural resources assessment, any applicable
8 fishing shelter removal assessment, any applicable snowmobile registration
9 restitution payment, and any applicable natural resources restitution payment plus
10 any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit.
11 The court may either accept the plea of no contest and enter judgment accordingly,
12 or reject the plea and issue a summons. If the defendant fails to appear in response
13 to the summons, the court shall issue an arrest warrant. After signing a stipulation
14 of no contest, the defendant may, at any time prior to or at the time of the court
15 appearance date, move the court for relief from the effect of the stipulation. The court
16 may act on the motion, with or without notice, for cause shown by affidavit and upon
17 just terms, and relieve the defendant from the stipulation and the effects thereof.
18 If the defendant is relieved from the stipulation of no contest, the court may order
19 a citation or complaint to be filed and set the matter for trial. After trial the costs
20 and fees shall be taxed as provided by law.

21 *~~1394/2.23~~* **SECTION 1084.** 23.79 (1) of the statutes is amended to read:

22 23.79 (1) If the defendant is found guilty, the court may enter judgment against
23 the defendant for a monetary amount not to exceed the maximum forfeiture provided
24 by the statute for the violation, the penalty assessment, the law enforcement
25 training fund assessment, the jail assessment, the crime laboratories and drug law

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1 enforcement assessment, any applicable weapons assessment, any applicable
2 environmental assessment, any applicable wild animal protection assessment, any
3 applicable natural resources assessment, any applicable fishing shelter removal
4 assessment, any applicable snowmobile registration restitution payment, any
5 applicable natural resources restitution payment, and for costs.

6 ***-1394/2.24* SECTION 1085.** 23.80 (2) of the statutes is amended to read:

7 23.80 (2) Upon default of the defendant corporation or municipality, or upon
8 conviction, judgment for the amount of the forfeiture, the penalty assessment, the
9 law enforcement training fund assessment, the jail assessment, the crime
10 laboratories and drug law enforcement assessment, any applicable weapons
11 assessment, any applicable environmental assessment, any applicable wild animal
12 protection assessment, any applicable natural resources assessment, any applicable
13 fishing shelter removal assessment, any applicable snowmobile registration
14 restitution payment, and any applicable natural resources restitution payment shall
15 be entered.

16 ***-1394/2.25* SECTION 1086.** 23.84 of the statutes is amended to read:

17 **23.84 Forfeitures and assessments collected; to whom paid.** Except for
18 actions in municipal court, all moneys collected in favor of the state or a municipality
19 for forfeiture, penalty assessment, law enforcement training fund assessment, jail
20 assessment, crime laboratories and drug law enforcement assessment, applicable
21 weapons assessment, applicable environmental assessment, applicable wild animal
22 protection assessment, applicable natural resources assessment, applicable fishing
23 shelter removal assessment, applicable snowmobile registration restitution
24 payment, and applicable natural resources restitution payment shall be paid by the
25 officer who collects the same to the appropriate municipal or county treasurer, within

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1 20 days after its receipt by the officer, except that all jail assessments shall be paid
2 to the county treasurer. In case of any failure in the payment, the municipal or
3 county treasurer may collect the payment from the officer by an action in the
4 treasurer's name of office and upon the official bond of the officer, with interest at the
5 rate of 12% per year from the time when it should have been paid.

6 ***-1394/2.26*** SECTION 1087. 23.85 of the statutes is amended to read:

7 **23.85 Statement to county board; payment to state.** Every county
8 treasurer shall, on the first day of the annual meeting of the county board of
9 supervisors, submit to it a verified statement of all forfeitures, penalty assessments,
10 law enforcement training fund assessments, jail assessments, weapons
11 assessments, environmental assessments, wild animal protection assessments,
12 natural resources assessments, fishing shelter removal assessments, snowmobile
13 registration restitution payments, and natural resources restitution payments
14 money received during the previous year. The county clerk shall deduct all expenses
15 incurred by the county in recovering those forfeitures, penalty assessments, law
16 enforcement training fund assessments, weapons assessments, environmental
17 assessments, wild animal protection assessments, natural resources assessments,
18 fishing shelter removal assessments, snowmobile registration restitution payments,
19 and natural resources restitution payments from the aggregate amount so received,
20 and shall immediately certify the amount of clear proceeds of those forfeitures,
21 penalty assessments, law enforcement training fund assessments, weapons
22 assessments, environmental assessments, wild animal protection assessments,
23 natural resources assessments, fishing shelter removal assessments, snowmobile
24 registration restitution payments, and natural resources restitution payments to the

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1 county treasurer, who shall pay the proceeds to the state treasurer as provided in s.
2 59.25 (3). Jail assessments shall be treated separately as provided in s. 302.46.

3 ***-1860/1.1* SECTION 1088.** 24.60 (1v) of the statutes is created to read:

4 24.60 (1v) Federated public library system means a federated public library
5 system whose territory lies within 2 or more counties.

6 ***-1860/1.2* SECTION 1089.** 24.61 (3) (a) 11. of the statutes is created to read:

7 24.61 (3) (a) 11. A federated public library system, as provided under s. 43.17
8 (9) (b) or otherwise authorized by law.

9 ***-1860/1.3* SECTION 1090.** 24.61 (3) (b) of the statutes is amended to read:

10 24.61 (3) (b) *Terms; conditions.* A municipality or cooperative educational
11 service agency, or federated public library system may obtain a state trust fund loan
12 for the sum of money, for the time and upon the conditions as may be agreed upon
13 between the board and the borrower, subject to the limitations, restrictions, and
14 conditions set forth in this subchapter.

15 ***-1860/1.4* SECTION 1091.** 24.63 (2r) of the statutes is created to read:

16 24.63 (2r) **FEDERATED PUBLIC LIBRARY SYSTEM LOANS.** A state trust fund loan to
17 a federated public library system may be made for any term, not exceeding 20 years,
18 that is agreed upon between the federated public library system and the board and
19 may be made for a total amount that, together with all other indebtedness of the
20 federated public library system, does not exceed the federated public library system's
21 allowable indebtedness under s. 43.17 (9) (b).

22 ***-1598/1.1* SECTION 1092.** 24.66 (3) (b) of the statutes is amended to read:

23 24.66 (3) (b) *For long-term loans by unified school districts.* Every application
24 for a loan, the required repayment of which exceeds 10 years, shall be approved and
25 authorized for a unified school district by a majority vote of the members of the school

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1 board at a regular or special meeting of the school board. Every vote so required shall
2 be by ayes and noes duly recorded. In addition, the application shall be approved for
3 a unified school district by a majority vote of the electors of the school district at a
4 ~~special election~~ referendum as provided under sub. (4) (b).

5 ***-1860/1.5* SECTION 1093.** 24.66 (3v) of the statutes is created to read:

6 24.66 (3v) FOR FEDERATED PUBLIC LIBRARY SYSTEMS. An application for a loan by
7 a federated public library system shall be accompanied by a certified copy of a
8 resolution of the board of the federated public library system approving the loan.

9 ***-1598/1.2* SECTION 1094.** 24.66 (4) of the statutes is renumbered 24.66 (4) (a)
10 and amended to read:

11 24.66 (4) (a) If any municipality other than a school district is not empowered
12 by law to incur indebtedness for a particular purpose without first submitting the
13 question to its electors, the application for a state trust fund loan for that purpose
14 must be approved and authorized by a majority vote of the electors at a special
15 election called, noticed and held in the manner provided for other special elections.
16 The question to be voted on shall be filed as provided in s. 8.37. The notice of the
17 election shall state the amount of the proposed loan and the purpose for which it will
18 be used.

19 ***-1598/1.3* SECTION 1095.** 24.66 (4) (b) of the statutes is created to read:

20 24.66 (4) (b) If any school district is not empowered by law to incur
21 indebtedness for a particular purpose without first submitting the question to its
22 electors, the application for a state trust fund loan for that purpose must be approved
23 and authorized by a majority vote of the electors at the next regularly scheduled
24 spring election or general election that occurs not sooner than 42 days after the filing
25 of the resolution under sub. (5) or at a special election held on the Tuesday after the

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1 first Monday in November in an odd-numbered year if that date occurs not sooner
2 than 42 days after the filing of the resolution under sub. (5). The referendum shall
3 be called, noticed, and held in the manner provided for other referenda. The notice
4 of the referendum shall state the amount of the proposed loan and the purpose for
5 which it will be used.

6 ***-1860/1.6* SECTION 1096.** 24.67 (1) (intro.) of the statutes is amended to read:

7 24.67 (1) (intro.) If the board approves the application, it shall cause
8 certificates of indebtedness to be prepared in proper form and transmitted to the
9 municipality ~~or~~, cooperative educational service agency, or federated public library
10 system submitting the application. The certificate of indebtedness shall be executed
11 and signed:

12 ***-1860/1.7* SECTION 1097.** 24.67 (1) (m) of the statutes is created to read:

13 24.67 (1) (m) For a federated public library system, by its president.

14 ***-1860/1.8* SECTION 1098.** 24.67 (2) (h) of the statutes is created to read:

15 24.67 (2) (h) For a federated public library system, by a member of the
16 federated public library system board designated by that board who is not the
17 president of that board.

18 ***-1860/1.9* SECTION 1099.** 24.67 (3) of the statutes is amended to read:

19 24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that
20 fact to the department of administration. Upon receiving a certification from a
21 municipality, or upon direction of the board if a loan is made to a cooperative
22 educational service agency or a federated public library system, the secretary of
23 administration shall draw a warrant upon the state treasurer for the amount of the
24 loan, payable to the treasurer of the municipality ~~or~~, cooperative educational service
25 agency, or federated public library system making the loan or as the treasurer of the

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1 municipality or cooperative educational service agency, or federated public library
2 system directs. The certificate of indebtedness shall then be conclusive evidence of
3 the validity of the indebtedness and that all the requirements of law concerning the
4 application for the making and acceptance of the loan have been complied with.

5 ***-1860/1.10* SECTION 1100.** 24.70 (1) of the statutes is amended to read:

6 24.70 (1) APPLICABILITY. This section applies to all outstanding state trust fund
7 loans to borrowers other than school districts and federated public library systems.

8 ***-1860/1.11* SECTION 1101.** 24.715 of the statutes is created to read:

9 **24.715 Collections from federated public library systems. (1)**
10 APPLICABILITY. This section applies to all outstanding trust fund loans to federated
11 public library systems.

12 (2) CERTIFIED STATEMENT. If a federated public library system has a state trust
13 fund loan, the board shall transmit to the system board a certified statement of the
14 amount due on or before October 1 of each year until the loan is paid. The board shall
15 furnish a copy of each certified statement to the state treasurer and the department
16 of public instruction.

17 (3) PAYMENT TO STATE TREASURER. The system board shall transmit to the state
18 treasurer on its own order the full amount levied for state trust fund loans within 15
19 days after March 15. The state treasurer shall notify the board when he or she
20 receives payment. Any payment not made by March 30 is delinquent and is subject
21 to a penalty of one percent per month or fraction thereof, to be paid to the state
22 treasurer with the delinquent payment.

23 (4) FAILURE TO MAKE PAYMENT. If the system board fails to remit the amounts
24 due under sub. (3), the state superintendent, upon certification of delinquency by the
25 board, shall deduct the amount due including any penalty from any aid payments

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1 due the system, shall remit such amount to the state treasurer and, no later than
2 June 15, shall notify the system board and the board to that effect.

3 ***-1528/8.11* SECTION 1102.** 25.14 (1) (a) 15. of the statutes is created to read:
4 25.14 (1) (a) 15. The permanent endowment fund.

5 ***-1528/8.12* SECTION 1103.** 25.15 (2) (intro.) of the statutes is amended to
6 read:

7 25.15 (2) STANDARD OF RESPONSIBILITY. (intro.) The Except as provided in s.
8 25.18 (1) (p), the standard of responsibility applied to the board when it invests
9 money or property shall be all of the following:

10 ***-0392/3.10* SECTION 1104.** 25.17 (1) (ag) of the statutes is created to read:

11 25.17 (1) (ag) Agricultural producer security fund (s. 25.463);

12 ***-1553/2.16* SECTION 1105.** 25.17 (1) (ee) of the statutes is repealed.

13 ***-1695/4.3* SECTION 1106.** 25.17 (1) (eq) of the statutes is created to read:

14 25.17 (1) (eq) Farm rewiring fund (s. 25.98);

15 ***-0403/1.1* SECTION 1107.** 25.17 (1) (f) of the statutes is repealed.

16 ***-1627/4.3* SECTION 1108.** 25.17 (1) (jv) of the statutes is created to read:

17 25.17 (1) (jv) Medical assistance trust fund (s. 25.77);

18 ***-1528/8.13* SECTION 1109.** 25.17 (1) (kr) of the statutes is created to read:

19 25.17 (1) (kr) Permanent endowment fund (s. 25.69);

20 ***-1256/5.5* SECTION 1110.** 25.17 (1) (te) of the statutes is created to read:

21 25.17 (1) (te) Tax relief fund (s. 25.63);

22 ***-1528/8.14* SECTION 1111.** 25.17 (16) of the statutes is created to read:

23 25.17 (16) (a) Annually, after June 1 but not later than June 15, beginning in
24 2004, calculate the amount of moneys that are available in the permanent
25 endowment fund for transfer to the general fund under s. 16.519. For the purpose

SENATE BILL 55**SECTION 1111**

1 of this calculation, moneys that are available in the permanent endowment fund for
2 transfer to the general fund shall equal the sum of the following:

3 1. An amount that equals 8.5% of the market value of the investments in the
4 permanent endowment fund on June 1. For the purpose of making the calculation
5 under this subdivision, the board shall not include any amounts or investments
6 specified in subds. 2. and 3.

7 2. All proceeds of, and investment earnings on, investments of the permanent
8 endowment fund made at the direction of the secretary of administration under s.
9 25.18 (1) (p) that are received in the fiscal year.

10 3. All other amounts identified by the secretary of administration as payments
11 of residual interests to the state from the sale of the state's right to receive payments
12 under the Attorneys General Master Tobacco Settlement Agreement of November
13 23, 1998, that are received in the fiscal year.

14 (b) Annually, beginning in 2004, submit to the secretary of administration and
15 to the chief clerk of each house, for distribution to the appropriate standing
16 committees under s. 13.172 (3), a report specifying the amount of moneys that are
17 available in the permanent endowment fund for transfer to the general fund under
18 s. 16.519.

19 ***-1528/8.15* SECTION 1112.** 25.18 (1) (o) of the statutes is created to read:

20 25.18 (1) (o) Invest any of the assets of the permanent endowment fund in any
21 investment that is an authorized investment for assets in the fixed retirement
22 investment trust under s. 25.17 (4) or assets in the variable retirement investment
23 trust under s. 25.17 (5).

24 ***-1528/8.16* SECTION 1113.** 25.18 (1) (p) of the statutes is created to read:

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1 25.18 (1) (p) 1. If directed by the secretary of administration, invest any of the
2 assets in the permanent endowment fund in any of the following:

3 a. Evidences of indebtedness, including subordinated obligations, that are
4 secured by tobacco settlement revenues, as defined in s. 16.63 (1) (c), and that are
5 issued by a corporation or company established under s. 16.63 (3) or 231.215 or by
6 the Wisconsin health and educational facilities authority.

7 b. Certificates or other evidences of ownership interest in all or any portion of
8 tobacco settlement revenues, as defined in s. 16.63 (1) (c).

9 2. If directed by the secretary of administration to make the investments under
10 subd. 1., the board shall invest the assets under that subdivision subject to any terms
11 and conditions specified by the secretary and shall not be subject to the standard of
12 responsibility under s. 25.15 (2).

13 *~~1044/2.2~~* **SECTION 1114.** 25.29 (3) (intro.) of the statutes is renumbered
14 25.29 (3) and amended to read:

15 25.29 (3) Funds accruing to the conservation fund from license fees paid by
16 hunters and from sport and recreation fishing license fees shall not be diverted for
17 any other purpose than those ~~provided by the department, except: the~~
18 administration of the department when it is exercising its responsibilities that are
19 specific to the management of the fish and wildlife resources of this state.

20 *~~1044/2.3~~* **SECTION 1115.** 25.29 (3) (a) of the statutes is repealed.

21 *~~1044/2.4~~* **SECTION 1116.** 25.29 (3) (b) of the statutes is repealed.

22 *~~1044/2.5~~* **SECTION 1117.** 25.29 (3) (c) of the statutes is repealed.

23 *~~1044/2.6~~* **SECTION 1118.** 25.29 (4m) of the statutes is amended to read:

24 25.29 (4m) ~~Notwithstanding sub. (3), no~~ No moneys that accrue to the state for
25 or in behalf of the department under ch. 29 may be expended or paid for the

SENATE BILL 55**SECTION 1118**

1 enforcement of the treaty-based, off-reservation rights to fish held by members of
2 federally recognized American Indian tribes or bands domiciled in Wisconsin.

3 ***-1044/2.7* SECTION 1119.** 25.29 (6) of the statutes is amended to read:

4 25.29 (6) All moneys received from the United States for fire prevention and
5 control, forest planting, and other forestry activities, and for wildlife restoration
6 projects and fish restoration and management projects, and for other purposes, and
7 as provided in s. ~~29.037~~, shall be devoted to the purposes for which these moneys are
8 received.

9 ***-0734/1.5* SECTION 1120.** 25.36 (1) of the statutes is amended to read:

10 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
11 by law shall constitute the veterans trust fund which shall be used for the veterans
12 programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm), ~~45.01~~
13 45.014, 45.25, 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and 45.43 (7) and
14 administered by the department of veterans affairs, including all moneys received
15 from the federal government for the benefit of veterans or their dependents; all
16 moneys paid as interest on and repayment of loans under the post-war
17 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
18 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
19 under this fund; all moneys paid as expenses for, interest on, and repayment of
20 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid
21 as expenses for, interest on, and repayment of veterans personal loans; the net
22 proceeds from the sale of mortgaged properties related to veterans personal loans;
23 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
24 issuance purchased with moneys in the veterans trust fund; all moneys received from
25 the state investment board under s. 45.356 (9) (b); all moneys received from the

SENATE BILL 55**SECTION 1120**

1 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
2 of money received by the board of veterans affairs for the purposes of this fund.

3 ***-0578/2.3* SECTION 1121.** 25.40 (1) (a) 4m. of the statutes is created to read:

4 25.40 (1) (a) 4m. Moneys received from telecommunications providers or cable
5 telecommunications service providers that are deposited in the general fund and
6 credited to the appropriation account under s. 20.395 (3) (jh).

7 ***-0768/1.2* SECTION 1122.** 25.40 (1) (a) 21. of the statutes is created to read:

8 25.40 (1) (a) 21. Moneys received as payment for losses of and damage to state
9 property for costs associated with repair or replacement of such property that are
10 deposited in the general fund and credited to the appropriation account under s.
11 20.395 (3) (jj).

12 ***-0832/5.8* SECTION 1123.** 25.40 (1) (cd) of the statutes is created to read:

13 25.40 (1) (cd) Taxes on the sale and use of noncommercial aircraft under ch. 77
14 as determined under s. 77.65.

15 ***-0403/1.2* SECTION 1124.** 25.44 of the statutes is repealed.

16 ***-0862/5.32* SECTION 1125.** 25.46 (1k) of the statutes is created to read:

17 25.46 (1k) The moneys transferred under s. 20.505 (8) (hm) 20.

****NOTE: The Indian gaming moneys transferred under this SECTION are to fund
the program included in LRB-1864. If LRB-1864 is not included in the budget bill, this
SECTION should be deleted.

18 ***-1813/4.11* SECTION 1126.** 25.46 (1m) of the statutes is repealed.

19 ***-0357/3.2* SECTION 1127.** 25.46 (20) of the statutes is created to read:

20 25.46 (20) All moneys received in settlement of actions initiated under 42 USC
21 9601 to 9675 for environmental management.

22 ***-0392/3.11* SECTION 1128.** 25.463 of the statutes is created to read:

SENATE BILL 55**SECTION 1128**

1 **25.463 Agricultural producer security fund.** There is established a
2 separate nonlapsible trust fund designated as the agricultural producer security
3 fund, to consist of all fees, surcharges, assessments, reimbursements, and proceeds
4 of surety bonds received by the department of agriculture, trade and consumer
5 protection under ch. 126.

6 ***-0664/2.1*** **SECTION 1129.** 25.47 (7) of the statutes is created to read:

7 25.47 (7) The fees imposed under s. 101.09 (3) (d).

8 ***-1744/3.4*** **SECTION 1130.** 25.50 (3) (b) of the statutes is amended to read:

9 25.50 (3) (b) On the dates specified and to the extent to which they are
10 available, subject to s. 16.53 (10), funds payable to local governments under ss. 79.03,
11 79.04, 79.05, 79.058, 79.06, 79.065, 79.08, and 79.10 shall be considered local funds
12 and, pursuant to the instructions of local officials, may be paid into the separate
13 accounts of all local governments established in the local government
14 pooled-investment fund and, pursuant to the instructions of local officials, to the
15 extent to which they are available, be disbursed or invested.

16 ***-1256/5.6*** **SECTION 1131.** 25.60 of the statutes is repealed and recreated to
17 read:

18 **25.60 Budget stabilization fund.** There is created a separate nonlapsible
19 trust fund designated as the budget stabilization fund, consisting of moneys
20 transferred to the fund from the general fund under s. 16.518 (3).

21 ***-1823/3.15*** **SECTION 1132.** 25.61 of the statutes is amended to read:

22 **25.61 VendorNet fund.** There is created a separate nonlapsible trust fund
23 designated as the VendorNet fund consisting of all revenues accruing to the state
24 from fees assessed under ~~s.~~ ss. 16.701 and 16.702 (1) and from gifts, grants, and

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1 bequests made for the purposes of ~~s. ss.~~ ss. 16.701 and 16.702 (1) and moneys transferred
2 to the fund from other funds.

3 ***-1256/5.7* SECTION 1133.** 25.63 of the statutes is created to read:

4 **25.63 Tax relief fund.** There is created a separate nonlapsible trust fund
5 designated as the tax relief fund, consisting of moneys transferred to the fund from
6 the general fund under s. 16.518 (4).

7 ***-1205/4.1* SECTION 1134.** 25.66 (1) of the statutes is renumbered 25.66 (1)
8 (intro.) and amended to read:

9 25.66 (1) (intro.) There is created a separate nonlapsible trust fund, known as
10 the tobacco control fund, to consist of, ~~in fiscal year 1999-2000~~, the following:

11 (a) The first \$23,500,000 of the moneys received in fiscal year 1999-2000 under
12 the Attorneys General Master Tobacco Settlement Agreement of
13 November 23, 1998.

14 ***-1205/4.2* SECTION 1135.** 25.66 (1) (b) of the statutes is created to read:

15 25.66 (1) (b) Except as provided in sub. (1m) (a), the first \$12,006,400 of the
16 moneys received in fiscal year 2001-02 under the Attorneys General Master Tobacco
17 Settlement Agreement of November 23, 1998.

****NOTE: This is reconciled s. 25.66 (1) (b). This SECTION has been affected by drafts
with the following LRB#: -1205 and -1528.

18 ***-1205/4.3* SECTION 1136.** 25.66 (1) (c) of the statutes is created to read:

19 25.66 (1) (c) Except as provided in sub. (1m) (b), the first \$21,169,200 of the
20 moneys received in fiscal year 2002-03 under the Attorneys General Master Tobacco
21 Settlement Agreement of November 23, 1998.

****NOTE: This is reconciled s. 25.66 (1) (c). This SECTION has been affected by drafts
with the following LRB#: -1205 and 1528.

22 ***-1528/8.17* SECTION 1137.** 25.66 (1m) of the statutes is created to read:

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1 25.66 (1m) (a) If the state has not received in fiscal year 2001–02 at least
2 \$12,006,400 under the Attorneys General Master Tobacco Settlement Agreement of
3 November 23, 1998, because the secretary of administration, under s. 16.63, has sold
4 the state's right to receive payments under the Agreement, the tobacco control fund
5 shall also consist of any moneys transferred to the tobacco control fund from the
6 general fund under s. 16.519 (3).

7 (b) If the state has not received in fiscal year 2002–03 at least \$21,169,200
8 under the Attorneys General Master Tobacco Settlement Agreement of
9 November 23, 1998, because the secretary of administration, under s. 16.63, has sold
10 the state's right to receive payments under the Agreement, the tobacco control fund
11 shall also consist of any moneys transferred to the tobacco control fund from the
12 general fund under s. 16.519 (4).

13 *~~0490/2.5~~* **SECTION 1138.** 25.67 (2) (b) of the statutes is amended to read:

14 25.67 (2) (b) All moneys in the fund that are not ~~appropriated under s. 20.433~~
15 ~~(1)(r)~~ or expended under s. 20.433 (1) (q) shall continue to accumulate indefinitely.

16 *~~0529/6.3~~* **SECTION 1139.** 25.68 (4) of the statutes is created to read:

17 25.68 (4) All moneys received from the department of revenue under s. 49.855
18 that were withheld for delinquent child support, family support, or maintenance or
19 outstanding court-ordered amounts for past support, medical expenses, or birth
20 expenses.

21 *~~1528/8.18~~* **SECTION 1140.** 25.69 of the statutes is created to read:

22 **25.69 Permanent endowment fund.** There is established a separate
23 nonlapsible trust fund designated as the permanent endowment fund, consisting of
24 all of the proceeds from the sale of the state's right to receive payments under the
25 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,

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1 and all investment earnings on the proceeds. Moneys in the permanent endowment
2 fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and
3 (rv).

4 ***-1528/8.19* SECTION 1141.** 25.69 of the statutes, as created by 2001
5 Wisconsin Act (this act), is amended to read:

6 **25.69 Permanent endowment fund.** There is established a separate
7 nonlapsible trust fund designated as the permanent endowment fund, consisting of
8 all of the proceeds from the sale of the state's right to receive payments under the
9 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
10 and all investment earnings on the proceeds. Moneys in the permanent endowment
11 fund shall be used only to make the transfers under s. 20.855 (4) ~~(rc)~~, (rh), ~~(rp)~~, and
12 ~~(rv)~~.

13 ***-1464/2.60* SECTION 1142.** 25.73 (2) of the statutes is amended to read:

14 25.73 (2) All moneys transferred to the fund under s. 20.245 ~~(4)~~ (1) (s).

15 ***-1627/4.4* SECTION 1143.** 25.77 of the statutes is created to read:

16 **25.77 Medical assistance trust fund.** There is created a separate
17 nonlapsible trust fund designated as the medical assistance trust fund, consisting
18 of all of the following:

19 (1) All federal moneys received, including moneys that the department of
20 health and family services may transfer from the appropriation under s. 20.435 (4)
21 (o), that are related to payments under s. 49.45 (6m) and are based on public funds
22 that are transferred or certified under 42 CFR 433.51 (b) and used as the non-federal
23 share of medical assistance funding.

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1 (2) All public funds that are related to payments under s. 49.45 (6m) and that
2 are transferred or certified under 42 CFR 433.51 (b) and used as the non-federal and
3 federal share of medical assistance funding.

4 ***-0616/P1.11*** **SECTION 1144.** 25.80 of the statutes is amended to read:

5 **25.80 Tuition trust fund.** There is established a separate nonlapsible trust
6 fund designated as the tuition trust fund, consisting of all revenue from enrollment
7 fees and the sale of tuition units under s. 14.63, from enrollment fees for and
8 contributions to college savings accounts under s. 14.64, and from distributions and
9 fees paid by the vendor under s. 16.255 (2).

10 ***-1553/2.17*** **SECTION 1145.** 25.90 of the statutes is repealed.

11 ***-1695/4.4*** **SECTION 1146.** 25.98 of the statutes is created to read:

12 **25.98 Farm rewiring fund.** There is established a separate nonlapsible trust
13 fund designated as the farm rewiring fund, consisting of all moneys received under
14 s. 196.374 (3m).

15 ***-2044/1.1*** **SECTION 1147.** 26.08 (2) (bn) of the statutes is created to read:

16 26.08 (2) (bn) The department may lease state park land located within the
17 boundaries of the Wisconsin Dells natural area for terms not exceeding 30 years.

18 ***-0340/1.1*** **SECTION 1148.** 26.11 (7) (a) of the statutes is amended to read:

19 26.11 (7) (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered
20 balances in the appropriation accounts under s. 20.370 (1) (cs) and (mz) exceeds
21 \$500,000 \$1,000,000 on June 30 of any fiscal year, the amount in excess of \$500,000
22 \$1,000,000 shall lapse from the appropriation account under s. 20.370 (1) (cs) to the
23 conservation fund, except as provided in par. (b).

24 ***-0342/1.2*** **SECTION 1149.** 26.145 (1) of the statutes is amended to read:

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1 26.145 (1) GRANTS. The department shall establish a program to award grants
2 for up to 50% of the cost of acquiring fire resistant clothing for suppressing fires and,
3 of acquiring fire suppression supplies, equipment, and vehicles, of acquiring fire
4 prevention materials, and of training fire fighters in forest fire suppression
5 techniques.

6 ***-1824/2.1*** SECTION 1150. 27.01 (7) (f) 1. of the statutes is amended to read:

7 27.01 (7) (f) 1. Except as provided in par. (gm), the fee for an annual vehicle
8 admission receipt is ~~\$17.50~~ \$19.50 for each vehicle ~~which~~ that has Wisconsin
9 registration plates, except that no fee is charged for a receipt issued under s. 29.235
10 (6).

11 ***-1824/2.2*** SECTION 1151. 27.01 (7) (g) 1. of the statutes is amended to read:

12 27.01 (7) (g) 1. Except as provided in par. (gm), the fee for an annual vehicle
13 admission receipt is ~~\$24.50~~ \$29.50 for any vehicle ~~which~~ that has a registration plate
14 or plates from another state, except that no fee is charged for a receipt issued under
15 s. 29.235 (6).

16 ***-1824/2.3*** SECTION 1152. 27.01 (7) (g) 2. of the statutes is amended to read:

17 27.01 (7) (g) 2. Except as provided in subds. 3. and 4., the fee for a daily vehicle
18 admission receipt for any vehicle ~~which~~ that has a registration plate or plates from
19 another state is ~~\$6.85~~ \$9.85.

20 ***-1824/2.4*** SECTION 1153. 27.01 (7) (gm) 1. of the statutes is amended to read:

21 27.01 (7) (gm) 1. Instead of the fees under pars. (f) 1. and (g) 1., the department
22 shall charge an individual ~~\$8.50~~ \$9.50 or ~~\$12~~ \$14.50, respectively, for an annual
23 vehicle admission receipt if the individual applying for the receipt or a member of his
24 or her household owns a vehicle for which a current annual vehicle admission receipt
25 has been issued for the applicable fee under par. (f) 1. or (g) 1.

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SECTION 1154

1 *~~1025/3.2~~* **SECTION 1154.** 29.001 (20) of the statutes is created to read:

2 29.001 (20) “Deer” means white-tailed deer and does not include farm-raised
3 deer.

4 *~~1025/3.3~~* **SECTION 1155.** 29.001 (22) of the statutes is created to read:

5 29.001 (22) “Elk” means elk that is present in the wild and that does not have
6 an ear tag or other mark identifying it as being raised on a farm.

7 *~~1025/3.4~~* **SECTION 1156.** 29.001 (36) of the statutes is amended to read:

8 29.001 (36) “Game animals” ~~includes~~ means deer, moose, elk, bear, rabbits,
9 squirrels, fox and, raccoon, and any other wild animals specified by the department.

10 *~~0325/2.1~~* **SECTION 1157.** 29.024 (4) (b) of the statutes is amended to read:

11 29.024 (4) (b) *Name; description; signature.* Each license or permit issued shall
12 contain the name and address of the holder, a description of the holder and other
13 information required by the department. Each license or permit shall, if required by
14 the department under sub. (5) (a) 1., bear upon its face the signature of the holder
15 and the date of issuance ~~and shall be signed by the issuing agent. Each stamp shall,~~
16 ~~if required by the department under sub. (5) (a) 1., bear upon its face the signature~~
17 ~~of the holder.~~ The department may apply any of the requirements of this subsection
18 to other forms or approvals.

19 *~~0325/2.2~~* **SECTION 1158.** 29.024 (9) of the statutes is amended to read:

20 29.024 (9) TAGS. The department shall ~~provide all tags required under this~~
21 ~~chapter and shall specify their~~ specify the form and numbering of all tags required
22 under this chapter.

23 *~~1044/2.8~~* **SECTION 1159.** 29.037 of the statutes is amended to read:

24 **29.037 Fish and wildlife restoration.** This state assents to the provisions
25 of the acts of congress entitled “An act to provide that the United States shall aid the

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1 ~~states in wildlife restoration projects, and for other purposes,” approved~~
2 ~~September 2, 1937 (Public Law No. 415, 75th Congress), and “An act to provide that~~
3 ~~the United States shall aid the states in fish restoration management projects, and~~
4 ~~for other purposes,” approved August 9, 1950 (Public Law No. 681, 81st Congress)~~
5 16 USC 669 to 669i and 777 to 777L. The department is authorized and directed to
6 perform any acts necessary to establish ~~cooperative wildlife~~ cooperative wildlife
7 restoration projects and cooperative fish restoration and management projects, as
8 ~~defined in the acts of congress, in compliance with the acts these federal provisions~~
9 and with regulations promulgated by the secretary of the interior. No funds accruing
10 to this state from license fees paid by hunters and from sport and recreation fishing
11 license fees may be diverted for any other purpose than those ~~provided by the~~
12 department the administration of the department when it is exercising its
13 responsibilities that are specific to the management of the fish and wildlife resources
14 of this state.

15 ***-1857/5.105* SECTION 1160.** 29.038 (1) (a) of the statutes is amended to read:

16 29.038 (1) (a) “Local governmental unit” has the meaning given in s. ~~16.97~~
17 22.01 (7).

18 ***-1025/3.5* SECTION 1161.** 29.047 (1m) of the statutes is amended to read:

19 29.047 (1m) Unless prohibited by the laws of an adjoining state, any person
20 who has lawfully killed a deer or an elk in this state may take the deer or elk or its
21 carcass into the adjoining state and ship the deer or elk or carcass from any point in
22 the adjoining state to any point in this state.

23 ***-1025/3.6* SECTION 1162.** 29.089 (3) of the statutes is amended to read:

24 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
25 park, or in a portion of a state park, if the department has authorized by rule the

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1 hunting of that type of game in the state park, or in the portion of the state park, and
2 if the person holds the approvals required under this chapter for hunting that type
3 of game.

4 ***-1025/3.7* SECTION 1163.** 29.161 of the statutes is amended to read:

5 **29.161 Resident small game hunting license.** A resident small game
6 hunting license shall be issued subject to s. 29.024 by the department to any resident
7 applying for this license. The resident small game hunting license does not authorize
8 the hunting of bear, deer, elk, or wild turkey.

9 ***-1025/3.8* SECTION 1164.** 29.171 (2) of the statutes is amended to read:

10 29.171 (2) A resident archer hunting license authorizes the hunting of all
11 game, except bear, elk, and wild turkey, during the open seasons for hunting that
12 game with bow and arrow established by the department. This license authorizes
13 hunting with a bow and arrow only, unless hunting with a crossbow is authorized by
14 a Class A, Class B, or Class C permit issued under s. 29.193 (2) or a permit issued
15 under sub. (4).

16 ***-1025/3.9* SECTION 1165.** 29.182 of the statutes is created to read:

17 **29.182 Elk hunting licenses. (1) DEPARTMENT AUTHORITY.** The department
18 may issue elk hunting licenses and may limit the number of elk hunters and elk
19 harvested in any area of the state. The department may establish by rule closed
20 zones where elk hunting is prohibited.

21 (2) APPLICATION. A person who applies for an elk hunting license under this
22 section shall pay the processing fee under s. 29.553 at the time of application.

23 (3) AUTHORIZATION. (a) *Resident elk hunting license.* A resident elk hunting
24 license authorizes a resident of this state to hunt elk with a firearm or bow and arrow,
25 or with a crossbow, if the resident has a Class A, Class B, or Class C permit issued

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1 under s. 29.193 (2) that authorizes hunting with a crossbow, or if the resident has a
2 crossbow permit issued under s. 29.171 (4) (a).

3 (b) *Nonresident elk hunting license.* A nonresident elk hunting license
4 authorizes a nonresident of this state to hunt elk with a firearm or with a bow and
5 arrow.

6 (4) **ISSUANCE.** (a) Except as provided in pars. (b), (c), and (d), if the department
7 issues elk hunting licenses, the department shall issue a resident or nonresident elk
8 hunting license to any person who applies for such a license, and who pays the fees
9 required for the license, subject to s. 29.024 (2g).

10 (b) If the number of applicants for resident elk hunting licenses exceeds the
11 number of resident elk hunting licenses available, the department shall select at
12 random the residents to be issued the licenses. If the number of applicants for
13 nonresident elk hunting licenses exceeds the number of nonresident elk hunting
14 licenses available, the department shall select at random the nonresidents to be
15 issued the licenses. The department may make available only to residents up to 99%
16 of all elk hunting licenses that are available in a given year.

17 (c) The department shall issue a notice of approval to each person who is
18 selected at random under par. (b) to be issued an elk hunting license. The
19 department shall issue a license to each person who receives a notice of approval
20 under this paragraph and who pays the fees required for the license, subject to s.
21 29.024 (2g).

22 (d) A person may be issued only one elk hunting license in his or her lifetime,
23 and the elk hunting license shall be valid for only one elk hunting season.

24 (5) **FEEES.** Fees received from the issuance of licenses under this section shall
25 be credited to the appropriation account under s. 20.370 (1) (hq).

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1 **(6) CARCASS TAG.** The department shall issue an elk carcass tag to each person
2 who is issued an elk hunting license under this section.

3 **(7) BACK TAG.** (a) The department shall issue a back tag to each person who
4 is issued an elk hunting license under this section.

5 (b) No person may hunt elk unless there is attached to the center of the person's
6 coat, shirt, jacket, or similar outermost garment where it can be clearly seen, the
7 back tag issued to the person under par. (a).

8 ***-1025/3.10*** **SECTION 1166.** 29.204 of the statutes is amended to read:

9 **29.204 Nonresident annual small game hunting license.** A nonresident
10 annual small game hunting license shall be issued subject to s. 29.024 by the
11 department to any nonresident applying for this license. The nonresident annual
12 small game hunting license authorizes the hunting of small game during the
13 appropriate open season but does not authorize the hunting of deer, elk, bear, wild
14 turkey, or fur-bearing animals.

15 ***-1025/3.11*** **SECTION 1167.** 29.207 of the statutes is amended to read:

16 **29.207 Nonresident 5-day small game hunting license.** A nonresident
17 5-day small game hunting license shall be issued subject to s. 29.024 by the
18 department to any nonresident applying for this license. The nonresident 5-day
19 small game hunting license authorizes the hunting of small game for which there is
20 an open season during the 5-day period for which it is issued but does not authorize
21 the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

22 ***-1025/3.12*** **SECTION 1168.** 29.213 of the statutes is amended to read:

23 **29.213 Nonresident fur-bearing animal hunting license.** A nonresident
24 fur-bearing animal hunting license shall be issued subject to s. 29.024 by the
25 department to any nonresident applying for this license. The nonresident

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1 fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox,
2 weasel, opossum, coyote, bobcat and cougar during the appropriate open season but
3 does not authorize the hunting of other fur-bearing animals, other small game, deer,
4 elk, or bear.

5 *–1025/3.13* **SECTION 1169.** 29.216 (2) of the statutes is amended to read:

6 29.216 (2) **AUTHORIZATION.** The nonresident archer hunting license authorizes
7 the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals,
8 during the open season for the hunting of that game with a bow and arrow. This
9 license authorizes hunting with a bow and arrow only unless hunting with a
10 crossbow is authorized by a Class A, Class B, or Class C permit issued under s.
11 29.193 (2).

12 *–1025/3.14* **SECTION 1170.** 29.314 (3) (title) of the statutes is amended to
13 read:

14 29.314 (3) (title) **SHINING DEER, ELK, OR BEAR WHILE HUNTING OR POSSESSING**
15 **WEAPONS PROHIBITED.**

16 *–1025/3.15* **SECTION 1171.** 29.314 (3) (a) of the statutes is amended to read:

17 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a
18 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in
19 possession of a firearm, bow and arrow, or crossbow.

20 *–1025/3.16* **SECTION 1172.** 29.347 (title) of the statutes is amended to read:

21 **29.347 (title) Possession of deer and elk; heads and skins.**

22 *–1025/3.17* **SECTION 1173.** 29.347 (2) of the statutes is amended to read:

23 29.347 (2) **DEER OR ELK CARCASS TAGS.** Except as provided under sub. (5) and s.
24 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler
25 of the deer a current validated deer carcass tag which is authorized for use on the

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1 type of deer killed. Any person who kills an elk shall immediately attach to the ear
2 or antler of the elk a current validated elk carcass tag. Except as provided under sub.
3 (2m) or s. 29.871 (7), (8), or (14) or 29.89 (6), no person may possess, control, store,
4 or transport a deer carcass unless it is tagged as required under this subsection.
5 Except as provided under sub. (2m), no person may possess, control, store, or
6 transport an elk carcass unless it is tagged as required under this subsection. A
7 person who kills a deer or elk shall register the deer or elk in the manner required
8 by the department. The carcass tag may not be removed before registration. The
9 removal of a carcass tag from a deer or elk before registration renders the deer or elk
10 untagged.

11 ***-1025/3.18*** SECTION 1174. 29.347 (2m) (a) of the statutes is amended to read:

12 29.347 (2m) (a) A deer carcass tag attached under sub. (2) and a registration
13 tag attached by the department or a car kill tag attached under sub. (5) may be
14 removed from a gutted carcass at the time of butchering, but the person who killed
15 or obtained the deer or elk shall retain all tags until the meat is consumed.

16 ***-1025/3.19*** SECTION 1175. 29.347 (2m) (b) of the statutes is amended to read:

17 29.347 (2m) (b) Any person who retains a tag under par. (a) may give deer or
18 elk meat to another person. The person who receives the gift of deer or elk meat is
19 not required to possess a tag.

20 ***-1025/3.20*** SECTION 1176. 29.347 (3) of the statutes is amended to read:

21 29.347 (3) HEADS AND SKINS. The head and skin of any deer or elk lawfully
22 killed, when severed from the rest of the carcass, are not subject to this chapter; but
23 no person ~~shall~~ may have possession or control of the green head or green skin of a
24 deer or elk during the period beginning 30 days after the close of the open deer
25 applicable season and the opening of the succeeding applicable season, ~~or.~~ Unless

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1 authorized by the department, no person may at any time have possession or control
2 of a deer or elk head in the velvet, or a deer or elk skin in the red, blue, or spotted coat.

3 ***-1025/3.21* SECTION 1177.** 29.347 (4) of the statutes is amended to read:

4 29.347 (4) ~~ANTLERS REMOVED OR BROKEN. Any deer taken during an open season~~
5 ~~for hunting antlered deer only or for hunting antlerless deer only~~ from which the
6 antlers have been removed, broken, shed, or altered so as to make determination of
7 the legality of the deer impossible is an illegal deer if the deer is taken during an open
8 season for hunting only antlered deer or during an open season for hunting only
9 antlerless deer. Any elk from which the antlers have been removed, broken, shed,
10 or altered so as to make determination of the legality of the elk impossible is an illegal
11 elk if the elk is taken during an open season for hunting only antlered elk or during
12 an open season for hunting antlerless elk.

13 ***-1025/3.22* SECTION 1178.** 29.347 (6) of the statutes is repealed.

14 ***-1025/3.23* SECTION 1179.** 29.361 (title) of the statutes is amended to read:

15 **29.361 (title) Transportation of deer or elk.**

16 ***-1025/3.24* SECTION 1180.** 29.361 (1) of the statutes is amended to read:

17 29.361 (1) No common carrier may receive for transportation or transport or
18 attempt to transport any deer or elk or the carcass of any deer or elk except as
19 provided in this section.

20 ***-1025/3.25* SECTION 1181.** 29.361 (2) of the statutes is amended to read:

21 29.361 (2) Any person may transport a lawfully taken deer or elk if it is properly
22 tagged and registered, except as otherwise provided by rule during the open season
23 for deer or elk and for 3 days thereafter.

24 ***-1025/3.26* SECTION 1182.** 29.361 (2m) of the statutes is amended to read:

SENATE BILL 55**SECTION 1182**

1 29.361 (2m) Any person may transport an antlerless deer killed under the
2 authority of his or her hunter's choice, bonus, or other deer hunting permit on any
3 highway, as defined s. 340.01 (22), in order to register the deer in the deer
4 management area where the ~~deer~~ deer was killed or in an adjoining management
5 area.

6 *~~1025/3.27~~* **SECTION 1183.** 29.361 (5) of the statutes is amended to read:

7 29.361 (5) This section does not apply to a person who has a valid taxidermist
8 permit and who is transporting, attempting to transport, or receiving the carcass of
9 a deer or elk in connection with his or her business.

10 *~~1025/3.28~~* **SECTION 1184.** 29.361 (6) of the statutes is repealed.

11 *~~1025/3.29~~* **SECTION 1185.** 29.539 (1) (a) 1. of the statutes is amended to read:

12 29.539 (1) (a) 1. Deer, elk, bear, squirrel, game bird, game fish or the carcass
13 of any of these wild animals at any time.

14 *~~1025/3.30~~* **SECTION 1186.** 29.541 (1) (a) 1. of the statutes is amended to read:

15 29.541 (1) (a) 1. The meat of any deer, elk, bear, squirrel, game bird, or game
16 fish taken from inland waters at any time.

17 *~~1025/3.31~~* **SECTION 1187.** 29.553 (1) (hm) of the statutes is created to read:

18 29.553 (1) (hm) Elk hunting license.

19 *~~1025/3.32~~* **SECTION 1188.** 29.563 (2) (a) 5m. of the statutes is created to read:

20 29.563 (2) (a) 5m. Elk: \$98.25.

21 *~~1025/3.33~~* **SECTION 1189.** 29.563 (2) (b) 3m. of the statutes is created to read:

22 29.563 (2) (b) 3m. Elk: \$498.25.

23 *~~0325/2.3~~* **SECTION 1190.** 29.563 (4) (b) 1. of the statutes is amended to read:

24 29.563 (4) (b) 1. Sports: ~~\$248.25~~ \$238.25 or a greater amount at the applicant's
25 option.

SENATE BILL 55**SECTION 1191**

1 ***-1046/7.5*** **SECTION 1191.** 29.563 (11) (b) 1m. of the statutes is created to read:
2 29.563 (11) (b) 1m. Master hunter education instruction fee: the fee as
3 established by rule.

4 ***-1025/3.34*** **SECTION 1192.** 29.563 (12) (a) 5. of the statutes is created to read:
5 29.563 (12) (a) 5. Elk: \$24.25.

6 ***-1046/7.6*** **SECTION 1193.** 29.563 (12) (c) 2m. of the statutes is created to read:
7 29.563 (12) (c) 2m. Master hunter education course certificate of
8 accomplishment: \$2.

9 ***-1025/3.35*** **SECTION 1194.** 29.563 (14) (a) 3. of the statutes is created to read:
10 29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:
11 \$9.75.

12 ***-1025/3.36*** **SECTION 1195.** 29.563 (14) (c) 3. of the statutes is amended to
13 read:

14 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
15 hunting permit, elk hunting license, wild turkey hunting license, Canada goose
16 hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping
17 permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25
18 cents.

19 ***-1046/7.7*** **SECTION 1196.** 29.565 of the statutes is created to read:

20 **29.565 Voluntary contributions; venison processing and grant**
21 **program.** (1) Any applicant for a hunting license listed under s. 29.563 (2) (a) or
22 (b) may, in addition to paying any fee charged for the license, elect to make a
23 voluntary contribution of at least \$1 to be used for the venison processing and
24 donation program under s. 29.89.

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1 (2) All moneys collected under sub. (1) shall be credited to the appropriation
2 account under s. 20.370 (5) (ft).

3 *~~1025/3.37~~* **SECTION 1197.** 29.567 of the statutes is created to read:

4 **29.567 Voluntary contributions; elk research.** (1) Any applicant for an
5 elk hunting license under s. 29.182 may, in addition to paying any fee charged for the
6 license, elect to make a voluntary contribution of at least \$1 to be used for elk
7 research.

8 (2) All moneys collected under sub. (1) shall be credited to the appropriation
9 account under s. 20.370 (1) (hq).

10 *~~1046/7.8~~* **SECTION 1198.** 29.592 of the statutes is created to read:

11 **29.592 Master hunter education program.** (1) ESTABLISHMENT; PROGRAM
12 REQUIREMENTS. (a) The department may establish and supervise the administration
13 of a master hunter education program funded from the appropriation under s. 20.370
14 (1) (Lv).

15 (b) The master hunter education program shall provide instruction on topics
16 that include all of the following:

- 17 1. Principles of wildlife management.
- 18 2. Responsibilities of hunters to landowners.
- 19 3. The wildlife damage abatement program and the wildlife damage claim
20 program under s. 29.889.
- 21 4. The provisions concerning the removal of wild animals under s. 29.885.
- 22 5. Hunting ethics and firearms safety.

23 (c) The master hunter education course of instruction shall consist of all of the
24 following components:

- 25 1. Classroom instruction.

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- 1 2. Home-study instruction.
- 2 3. Volunteer work for landowners.
- 3 4. Firearm proficiency testing.

4 (2) ADMINISTRATION. The department may appoint county, regional, and
5 statewide directors and categories of master hunter education instructors necessary
6 for the program. These appointees are responsible to the department and shall serve
7 on a voluntary basis without compensation, subject to sub. (3) (b).

8 (3) INSTRUCTION FEE. (a) The department shall establish by rule the fee for the
9 course of instruction under the master hunter education program.

10 (b) An instructor conducting the course of instruction under the master
11 education program shall collect the fee established under par. (a) from each person
12 receiving instruction. The department may authorize an instructor to retain up to
13 50% of the fee as compensation to defray expenses incurred by the instructor
14 conducting the course. The instructor shall remit the remaining portion of the fee
15 or, if nothing is retained, the entire fee to the department.

16 (4) CERTIFICATE OF ACCOMPLISHMENT. (a) The department shall issue a
17 certificate of accomplishment to a person who successfully completes the course of
18 instruction under the master hunter education program and who pays the
19 instruction fee.

20 (b) The department shall issue a duplicate certificate of accomplishment to a
21 person who is entitled to a duplicate certificate of accomplishment and who pays the
22 fee specified under s. 29.563 (12) (c) 2m.

23 ***-1025/3.38*** SECTION 1199. 29.595 of the statutes is created to read:

24 **29.595 Elk hunter education program.** (1) ESTABLISHMENT. The
25 department shall establish and conduct an elk hunter education program.

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1 (2) INSTRUCTION. The elk hunter education program shall provide a course of
2 instruction that includes all of the following:

3 (a) History and recovery of elk in this state and the eastern United States.

4 (b) Elk census and population estimation methods used in this state.

5 (c) Elk biology and disease prevention.

6 (d) Elk hunting techniques and hunter ethics.

7 (e) Elk hunting zones.

8 (f) Rules promulgated by the department concerning elk hunting.

9 (g) Native American hunting.

10 (3) CERTIFICATE OF ACCOMPLISHMENT. (a) The department shall issue a
11 certificate of accomplishment to a person who successfully completes the course of
12 instruction under the elk hunter education program.

13 (b) Except as provided in par. (c), no person may be issued an elk hunting license
14 unless he or she holds a valid certificate of accomplishment issued under this
15 subsection.

16 (c) A person may be issued an elk hunting license if the person holds evidence
17 that demonstrates to the satisfaction of the department that he or she has
18 successfully completed in another state or province an elk hunter education course
19 and if the course is recognized by the department under a reciprocity agreement with
20 that state or province.

21 (4) FEE PROHIBITED. The department may not charge a fee for the course of
22 instruction or the certificate of accomplishment.

23 *~~1335/7.44~~* **SECTION 1200.** 29.604 (2) (am) of the statutes is amended to read:
24 29.604 (2) (am) “State agency” means a board, commission, committee,
25 department or office in the state government or the Fox River Navigational System

SENATE BILL 55**SECTION 1200**

1 Authority. “State agency” does not include the department of natural resources or
2 the office of the governor.

3 *–0325/2.4* **SECTION 1201.** 29.607 (3) of the statutes is amended to read:

4 29.607 (3) LICENSE REQUIRED; EXCEPTIONS; WILD RICE IDENTIFICATION CARD. ~~Every~~
5 No person over the age of 16 and under the age of 65 shall obtain may harvest wild
6 rice or deal in wild rice unless the person obtains the appropriate wild rice license
7 to harvest or deal in wild rice but except that no license to harvest is required of the
8 members of the immediate family of a licensee or of a ~~recipient of old-age assistance~~
9 ~~or members of their immediate families~~ person who is at least 65 years old. The
10 department, subject to s. 29.024 (2g) and (2r), shall issue a wild rice identification
11 card to each member of a licensee’s immediate family, ~~to a recipient of old-age~~
12 ~~assistance~~ and to each member of the ~~recipient’s~~ immediate family of a person who
13 is at least 65 years old. The term “immediate family” includes husband and wife and
14 minor children having their abode and domicile with the parent or legal guardian.

15 *–1544/2.1* **SECTION 1202.** 29.733 (3) of the statutes is created to read:

16 29.733 (3) A person may obtain water from a natural body of water that is not
17 part of a fish farm for use in a fish farm if all of the following apply:

18 (a) The water is transferred directly from the natural body of water to the fish
19 farm.

20 (b) Any of the water that is transferred out of the fish farm after use is
21 transferred directly back to the natural body from which it was obtained.

22 (c) The transfer of the water between the natural body of water and the fish
23 farm is achieved by use of a pipe, flume, ditch, or pump or by use of any combination
24 of these items.

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1 (d) Any pipe, flume, or ditch that is used is equipped with barriers that prevent
2 the passage of fish between the fish farm and the other waters of the state.

3 ***-0313/2.4* SECTION 1203.** 29.741 (2) of the statutes is amended to read:

4 29.741 (2) No person shall take, remove, sell, or transport from the public
5 waters of this state ~~to any place beyond the borders of the state,~~ any duck potato, wild
6 celery, or any other plant or plant product except wild rice native in said waters and
7 commonly known to furnish food for game birds.

8 ***-1025/3.39* SECTION 1204.** 29.867 (1) of the statutes is renumbered 29.867
9 (1g) and amended to read:

10 29.867 (1g) The owner or lessee of lands suitable for the breeding and
11 propagating of game, birds or game animals may, upon complying with this section,
12 establish and maintain a game bird and animal farm for the purpose of breeding,
13 propagating, killing, and selling game birds and game animals. All waterfowl bred,
14 propagated, or held on a game bird and animal farm shall be enclosed within a
15 covered enclosure by the licensee throughout the open season for hunting waterfowl
16 in the state as required by the department.

17 ***-1025/3.40* SECTION 1205.** 29.867 (1b) of the statutes is created to read:

18 29.867 (1b) “Game animal” does not include elk.

19 ***-1025/3.41* SECTION 1206.** 29.867 (2m) of the statutes is amended to read:

20 29.867 (2m) If the applicant is the owner or lessee of the ~~lands~~ land, the land
21 is suitable for the breeding and propagating of game birds and game animals, and
22 the applicant intends in good faith to establish and maintain a game bird and animal
23 farm, the department shall issue a license to the applicant. The license shall describe
24 the ~~lands~~ land and shall authorize the licensee to breed, propagate, kill, and sell the
25 game birds and game animals that are on the ~~lands~~ land described in the license.

SENATE BILL 55**SECTION 1207**

1 ***-1025/3.42*** **SECTION 1207.** 29.867 (3) of the statutes is amended to read:

2 29.867 (3) Upon issuance, subject to s. 29.024 (2g) and (2r), of the license, the
3 department shall appoint one person, the licensee shall appoint one person, and
4 these 2 appointees shall select a 3rd person, to determine as accurately as possible
5 the number of wild game birds and game animals of the desired species on the land
6 at the time of the issuing of the license. The necessary expenses of these persons shall
7 be paid by the licensee. Within 30 days after the date of the determination as
8 approved by the department, the licensee shall pay to the department a specified sum
9 determined by the department for those species of wild game birds and game animals
10 on the licensed premises that are desired for propagation purposes, the title of which
11 is in the state.

12 ***-1025/3.43*** **SECTION 1208.** 29.867 (3g) of the statutes is amended to read:

13 29.867 (3g) When the payment under sub. (3g) has been made, the licensee
14 shall become the owner of all game birds or game animals of the species licensed and
15 of all of their offspring actually produced and remaining on the licensed premises,
16 subject to the jurisdiction of the department over all game bird and animals.

17 ***-1025/3.44*** **SECTION 1209.** 29.867 (5) of the statutes is amended to read:

18 29.867 (5) A game bird and animal farm license is prima facie evidence of the
19 right of the licensee or the licensee's successors or assigns, during the term of the
20 license, to establish and maintain a game bird and animal farm on the licensed
21 premises, and entitles the licensee, or the licensee's successors or assigns, during the
22 term of the license, to the exclusive right to breed and propagate game birds and
23 game animals on the licensed premises, and to the exclusive ownership of game birds
24 and game animals taken on the licensed premises.

25 ***-1025/3.45*** **SECTION 1210.** 29.867 (6) (a) of the statutes is amended to read:

SENATE BILL 55**SECTION 1210**

1 29.867 (6) (a) The game animals and game birds ~~and animals~~, except
2 waterfowl, may be taken at any time in any manner, subject to s. 29.314, by any
3 person who is lawfully entitled to hunt on the licensed premises, except that such a
4 person hunting on the licensed premises is not required to hold a hunting license.
5 Waterfowl may only be taken under rules promulgated by the department governing
6 the hunting of waterfowl, except that upon written application the department may
7 authorize the taking of hand-reared mallards at any time within the boundaries of
8 a licensed game bird and animal farm in numbers not to exceed those liberated or
9 propagated when the department determines that only mallards liberated or
10 propagated by the licensee will be taken on licensed premises. The applicant shall
11 certify to the department that mallards liberated or propagated for hunting were
12 produced and reared in captivity and are more than 2 generations removed from the
13 wild. Hand-reared mallards may not be released for hunting purposes unless the
14 mallards have first been identified as the department directs. Mallards confined to
15 wholly enclosed pens or buildings may be taken within such pens or buildings at any
16 time and in any numbers.

17 *~~1025/3.46~~* **SECTION 1211.** 29.867 (6) (b) of the statutes is amended to read:

18 29.867 (6) (b) No game bird or game animal or mallards killed on the licensed
19 premises and no live game bird or game animal or mallards to be consumed as food
20 may be removed from the premises until there has been securely fastened to each
21 game bird or game animal a band or tag furnished by the department to the licensee
22 at cost. The band or tag shall remain attached to the game bird or game animal until
23 prepared for consumption. Live game birds and game animals may be sold or
24 transported. Each container carrying such live game birds or game animals shall
25 have attached to it a band or tag furnished by the department. Live game birds or

SENATE BILL 55**SECTION 1211**

1 game animals acquired from the licensee to be consumed as food may not be kept
2 alive by any person beyond 48 hours from the time that the game birds or game
3 animals were acquired from the licensee.

4 ***-1025/3.47* SECTION 1212.** 29.867 (6) (c) of the statutes is amended to read:

5 29.867 (6) (c) Whenever any game bird or game animal from a game bird and
6 animal farm is consumed for food, the band or tag attached to the game bird or game
7 animal shall be kept until the bird or animal is consumed.

8 ***-1025/3.48* SECTION 1213.** 29.867 (7) of the statutes is amended to read:

9 29.867 (7) Any person other than the licensee, or a person authorized by the
10 licensee, who hunts game birds or game animals on the licensed premises is liable
11 to the licensee in the sum of \$100, in addition to all damage which the person does
12 to the game birds or game animals, but any action to recover damages shall be
13 brought by the licensee.

14 ***-1025/3.49* SECTION 1214.** 29.871 (1) of the statutes is renumbered 29.871
15 (1g).

16 ***-1025/3.50* SECTION 1215.** 29.871 (1b) of the statutes is created to read:

17 29.871 (1b) In this section, “deer” means any type of deer except for elk and
18 farm-raised deer.

19 ***-1025/3.51* SECTION 1216.** 29.871 (1m) of the statutes is repealed.

20 ***-1025/3.52* SECTION 1217.** 29.875 (title) of the statutes is amended to read:

21 **29.875 (title) Disposal of escaped deer or elk.**

22 ***-1025/3.53* SECTION 1218.** 29.875 (1) of the statutes is renumbered 29.875

23 (1r).

24 ***-1025/3.54* SECTION 1219.** 29.875 (1g) of the statutes is created to read:

25 29.875 (1g) In this section, “dccc” means any species of deer.

SENATE BILL 55**SECTION 1220**

1 ***-1025/3.55*** **SECTION 1220.** 29.875 (2) of the statutes is amended to read:

2 29.875 (2) Notwithstanding sub. (1) (1r), the department may dispose of the
3 deer immediately if the department of agriculture, trade and consumer protection
4 determines that the deer poses a risk to public safety or to the health of other
5 domestic or wild animals.

6 ***-1025/3.56*** **SECTION 1221.** 29.877 (2) (a) of the statutes is amended to read:

7 29.877 (2) (a) “Wild animal” means any mammal, fish, or bird of a wild nature
8 as distinguished from domestic animals under the common law or under the statutes
9 whether or not the mammal, fish, or bird was bred or reared in captivity, but does not
10 include farm-raised deer of the genus ~~dama, cervus or rangifer~~ or farm-raised fish.

11 ***-1025/3.57*** **SECTION 1222.** 29.877 (2g) of the statutes is created to read:

12 29.877 (2g) This section does not apply to farm-raised deer.

13 ***-1025/3.58*** **SECTION 1223.** 29.877 (5m) of the statutes is created to read:

14 29.877 (5m) No person may exhibit an elk in a wildlife exhibit.

15 ***-1025/3.59*** **SECTION 1224.** 29.889 (1) (f) of the statutes is created to read:

16 29.889 (1) (f) Elk, if hunting of elk is authorized by the department.

17 ***-1046/7.9*** **SECTION 1225.** 29.89 (title) of the statutes is amended to read:

18 **29.89 (title) Venison processing grants and donation program.**

19 ***-1046/7.10*** **SECTION 1226.** 29.89 (2) of the statutes is amended to read:

20 29.89 (2) **ESTABLISHMENT OF PROGRAM.** The department shall establish a
21 program to reimburse counties for the costs that they incur in processing and
22 donating venison from certain deer carcasses.

23 ***-1046/7.11*** **SECTION 1227.** 29.89 (3) (b) of the statutes is amended to read:

24 29.89 (3) (b) The county accepts deer carcasses for processing and pays for the
25 costs of processing.

SENATE BILL 55**SECTION 1228**

1 ***-1046/7.12*** **SECTION 1228.** 29.89 (3) (c) of the statutes is renumbered 29.89
2 (5) (b) 2. b.

3 ***-1046/7.13*** **SECTION 1229.** 29.89 (3) (e) of the statutes is amended to read:
4 29.89 (3) (e) ~~The processed venison is donated~~ county shall make reasonable
5 efforts to donate the venison as provided under sub. (4).

6 ***-1046/7.14*** **SECTION 1230.** 29.89 (5) (title) of the statutes is amended to read:
7 29.89 (5) (title) ~~GRANTS; AMOUNTS~~ REIMBURSEMENT; FUNDING.

8 ***-1046/7.15*** **SECTION 1231.** 29.89 (5) (a) of the statutes is amended to read:
9 29.89 (5) (a) ~~Reimbursement~~ Subject to par. (c), reimbursement under this
10 section shall equal the ~~amount that it costs~~ costs, including administrative costs,
11 that a county to process incurs in processing the venison and in donating the
12 processed venison under sub. (4).

13 ***-1046/7.16*** **SECTION 1232.** 29.89 (5) (b) of the statutes is renumbered 29.89
14 (5) (b) 1. and amended to read:

15 29.89 (5) (b) 1. The department shall reimburse counties under this section
16 from the appropriation under s. 20.370 (5) (~~fq~~) (ft).

17 2. c. Moneys are available under s. 20.370 (5) (fq) after first deducting from s.
18 20.370 (5) (fq) payments made for county administrative costs, payments made for
19 wildlife damage abatement assistance, and wildlife damage claim payments under
20 s. 29.889.

21 ***-1046/7.17*** **SECTION 1233.** 29.89 (5) (b) 2. (intro.) and a. of the statutes are
22 created to read:

23 29.89 (5) (b) 2. (intro.) The department shall reimburse counties under this
24 section from the appropriation under s. 20.370 (5) (fq) if all of the following apply:

SENATE BILL 55**SECTION 1233**

1 a. The total amount of reimbursable costs exceeds the amount available under
2 s. 20.370 (5) (ft).

3 ***-1046/7.18* SECTION 1234.** 29.89 (5) (c) of the statutes is amended to read:

4 29.89 (5) (c) If the total amount of reimbursable costs under par. (a) exceeds the
5 amount available ~~after making the deductions~~ under par. (b), the department shall
6 establish a system to prorate the reimbursement payments among the eligible
7 counties.

8 ***-1025/3.60* SECTION 1235.** 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 elk,
11 or destroying game birds, their eggs, or nests, if immediate action is necessary to
12 protect the deer, elk, or game birds, their nests or eggs, from injury or death.

13 ***-1025/3.61* SECTION 1236.** 29.927 (8) of the statutes is amended to read:

14 29.927 (8) Any dog found running deer, ~~except farm-raised deer~~, or elk at any
15 time, or used in violation of this chapter.

16 ***-1025/3.62* SECTION 1237.** 29.934 (1) (e) of the statutes is amended to read:

17 29.934 (1) (e) This subsection does not apply to a deer killed, or so injured that
18 it must be killed, by a collision with a motor vehicle on a highway. ~~For purposes of~~
19 ~~this subsection, "deer" does not include farm-raised deer.~~

20 ***-1025/3.63* SECTION 1238.** 29.971 (3m) of the statutes is amended to read:

21 29.971 (3m) For unlawfully hunting a moose ~~or an elk~~, by a forfeiture of not
22 less than \$1,000 nor more than \$2,000 and the mandatory revocation of all hunting
23 approvals issued to the person. In addition, no hunting approval may be issued to
24 the person for the time period specified by the court. The time period specified shall

SENATE BILL 55**SECTION 1238**

1 be not less than 3 years nor more than 5 years following the date of conviction under
2 this subsection.

3 ***-1025/3.64* SECTION 1239.** 29.971 (11g) of the statutes is created to read:

4 29.971 (11g) (a) For hunting elk without a valid elk hunting license, for
5 possessing an elk that does not have an elk carcass tag attached, for possessing an
6 elk during the closed season, by a fine of not less than \$1,000 nor more than \$15,000
7 or by imprisonment for not more than 6 months or both for the first violation, or by
8 a fine of not more than \$20,000 or imprisonment for not more than one year or both
9 for any subsequent violation. In addition, the court shall revoke all hunting and
10 trapping approvals issued to the person under this chapter and shall prohibit the
11 issuance of any new hunting and trapping approvals under this chapter to the person
12 for 5 years.

13 (b) Except as provided under par. (a), for the violation of any provision of this
14 chapter or rules promulgated under this chapter relating to elk hunting or to the
15 violation of an elk carcass tag or registration of an elk, by a forfeiture of not more than
16 \$5,000.

17 ***-1025/3.65* SECTION 1240.** 29.977 (1) (am) of the statutes is created to read:

18 29.977 (1) (am) Any elk, \$2,000.

19 ***-1025/3.66* SECTION 1241.** 29.977 (1) (b) of the statutes is amended to read:

20 29.977 (1) (b) Any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
21 \$262.50.

22 ***-1025/3.67* SECTION 1242.** 29.977 (1) (m) of the statutes is amended to read:

23 29.977 (1) (m) Any game or fur-bearing animal or bird not mentioned in pars.

24 ~~(b)~~ (am) to (h), \$17.50.

25 ***-1025/3.68* SECTION 1243.** 29.983 (1) (b) 1m. of the statutes is created to read:

SENATE BILL 55**SECTION 1243**

1 29.983 (1) (b) 1m. Any elk, \$2,000.

2 *~~-1025/3.69~~* **SECTION 1244.** 29.983 (1) (b) 2. of the statutes is amended to read:

3 29.983 (1) (b) 2. For any moose, elk, fisher, prairie chicken, or sand hill crane,
4 \$262.50.

5 *~~-1025/3.70~~* **SECTION 1245.** 29.983 (1) (b) 13. of the statutes is amended to
6 read:

7 29.983 (1) (b) 13. For any game or fur-bearing animal or bird not mentioned
8 in subds. ~~2.~~ 1m. to 8., \$17.50.

9 *~~-0605/5.1~~* **SECTION 1246.** 30.10 (4) (d) of the statutes is renumbered 30.10 (4)
10 (d) 2. and amended to read:

11 30.10 (4) (d) 2. A drainage district drain located in the Duck Creek Drainage
12 District and operated by the board for that district or any other drainage district
13 drain that is used primarily for agricultural purposes is not navigable unless it is
14 shown, by means of a U.S. geological survey map or other similarly reliable scientific
15 evidence, that the drain was a navigable stream before it became a drainage district
16 drain.

17 *~~-0605/5.2~~* **SECTION 1247.** 30.10 (4) (d) 1. of the statutes is created to read:

18 30.10 (4) (d) 1. In this paragraph, “agricultural purposes” has the meaning
19 given in s. 29.181 (1b) (a).

20 *~~-0605/5.3~~* **SECTION 1248.** 30.12 (4m) (title) of the statutes is amended to read:

21 30.12 (4m) (title) ~~DUCK CREEK DRAINAGE DISTRICT~~ CERTAIN DRAINAGE DISTRICT
22 STRUCTURES AND DEPOSITS.

23 *~~-0605/5.4~~* **SECTION 1249.** 30.12 (4m) (intro.) of the statutes is renumbered
24 30.12 (4m) (a) (intro.) and amended to read: