

**BILL HISTORY FOR SENATE BILL 307 (LRB -3747)**

An Act to repeal 29.024 (2r) (a) 17., 29.024 (2r) (a) 18., 29.024 (2r) (a) 19., 29.024 (2r) (a) 20., 29.024 (2r) (a) 21., 29.321, 29.354 (4), 29.563 (9) (intro.) and (a) (title), 29.563 (9) (a) 2. to 10. and (b), 29.563 (9) (c), 29.741 (1), 29.745, 29.853 (title), 29.853 (1), 29.853 (2), 29.853 (3), 29.853 (4m), 29.853 (5) (title), 29.855 (title), 29.855 (1), 29.855 (2), 29.855 (3), 29.855 (4) (title), 29.855 (5), 29.855 (6), 29.855 (7), 29.857, 29.861, 29.863, 29.865, 29.867, 29.869, 29.871, 29.877, 29.879, 29.881, 93.07 (10) (a), 95.45 (2), 95.45 (3), 95.71 (1) (c), 95.71 (1) (d) and 350.01 (5); to renumber 23.51 (1), 29.563 (9) (a) 1., 29.873, 29.974 (2), 95.55 (1) (b), 95.60 (1) (a), 95.68 (1) (a), 95.69 (1) (b) and 95.71 (1) (b); to renumber and amend 29.334, 29.351, 29.354 (2), 29.741 (2), 29.853 (5), 29.855 (4), 93.07 (10) (b), 95.001 (1) (a), 95.68 (1) (e), 95.68 (1) (f), 95.68 (2m), 95.71 (1) (g), 95.1015 and 95.109; to consolidate, renumber and amend 95.60 (1) (intro.) and (b); to amend 20.115 (2) (ha), 20.370 (1) (mu), 20.370 (3) (mu), 23.09 (2) (f), 23.50 (1), 23.50 (3), 23.51 (5), 23.65 (1), 25.29 (1) (a), 25.29 (4m), 29.001 (24), 29.001 (26), 29.001 (39), 29.001 (60), 29.024 (1), 29.024 (2g) (a) 2., 29.024 (2r) (am), 29.042 (1), 29.047 (2) (b), 29.055, 29.057, 29.071, 29.191 (2) (a) 3., 29.319 (1) (intro.), 29.334 (title), 29.337 (1) (intro.), 29.347 (2), 29.354 (1), 29.357 (5) (b), 29.506 (4), 29.539 (1m), 29.541 (3), 29.614 (3), 29.875 (1), 29.885 (1) (f), 29.889 (1) (intro.), 29.889 (1) (a), 29.924 (4), 29.927 (5), 29.931 (1), 29.931 (2) (a), 29.934 (1) (a), 29.957, 29.969, 29.971 (14), 29.977 (1) (g), 29.983 (1) (b) 7., 49.857 (1) (d) 2., 59.25 (3) (f) 2., 59.40 (2) (m), 73.0301 (1) (d) 1., 90.20 (title), 90.20 (1) (a), 90.20 (2) (intro.), 93.06 (1g), 95.10 (5), 95.12, 95.13, 95.17, 95.24 (3) (a) (intro.), 95.24 (3) (a) 1., 95.24 (3) (a) 2., 95.24 (3) (a) 3., 95.31 (1), 95.31 (2), 95.31 (3), 95.31 (4), 95.38 (1), 95.49 (1) (e), 95.49 (1m) (e), 95.49 (2), 95.55 (title), 95.68 (title), 95.68 (1) (b), 95.68 (2), 95.68 (4) (intro.), 95.68 (4) (a), 95.68 (4) (b), 95.68 (4) (c), 95.68 (5) (a) 1., 95.68 (5) (a) 2., 95.68 (5) (b), 95.68 (5) (c), 95.68 (7), 95.68 (8), 95.69 (title), 95.69 (1) (c) (intro.), 95.69 (1) (c) 1., 95.69 (1) (d), 95.69 (1) (e), 95.69 (1) (f), 95.69 (2), 95.69 (4), 95.69 (5) (a) 1., 95.69 (5) (a) 2., 95.69 (5) (b), 95.69 (5) (c), 95.69 (7), 95.69 (8), 95.69 (8m), 95.71 (title), 95.71 (1) (e), 95.71 (1) (f), 95.71 (2), 95.71 (3), 95.71 (4), 95.71 (5) (a), 95.71 (5) (b), 95.71 (6) (a) (intro.), 95.71 (6) (a) 1., 95.71 (6) (a) 2., 95.71 (6) (b), 95.71 (6) (c), 95.71 (8), 95.72 (7) (a), 97.42 (1) (dm), 97.44 (3), 100.04 (1), 167.31 (4) (b), 173.23 (1m) (b), 174.001 (3), 814.60 (2) (e), 895.57 (3), 943.75 (3), 951.18 (4) (a) 2., 951.18 (4) (b) 1. and 973.05 (1); to repeal and recreate 95.20, 95.22, 95.45 (title) and 95.68 (2m) (title); and to create 23.51 (1d), 23.51 (9m), 23.795 (3), 23.795 (4), 29.001 (25m), 29.011 (3), 29.334 (3), 29.351 (2m), 29.354 (2) (b), 29.354 (5), 29.501 (9m), 29.931 (4), 29.974 (2) (a), 90.21, 93.07 (10m), 95.001 (1) (ad), 95.001 (1) (ah), 95.001 (1) (ai), 95.45 (4), 95.45 (5), 95.55 (1) (b) 2., 95.55 (3m), 95.55 (5), 95.55 (6), 95.57, 95.68 (1) (g), 95.68 (2m) (b), 95.68 (5) (a) 1m., 95.68 (5) (a) 2m., 95.69 (1) (c) 2m., 95.69 (1) (h), 95.69 (2m), 95.69 (5) (a) 1m., 95.69 (5) (a) 2m., 95.71 (1) (i), 95.71 (6) (a) 1m., 95.71 (6) (a) 2m., chapter 169, 951.01 (1m), 951.015 (2), 951.09 (2) and 951.09 (3) of the statutes; relating to: the possession of wild animals and their carcass parts; farm-raised deer; farm-raised game birds; animal health and animal markets, dealers, and truckers; participation in the national poultry improvement plan; taking, removing, selling, and transporting certain wild plants; granting rule-making authority; making appropriations; and providing penalties. (FE)

2001

- 11-06. S. Introduced by Senators **Moен, Schultz, Burke, Darling, Hansen and Wirch**; cosponsored by Representatives **Johnsrud, Ott, Musser, Gunderson, Miller, Shilling, Albers, J. Lehman, Pettis, Nass, M. Lehman, Townsend, Freese, Hahn, Loeffelholz, Krawczyk, Sykora, D. Meyer and Kedzie**.
- 11-06. S. Read first time and referred to committee on Environmental Resources ..... 445
- 11-20. S. Fiscal estimate received.
- 12-14. S. Fiscal estimate received.

2002

- 01-09. S. Fiscal estimate received.
- 01-29. S. Senate amendment 1 offered by Senator Baumgart (**LRB a1078**) ..... 538
- 01-31. S. Public hearing held.
- 01-31. S. Executive action taken.
- 02-01. S. Report Senate amendment 1 adoption recommended by committee on Environmental Resources, Ayes 3, Noes 2 ..... 548
- 02-01. S. Report passage as amended recommended by committee on Environmental Resources, Ayes 5, Noes 0 ... 548
- 02-01. S. Available for scheduling.
- 03-06. S. Placed on calendar 3-7-2002 pursuant to Senate Rule 18(1).
- 03-07. S. Read a second time ..... 618
- 03-07. S. Senate amendment 2 offered by Senator Shibilski (**LRB a1481**) ..... 618
- 03-07. S. Senate amendment 3 offered by Senator Shibilski (**LRB a1482**) ..... 618
- 03-07. S. Senate amendment 4 offered by Senator Shibilski (**LRB a1483**) ..... 618
- 03-07. S. Senate amendment 5 offered by Senator Shibilski (**LRB a1491**) ..... 618
- 03-07. S. Senate amendment 6 offered by Senator Shibilski (**LRB a1494**) ..... 618
- 03-07. S. Senate amendment 7 offered by Senator Shibilski (**LRB a1486**) ..... 618
- 03-07. S. Senate amendment 8 offered by Senator Shibilski (**LRB a1499**) ..... 618
- 03-07. S. Senate amendment 9 offered by Senator Shibilski (**LRB a1522**) ..... 618
- 03-07. S. Senate amendment 10 offered by Senator Welch (**LRB f89**) ..... 618
- 03-07. S. Senate amendment 11 offered by Senator Welch (**LRB a1497**) ..... 618
- 03-07. S. Senate amendment 12 offered by Senator Welch (**LRB a1498**) ..... 618
- 03-07. S. Senate amendment 13 offered by Senator Welch (**LRB a1495**) ..... 618
- 03-07. S. Senate amendment 14 offered by Senator Welch (**LRB a1496**) ..... 618
- 03-07. S. Senate substitute amendment 1 offered by Senators Shibilski, Welch and A. Lasee (**LRB s0369**) ..... 618
- 03-07. S. Senate substitute amendment 1 rejected, Ayes 18, Noes 15 ..... 618
- 03-07. S. Senate amendment 1 rejected, Ayes 29, Noes 4 ..... 619

03-07.	S.	Senate amendment 2 rejected, Ayes 23, Noes 10	619
03-07.	S.	Senator Darling withdrawn as a coauthor	619
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03-07.	S.	Senate amendment 9 rejected, Ayes 21, Noes 11	619
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03-07.	S.	Senate amendment 1 to Senate amendment 11 <b>adopted</b>	620
03-07.	S.	Senate amendment 11 rejected, Ayes 19, Noes 14	620
03-07.	S.	Senate amendment 12 rejected, Ayes 19, Noes 14	620
03-07.	S.	Senate amendment 13 withdrawn and returned to author	620
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03-07.	A.	Read first time.	
03-07.	A.	Rules suspended and taken up	763
03-07.	A.	Read a second time	763
03-07.	A.	Ordered to a third reading	763
03-07.	A.	Rules suspended	763
03-07.	A.	Read a third time and <b>concurred in</b> , Ayes 99, Noes 0	763
03-07.	A.	Ordered immediately messaged	763
03-08.	S.	Read a third time and <b>passed</b> , Ayes 24, Noes 8	632
03-08.	S.	Ordered immediately messaged	632
03-11.	S.	Received from Assembly concurred in.	

**2001  
ENROLLED BILL**

01en SB-307

**ADOPTED DOCUMENTS:**

Orig     Engr     SubAmtd

01 3747 |

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Possession of wild animals  
and their carcass parts

3/11/02  
Date

[Signature]  
Enrolling Drafter

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**2001 SENATE BILL 307**

November 6, 2001 - Introduced by Senators MOEN, SCHULTZ, BURKE, DARLING, HANSEN and WIRCH, cosponsored by Representatives JOHNSRUD, OTT, MUSSER, GUNDERSON, MILLER, SHILLING, ALBERS, J. LEHMAN, PETTIS, NASS, M. LEHMAN, TOWNSEND, FREESE, HAHN, LOEFFELHOLZ, KRAWCZYK, SYKORA, D. MEYER and KEDZIE. Referred to Committee on Environmental Resources.

1     **AN ACT to repeal** 29.024 (2r) (a) 17., 29.024 (2r) (a) 18., 29.024 (2r) (a) 19., 29.024  
2           (2r) (a) 20., 29.024 (2r) (a) 21., 29.321, 29.354 (4), 29.563 (9) (intro.) and (a)  
3           (title), 29.563 (9) (a) 2. to 10. and (b), 29.563 (9) (c), 29.741 (1), 29.745, 29.853  
4           (title), 29.853 (1), 29.853 (2), 29.853 (3), 29.853 (4m), 29.853 (5) (title), 29.855  
5           (title), 29.855 (1), 29.855 (2), 29.855 (3), 29.855 (4) (title), 29.855 (5), 29.855 (6),  
6           29.855 (7), 29.857, 29.861, 29.863, 29.865, 29.867, 29.869, 29.871, 29.877,  
7           29.879, 29.881, 93.07 (10) (a), 95.45 (2), 95.45 (3), 95.71 (1) (c), 95.71 (1) (d) and  
8           350.01 (5); **to renumber** 23.51 (1), 29.563 (9) (a) 1., 29.873, 29.974 (2), 95.55 (1)  
9           (b), 95.60 (1) (a), 95.68 (1) (a), 95.69 (1) (b) and 95.71 (1) (b); **to renumber and**  
10          **amend** 29.334, 29.351, 29.354 (2), 29.741 (2), 29.853 (5), 29.855 (4), 93.07 (10)  
11          (b), 95.001 (1) (a), 95.68 (1) (e), 95.68 (1) (f), 95.68 (2m), 95.71 (1) (g), 951.015  
12          and 951.09; **to consolidate, renumber and amend** 95.60 (1) (intro.) and (b);  
13          **to amend** 20.115 (2) (ha), 20.370 (1) (mu), 20.370 (3) (mu), 23.09 (2) (f), 23.50  
14          (1), 23.50 (3), 23.51 (5), 23.65 (1), 25.29 (1) (a), 25.29 (4m), 29.001 (24), 29.001

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1 (26), 29.001 (39), 29.001 (60), 29.024 (1), 29.024 (2g) (a) 2., 29.024 (2r) (am),  
2 29.042 (1), 29.047 (2) (b), 29.055, 29.057, 29.071, 29.191 (2) (a) 3., 29.319 (1)  
3 (intro.), 29.334 (title), 29.337 (1) (intro.), 29.347 (2), 29.354 (1), 29.357 (5) (b),  
4 29.506 (4), 29.539 (1m), 29.541 (3), 29.614 (3), 29.875 (1), 29.885 (1) (f), 29.889  
5 (1) (intro.), 29.889 (1) (a), 29.924 (4), 29.927 (5), 29.931 (1), 29.931 (2) (a), 29.934  
6 (1) (a), 29.957, 29.969, 29.971 (14), 29.977 (1) (g), 29.983 (1) (b) 7., 49.857 (1) (d)  
7 2., 59.25 (3) (f) 2., 59.40 (2) (m), 73.0301 (1) (d) 1., 90.20 (title), 90.20 (1) (a), 90.20  
8 (2) (intro.), 93.06 (1g), 95.10 (5), 95.12, 95.13, 95.17, 95.24 (3) (a) (intro.), 95.24  
9 (3) (a) 1., 95.24 (3) (a) 2., 95.24 (3) (a) 3., 95.31 (1), 95.31 (2), 95.31 (3), 95.31 (4),  
10 95.38 (1), 95.49 (1) (e), 95.49 (1m) (e), 95.49 (2), 95.55 (title), 95.68 (title), 95.68  
11 (1) (b), 95.68 (2), 95.68 (4) (intro.), 95.68 (4) (a), 95.68 (4) (b), 95.68 (4) (c), 95.68  
12 (5) (a) 1., 95.68 (5) (a) 2., 95.68 (5) (b), 95.68 (5) (c), 95.68 (7), 95.68 (8), 95.69  
13 (title), 95.69 (1) (c) (intro.), 95.69 (1) (c) 1., 95.69 (1) (d), 95.69 (1) (e), 95.69 (1)  
14 (f), 95.69 (2), 95.69 (4), 95.69 (5) (a) 1., 95.69 (5) (a) 2., 95.69 (5) (b), 95.69 (5) (c),  
15 95.69 (7), 95.69 (8), 95.69 (8m), 95.71 (title), 95.71 (1) (e), 95.71 (1) (f), 95.71 (2),  
16 95.71 (3), 95.71 (4), 95.71 (5) (a), 95.71 (5) (b), 95.71 (6) (a) (intro.), 95.71 (6) (a)  
17 1., 95.71 (6) (a) 2., 95.71 (6) (b), 95.71 (6) (c), 95.71 (8), 95.72 (7) (a), 97.42 (1)  
18 (dm), 97.44 (3), 100.04 (1), 167.31 (4) (b), 173.23 (1m) (b), 174.001 (3), 814.60 (2)  
19 (e), 895.57 (3), 943.75 (3), 951.18 (4) (a) 2., 951.18 (4) (b) 1. and 973.05 (1); **to**  
20 **repeal and recreate** 95.20, 95.22, 95.45 (title) and 95.68 (2m) (title); and **to**  
21 **create** 23.51 (1d), 23.51 (9m), 23.795 (3), 23.795 (4), 29.001 (25m), 29.011 (3),  
22 29.334 (3), 29.351 (2m), 29.354 (2) (b), 29.354 (5), 29.501 (9m), 29.931 (4), 29.974  
23 (2) (a), 90.21, 93.07 (10m), 95.001 (1) (ad), 95.001 (1) (ah), 95.001 (1) (ai), 95.45  
24 (4), 95.45 (5), 95.55 (1) (b) 2., 95.55 (3m), 95.55 (5), 95.55 (6), 95.57, 95.68 (1) (g),  
25 95.68 (2m) (b), 95.68 (5) (a) 1m., 95.68 (5) (a) 2m., 95.69 (1) (c) 2m., 95.69 (1) (h),

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1           95.69 (2m), 95.69 (5) (a) 1m., 95.69 (5) (a) 2m., 95.71 (1) (i), 95.71 (6) (a) 1m.,  
2           95.71 (6) (a) 2m., chapter 169, 951.01 (1m), 951.015 (2), 951.09 (2) and 951.09  
3           (3) of the statutes; **relating to:** the possession of wild animals and their carcass  
4           parts; farm-raised deer; farm-raised game birds; animal health and animal  
5           markets, dealers, and truckers; participation in the national poultry  
6           improvement plan; taking, removing, selling, and transporting certain wild  
7           plants; granting rule-making authority; making appropriations; and providing  
8           penalties.

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***Analysis by the Legislative Reference Bureau***

**LICENSING**

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

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

1. Class A and Class B captive wild animal farm licenses which authorize the possessing, propagating, killing, exhibiting, purchasing, and selling of live captive wild animals, except all species of captive deer, the keeping of which are regulated under the bill by DATCP.

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

3. Class A and Class B bird hunting preserve licenses which authorize the possessing, stocking, propagating, releasing, selling, purchasing, capturing, and hunting of live pheasants, quail, partridge, mallard ducks, and wild turkeys. These species of wild birds, when they are on hunting preserves, are exempt from current

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law that regulates the hunting and possession of these species when they are found in the wild.

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

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

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

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

8. An exhibiting license which authorizes nonresidents and certain nonprofit organizations to possess and exhibit live wild animals.

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

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

The bill transfers the regulatory authority over deer farms from DNR to DATCP by requiring that farms with any species of deer be registered with DATCP. Under current law, only certain species of nonnative deer and farm-raised elk are subject to regulation as farm-raised deer by DATCP. The bill authorizes DATCP to exempt groups of persons or species of deer from this registration requirement.

Under the bill, the licensing requirements administered by DATCP for persons conducting livestock markets, dealing in livestock, or transporting livestock are expanded to apply to captive wild animals. The bill exempts persons who hold licenses created under this bill that authorize the sale and purchase of wild animals from the livestock dealer license. The bill also authorizes DATCP to exempt groups of persons from these licensing requirements.

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

**TYPES OF WILD ANIMALS SUBJECT TO DNR LICENSING REQUIREMENTS**

Under current law, all wild animals, including fish, mollusks, and insects, are subject to regulation as wildlife. This bill excludes fish entirely from the regulatory structure created in this bill, and the importing of fish for stocking and the stocking of fish are not affected by this bill. The bill also excludes domestic animals from this regulatory structure and excludes insects and mollusks that are regulated by DATCP. The bill defines "domestic animals" to be animals that are on a list of

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domestic animals promulgated by DATCP for purposes of this new regulatory structure. DATCP must include fur-bearing animals bred and raised in captivity on this list. The bill also defines “domestic animals” for purposes of captive wildlife regulation to include certain types of pet birds, farm-raised game birds, and any species of captive deer, the keeping of which is exclusively regulated by DATCP under the bill. The bill defines a “farm-raised game bird” to be a nonnative wild bird that is kept in captivity but not on a bird hunting preserve or a captive wild animal farm and not for the purpose of dog training or dog trials.

Under this bill, most wild animals native to this state are subject to licensing requirements except for common species such as ground squirrels, mice, opossum, porcupines, pigeons, and sparrows. Most types of wild animals that are not native to this state are exempt from the licensing requirements except for certain nonnative wild birds and nonnative harmful wild animals.

The bill authorizes DNR to promulgate rules to designate species of wild animals as harmful wild animals and imposes additional restrictions on the possession of these animals. Nonnative animals that may inflict harm on the environment, wild animals that are capable of creating a risk to public health or the health of domestic animals, and wild animals that are capable of inflicting severe physical harm to humans or domestic animals may be designated by DNR to be harmful. DNR must designate cougars and all species of bear as harmful under these rules.

Endangered and threatened species that are native to the United States or to Canada are subject to regulation both under this bill and the other state laws covering endangered and threatened species. Endangered and threatened species in this state that are not native to the United States or to Canada are not subject to regulation under the provisions created in this bill but are subject to other state laws covering endangered and threatened species.

The bill imposes specific regulatory schemes on native reptiles and amphibians. The bill also imposes some tagging, record-keeping, and labeling requirements for the sale and purchase of certain captive wild animal parts. The bill prohibits the sale of gall bladders taken from the carcasses of captive bear.

**HUNTING AND KILLING CAPTIVE WILD ANIMALS**

Under current law, hunting of wild animals that are enclosed in game farms is permitted on deer farms, pheasant and quail farms, and game animal and bird farms and trapping permitted on fur animal farms. For wild animals other than captive deer, the bill prohibits hunting except under the authority of a bird hunting preserve license, a dog training or trial license, or a validation license if hunting was authorized under the holder’s original license. For captive deer, the bill authorizes the hunting of all species of captive deer on deer farms registered with DATCP. The bill prohibits selling or purchasing the opportunity to hunt any captive wild animal except the hunting of certain wild birds as authorized under a bird hunting preserve license and the hunting of all species of deer on the deer farms registered by DATCP if the area in which the deer are confined is 80 or more contiguous acres.

Current law prohibits any person from killing or wounding with a deadly weapon any animal, wild or domesticated, that is intentionally confined.

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Confinement under current law includes being tied, staked out, or held captive in an enclosure, regardless of size. Current law provides an exception to this prohibition for game farms licensed by DNR. The bill provides an exception for deer farms registered with DATCP and bird hunting preserves licensed under provisions created in this bill. The bill also specifically exempts animals that are killed or wounded in accordance with normally accepted animal husbandry practices.

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

**FENCING REQUIREMENTS FOR FARM-RAISED DEER**

Under current law, persons who are required to be registered with DATCP to keep farm-raised deer must enclose the area where the deer are kept with fencing that meets certain statutory specifications, including specifications on strength and height. This bill requires persons who are keeping captive deer to receive a fence inspection certificate from DNR if any or all of the deer are white-tailed deer. To receive this certificate, the deer must be contained with fencing that complies with requirements promulgated by DNR. The bill provides a temporary exemption from this certification requirement for persons who held a deer farm license by DNR at the time this bill becomes law.

**INTRODUCTION AND STOCKING OF WILD ANIMALS**

Under current law, no person may import into this state a wild animal for stocking or releasing into the wild, or stock or release a wild animal, unless the person has a permit issued by DNR. Under the bill, a person may import and stock or release a wild animal if the person has a stocking permit issued by DNR or another type of license which authorizes the stocking or release. These licenses include bird hunting preserve licenses and dog training and trial licenses. In addition, DNR must determine that the wild animal is not detrimental to the state's natural resources. There are also special requirements if the wild animal has been exposed to, or infected with, any contagious disease. At the request of any city, village, or town (municipality) in an area in which wild animals are stocked or released, the person stocking or releasing the animals must report to the municipality the type, number, and location of the wild animals involved.

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

The bill sets specific fees for the licenses created under the bill except that there is no fee for a rehabilitation license or a validation license.

Under the bill, periods of validity for the different types of licenses range from 30 days to five years, with the most common period of validity being from the date of issuance until the following December 31. Under current law, the most common period of validity for game farm licenses is from the date of issuance until the following December 31.

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

Under current law, DNR must require a person who is applying for any type of fish or game approval to provide DNR with his or her social security number. These

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approvals include recreational hunting and fishing licenses as well as all other fish and game licenses such as game farm licenses and fish dealer and taxidermist permits. DNR must deny the application if the person refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) and to the department of revenue (DOR) so that DWD and DOR may determine whether the person is delinquent in child support or in payment of certain state taxes. The disclosure requirement for purposes of determining child support delinquency applies to all of the licenses created in this bill. The disclosure requirement for purposes of tax delinquency applies to captive wild animal farm licenses, wild fur farm licenses, and bird hunting preserve licenses.

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

**ANIMAL HEALTH AND TREATMENT**

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

The bill expands the provisions authorizing DATCP to control diseases in domestic animals or livestock to cover all animals, including captive wildlife. These provisions include issuing quarantines, prohibiting and regulating the importation and movement of diseased animals, and condemning diseased animals for slaughter or destruction. The bill also expands DATCP's quarantine authority and regulation of movement and importation of animals so that DATCP may exercise this authority to protect the health of humans and all animals as well as the health of domestic animals.

The bill also defines "domestic animal" for purposes of the statutory provisions administered by DATCP that regulate animal health. The definition includes animals that are defined by rule by DATCP to be domestic animals. The definition also specifically includes farm-raised deer, farm-raised game birds, and fish reared on fish farms. The bill authorizes DATCP to require by rule that poultry and farm-raised game birds that are used for breeding purposes originate from a flock of a person participating in the national poultry improvement plan under federal law and requires that any fee DATCP requires for participation be set by rule. The national poultry improvement plan is a plan administered by the U.S. department

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of agriculture under which a state has the option of requiring participation by poultry producers in the plan in order to improve poultry health and to control diseases in poultry.

**TAKING WILD ANIMALS INTO CUSTODY**

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

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

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

**LOCAL REGULATION**

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

**ENFORCEMENT AND PENALTIES**

The bill gives DNR the specific authority to enter and inspect land, vehicles, and buildings for the purpose of enforcement of the laws regulating captive wild animals and to have access to the records that must be kept by persons keeping these animals. With the exception of inspections of deer farm fences, the bill limits this authority to normal business hours and other hours when the person keeping these animals is conducting business, unless the inspection is necessary for public health, safety, or welfare. Current law authorizes DNR inspections of the area subject to the license at any time.

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

**MISCELLANEOUS PROVISIONS**

Current law prohibits the taking, removal, sale or transporting from the the public waters of this state to any place outside this state any plant that is commonly known to furnish food for game birds. This bill deletes the provision stating that the plant must leave this state for the prohibition to apply.

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

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

1           **SECTION 1.** 20.115 (2) (ha) of the statutes is amended to read:

2           20.115 (2) (ha) *Inspection, testing and enforcement.* All moneys received under  
3           ss. 93.06 (1f) and (1g), 95.55, 95.57, 95.60 (5), 95.68, 95.69, 95.71 and 95.715, to be  
4           used for animal health inspection and testing and for enforcement of animal health  
5           laws.

6           **SECTION 2.** 20.370 (1) (mu) of the statutes is amended to read:

7           20.370 (1) (mu) *General program operations — state funds.* The amounts in  
8           the schedule for general program operations that do not relate to the management  
9           and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203  
10          and, 30.277, and 90.21, subch. VI of ch. 77 and chs. 26, 28 and, 29, and 169 and for  
11          transfers to the appropriation account under s. 20.285 (1) (kf).

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

13          20.370 (3) (mu) *General program operations — state funds.* The amounts in  
14          the schedule for law enforcement operations under ss. 23.09 to 23.11, 90.21, and  
15          166.04 and chs. 29 and, 30, and 169 and for review of environmental impact  
16          requirements under ss. 1.11 and 23.40.

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

18          23.09 (2) (f) *Propagation, game and of fish.* Subject to s. 95.60, capture,  
19          propagate, transport, sell or exchange any species of ~~game or~~ fish needed for stocking  
20          or restocking any ~~lands or~~ waters of the state.

21          **SECTION 5.** 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, jail assessments, applicable  
3 weapons assessments, applicable environmental assessments, applicable wild  
4 animal protection assessments, applicable natural resources assessments,  
5 applicable fishing shelter removal assessments, applicable snowmobile registration  
6 restitution payments and applicable natural resources restitution payments for  
7 violations of ss. 77.09, 90.21, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33,  
8 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI  
9 of ch. 77, this chapter and chs. 26 to 31, ch. 169, and of ch. 350, and any  
10 administrative rules promulgated thereunder, violations specified under s. 285.86,  
11 violations of ch. 951 if the animal involved is a captive wild animal, violations of rules  
12 of the Kickapoo reserve management board under s. 41.41 (7) (k) or violations of local  
13 ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or  
14 30.77.

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

16           23.50 (3) All actions in municipal court to recover forfeitures, penalty  
17 assessments and jail assessments for violations of local ordinances enacted by any  
18 local authority in accordance with s. 23.33 (11) (am) or 30.77 shall utilize the  
19 procedure in ch. 800. The actions shall be brought before the municipal court having  
20 jurisdiction. Provisions relating to citations, arrests, questioning, releases,  
21 searches, deposits and stipulations of no contest in ss. 23.51 (1) (1m), (3) and (8),  
22 23.53, 23.54, 23.56 to 23.64, 23.66 and 23.67 shall apply to violations of such  
23 ordinances.

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

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

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1           23.51 (1d) “Captive” has the meaning given in s. 169.01 (2).

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

3           23.51 (5) “Natural resources restitution payment” means the payment imposed  
4 under s. 29.989 or 169.46 (2).

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

6           23.51 (9m) “Wild animal” has the meaning given in s. 169.01 (37).

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

8           23.65 (1) When it appears to the district attorney that a violation of s. 90.21,  
9 134.60, 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08,  
10 287.81 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31, 169, or 350, or any  
11 administrative rule promulgated pursuant thereto, ~~or~~ a violation specified under s.  
12 285.86, or a violation of ch. 951, if the animal involved is a captive wild animal, has  
13 been committed the district attorney may proceed by complaint and summons.

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

15           23.795 (3) In lieu of an order of imprisonment under sub. (1) (a) for a violation  
16 of ch. 169, the court may revoke or suspend any privilege or license granted under  
17 ch. 169 as provided in s. 169.45 (6).

18           **SECTION 13.** 23.795 (4) of the statutes is created to read:

19           23.795 (4) In lieu of an order of imprisonment under sub. (1) (a) for a violation  
20 of s. 90.21, the court may suspend any fence inspection certificate issued under s.  
21 90.21, as provided in s. 90.21 (8) (b).

22           **SECTION 14.** 25.29 (1) (a) of the statutes is amended to read:

23           25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing  
24 to the state for or in behalf of the department under chs. 26, 27, 28, 29, 169, and 350,  
25 subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50

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1 to 30.55, 70.58, 71.10 (5) ~~and~~, 71.30 (10), and 90.21, including grants received from  
2 the federal government or any of its agencies except as otherwise provided by law.

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

4 25.29 (4m) Notwithstanding sub. (3), no moneys that accrue to the state for or  
5 in behalf of the department under ch. 29 or 169 or s. 90.21 may be expended or paid  
6 for the enforcement of the treaty-based, off-reservation rights to fish held by  
7 members of federally recognized American Indian tribes or bands domiciled in  
8 Wisconsin.

9 **SECTION 16.** 29.001 (24) of the statutes is amended to read:

10 29.001 (24) “Farm-raised deer” has the meaning given in s. 95.001 (1) ~~(a)~~ (ag).

11 **SECTION 17.** 29.001 (25m) of the statutes is created to read:

12 29.001 (25m) “Farm-raised game bird” has the meaning given in s. 169.01  
13 (12m).

14 **SECTION 18.** 29.001 (26) of the statutes is amended to read:

15 29.001 (26) “Fish farm” has the meaning given in s. ~~95.60 (1) (a)~~ 95.001 (1) (aj),  
16 except that “fish farm” does not include a state or municipal fish hatchery or a private  
17 fishing preserve.

18 **SECTION 19.** 29.001 (39) of the statutes is amended to read:

19 29.001 (39) “Game birds” means birds that are in the wild and includes wild  
20 geese, brant, wild ducks, wild swan, rails, coots, gallinules, snipe, woodcock, plovers,  
21 sandpipers, ruffed grouse, prairie chicken, sharp-tailed grouse, pheasants,  
22 ~~Hungarian gray~~ gray partridge, ~~Chukar~~ chukar partridge, bobwhite, quail, crows and  
23 wild turkey.

24 **SECTION 20.** 29.001 (60) of the statutes is amended to read:

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1           29.001 (60) “Nongame species” means any species of wild animal that is living  
2 in the wild and that is not classified as a game fish, game animal, game bird or  
3 fur-bearing animal.

4           **SECTION 21.** 29.011 (3) of the statutes is created to read:

5           29.011 (3) This section does not apply to farm-raised deer, farm-raised game  
6 birds, farm-raised fish, or wild animals that are subject to regulation under ch. 169.

7           **SECTION 22.** 29.024 (1) of the statutes is amended to read:

8           29.024 (1) APPROVALS REQUIRED. Except as specifically provided in this chapter,  
9 ch. 169, or s. 95.55 (5), no person may hunt or trap in this state, fish in the waters  
10 of this state or engage in any of the activities regulated under this chapter unless the  
11 appropriate approval is issued to the person. A person shall carry the required  
12 approval with him or her at all times while hunting, trapping or fishing or engaged  
13 in regulated activities unless otherwise required by this chapter or unless otherwise  
14 authorized or required by the department. A person shall exhibit the approval to the  
15 department or its wardens on demand.

16           **SECTION 23.** 29.024 (2g) (a) 2. of the statutes is amended to read:

17           29.024 (2g) (a) 2. Any permit issued under s. 29.537, 29.733, 29.735, or 29.736  
18 or 29.871.

19           **SECTION 24.** 29.024 (2r) (a) 17. of the statutes is repealed.

20           **SECTION 25.** 29.024 (2r) (a) 18. of the statutes is repealed.

21           **SECTION 26.** 29.024 (2r) (a) 19. of the statutes is repealed.

22           **SECTION 27.** 29.024 (2r) (a) 20. of the statutes is repealed.

23           **SECTION 28.** 29.024 (2r) (a) 21. of the statutes is repealed.

24           **SECTION 29.** 29.024 (2r) (am) of the statutes is amended to read:

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1           29.024 (2r) (am) *Social security and identification numbers exceptions.* If an  
2 applicant who is an individual does not have a social security number, the applicant,  
3 as a condition of applying for, or applying to renew, any of the approvals specified in  
4 par. (a) 1. to ~~21.~~ 16., shall submit a statement made or subscribed under oath or  
5 affirmation to the department that the applicant does not have a social security  
6 number. The form of the statement shall be prescribed by the department of  
7 workforce development. An approval issued by the department of natural resources  
8 in reliance on a false statement submitted by an applicant under this paragraph is  
9 invalid.

10           **SECTION 30.** 29.042 (1) of the statutes is amended to read:

11           29.042 (1) Beginning on January 1, 1998, the department may not enter into  
12 any agreement to make payments to persons holding approvals issued under s.  
13 29.501, 29.503, 29.506, 29.509, 29.512, 29.514, 29.519, 29.523, 29.526, 29.529,  
14 29.531, 29.533, 29.537, 29.607, 29.611, or 29.614, 29.865, 29.867, 29.869, 29.871 or  
15 29.877 in exchange for the retirement of the approval or for the temporary or  
16 permanent cessation of any activity authorized under the approval.

17           **SECTION 31.** 29.047 (2) (b) of the statutes is amended to read:

18           29.047 (2) (b) The possession, transportation, delivery or receipt of farm-raised  
19 deer ~~or, farm-raised game birds,~~ farm-raised fish, or wild animals that are subject  
20 to regulation under ch. 169.

21           **SECTION 32.** 29.055 of the statutes is amended to read:

22           **29.055 Wild animals; possession in closed season or in excess of bag**  
23 **limit.** Except as expressly provided in this chapter, no person may have in the  
24 person's possession or under the person's control, or have in storage, any wild animal  
25 or carcass that was taken during the closed season for that wild animal or that is in

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1 excess of the bag or possession limit or contrary to the size limits for that wild animal.  
2 The open and closed seasons and the bag, possession and size limits of the state,  
3 province or country in which a wild animal was taken shall apply to the wild animal  
4 or the carcass if it was lawfully killed outside of this state. This section does not apply  
5 to farm-raised deer, farm-raised fish, farm-raised game birds, or wild animals that  
6 are subject to regulation under ch. 169.

7 **SECTION 33.** 29.057 of the statutes is amended to read:

8 **29.057 Wild animals; possession in open season.** It is unlawful to possess  
9 or control at any time a protected wild animal or the carcass of any protected wild  
10 animal showing that it was taken during the closed season for the protected wild  
11 animal. This section does not apply to farm-raised deer, farm-raised fish,  
12 farm-raised game birds, or wild animals that are subject to regulation under ch. 169.

13 **SECTION 34.** 29.071 of the statutes is amended to read:

14 **29.071 Wildlife on Indian reservations protected.** No person may remove  
15 or take from any Indian reservation the carcass of any protected wild animal during  
16 the closed season for the wild animal ~~without a permit from~~ except as authorized by  
17 the department under this chapter or ch. 169.

18 **SECTION 35.** 29.191 (2) (a) 3. of the statutes is amended to read:

19 29.191 (2) (a) 3. Any person hunting pheasant under s. 29.195 ~~or on premises~~  
20 ~~licensed under s. 29.865~~ is exempt from the requirements under subd. 1.

21 **SECTION 36.** 29.319 (1) (intro.) of the statutes is amended to read:

22 29.319 (1) (intro.) ~~In regulating~~ The department may regulate falconry and the  
23 taking of raptors for use in falconry, In so doing, the department may do any of the  
24 following:

25 **SECTION 37.** 29.321 of the statutes is repealed.

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1           **SECTION 38.** 29.334 (title) of the statutes is amended to read:

2           **29.334 (title) Hunting and trapping; treatment of wild animals.**

3           **SECTION 39.** 29.334 of the statutes is renumbered 29.334 (1) and amended to  
4 read:

5           29.334 (1) A person who hunts or traps any game animal or fur-bearing animal  
6 shall kill the animal when it is taken and make it part of the daily bag or shall release  
7 the game animal or fur-bearing animal ~~unless authorized under s. 29.857, 29.863,~~  
8 ~~29.867, 29.869, 29.871 or 29.877.~~

9           **SECTION 40.** 29.334 (3) of the statutes is created to read:

10           29.334 (3) This section does not apply to farm-raised deer, farm-raised game  
11 birds, or wild animals that are subject to regulation under ch. 169.

12           **SECTION 41.** 29.337 (1) (intro.) of the statutes is amended to read:

13           29.337 (1) (intro.) The owner or occupant of any land, and any member of his  
14 or her family, may hunt or trap beaver, coyotes, foxes, raccoons, woodchucks, rabbits,  
15 and squirrels on the land without a license issued under this chapter or ch. 169 at  
16 any time, except as follows:

17           **SECTION 42.** 29.347 (2) of the statutes is amended to read:

18           29.347 (2) **DEER TAGS.** Except as provided under sub. (5) and s. 29.324 (3), any  
19 person who kills a deer shall immediately attach to the ear or antler of the deer a  
20 current validated deer carcass tag which is authorized for use on the type of deer  
21 killed. Except as provided under sub. (2m) ~~or s. 29.871 (7), (8) or (14)~~ or s. 29.89 (6),  
22 no person may possess, control, store or transport a deer carcass unless it is tagged  
23 as required under this subsection. The carcass tag may not be removed before  
24 registration. The removal of a carcass tag from a deer before registration renders the  
25 deer untagged.

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1           **SECTION 43.** 29.351 of the statutes is renumbered 29.351 (1), and 29.351 (1) (c),  
2 as renumbered, is amended to read:

3           29.351 (1) (c) Possess the raw skin of any muskrat, mink, otter, fisher or pine  
4 marten at any time unless the person is the holder of a valid scientific collector  
5 permit, fur dealer license, trapping license or resident conservation patron license.  
6 No license is required for a person breeding, raising and producing domestic  
7 fur-bearing animals in captivity, as defined in s. ~~29.873~~ 29.627, or for a person  
8 authorized to take muskrats on a cranberry marsh under a permit issued to the  
9 person by the department.

10           **SECTION 44.** 29.351 (2m) of the statutes is created to read:

11           29.351 (2m) Subsection (1) does not apply to the skins of fur-bearing animals  
12 that are subject to regulation under ch. 169.

13           **SECTION 45.** 29.354 (1) of the statutes is amended to read:

14           29.354 (1) ~~APPROVAL NECESSARY. No person, except a person who has a valid~~  
15 ~~hunting license, sports license, conservation patron license, taxidermist permit or~~  
16 ~~scientific collector permit and who is carrying this approval on his or her person, may~~  
17 ~~possess or have under his or her control any game bird, or game animal or the carcass~~  
18 ~~of any game bird or game animal unless the person has a valid hunting license, sports~~  
19 ~~license, conservation patron license, taxidermist permit, or scientific collector~~  
20 ~~permit.~~

21           **SECTION 46.** 29.354 (2) of the statutes is renumbered 29.354 (2) (a) and  
22 amended to read:

23           29.354 (2) (a) ~~No person, except a~~ Except as provided in par. (b), no person who  
24 ~~has a valid scientific collector permit, may take, needlessly destroy or possess or have~~

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1 under his or her control the nest or eggs of any wild bird for which a closed season  
2 is prescribed under this chapter.

3 **SECTION 47.** 29.354 (2) (b) of the statutes is created to read:

4 29.354 (2) (b) A person who has a valid scientific collector permit may take or  
5 possess or have under his or her control the nest of a wild bird and may destroy the  
6 nest if necessary for a scientific purpose.

7 **SECTION 48.** 29.354 (4) of the statutes is repealed.

8 **SECTION 49.** 29.354 (5) of the statutes is created to read:

9 29.354 (5) CAPTIVE WILD ANIMALS. This section does not apply to farm-raised  
10 deer, farm-raised fish, farm-raised game birds, or wild animals that are subject to  
11 regulation under ch. 169.

12 **SECTION 50.** 29.357 (5) (b) of the statutes is amended to read:

13 29.357 (5) (b) Subsections (1) to (4) do not apply to the possession,  
14 transportation, delivery or receipt of farm-raised deer ~~or~~, farm-raised fish,  
15 farm-raised game birds, or wild animals that are subject to regulation under ch. 169.

16 **SECTION 51.** 29.501 (9m) of the statutes is created to read:

17 29.501 (9m) This section applies to the raw furs and dressed furs of fur-bearing  
18 animals that are subject to regulation under ch. 169.

19 **SECTION 52.** 29.506 (4) of the statutes is amended to read:

20 29.506 (4) AUTHORIZATION. Subject to this section, a taxidermist permit  
21 authorizes the permit holder to possess and transport ~~wild animals or carcasses of~~  
22 wild animals in connection with his or her business. This authority supersedes, to  
23 the extent permitted under this section, restrictions on the possession and  
24 transportation of ~~wild animals and carcasses of wild animals~~ established under this

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1 chapter and ch. 169. A taxidermist permit entitles the permit holder to the same  
2 privileges as a Class A fur dealer's license.

3 **SECTION 53.** 29.539 (1m) of the statutes is amended to read:

4 29.539 (1m) Subsection (1) does not apply to farm-raised deer ~~or~~, farm-raised  
5 fish, farm-raised game birds, or wild animals that are subject to regulation under  
6 ch. 169 or the carcasses of these animals.

7 **SECTION 54.** 29.541 (3) of the statutes is amended to read:

8 29.541 (3) EXEMPTION. This section does not apply to the meat from  
9 farm-raised deer ~~or from~~, farm-raised fish, or farm-raised game birds or to meat  
10 that is subject to regulation under s. 169.14.

11 **SECTION 55.** 29.563 (9) (intro.) and (a) (title) of the statutes are repealed.

12 **SECTION 56.** 29.563 (9) (a) 1. of the statutes is renumbered 29.563 (7) (c) 5m.

13 **SECTION 57.** 29.563 (9) (a) 2. to 10. and (b) of the statutes are repealed.

14 **SECTION 58.** 29.563 (9) (c) of the statutes is repealed.

15 **SECTION 59.** 29.614 (3) of the statutes is amended to read:

16 29.614 (3) A scientific collector permit authorizes the permittee to collect or  
17 salvage from the wild, for scientific purposes only, ~~the eggs, nest and live fish and the~~  
18 nests and carcasses of any wild animals specified in the permit subject to the  
19 conditions and limitations specified in the permit and the rules of the department.  
20 The permittee may use the specimens for the scientific purposes for which collected  
21 or salvaged and may transport them or cause them to be transported by common  
22 carrier. Possession of these specimens may not be transferred to any other person,  
23 except that these specimens may be exchanged for other specimens for scientific  
24 purposes. A scientific collector permit may authorize the use of net guns and  
25 tranquilizer guns for activities related to the purposes for which the permit is issued.

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1 Any person who is convicted of violating this chapter shall forfeit the person's permit  
2 and the permit is thereby revoked, in addition to all other penalties. Any person so  
3 convicted is not eligible for a permit under this section for one year following the  
4 conviction.

5 **SECTION 60.** 29.741 (1) of the statutes is repealed.

6 **SECTION 61.** 29.741 (2) of the statutes is renumbered 29.741 and amended to  
7 read:

8 **29.741 ~~State propagation of wild animals~~ Food in the wild for game**  
9 **birds.** No person shall ~~may, from the public waters of this state,~~ take, remove, sell,  
10 or transport ~~from the public waters of this state to any place beyond the borders of~~  
11 ~~the state,~~ any duck potato, wild celery, or any other plant or plant product except wild  
12 rice, ~~that is native in said~~ to these waters and that is commonly known to furnish food  
13 for game birds.

14 **SECTION 62.** 29.745 of the statutes is repealed.

15 **SECTION 63.** 29.853 (title) of the statutes is repealed.

16 **SECTION 64.** 29.853 (1) of the statutes is repealed.

17 **SECTION 65.** 29.853 (2) of the statutes is repealed.

18 **SECTION 66.** 29.853 (3) of the statutes is repealed.

19 **SECTION 67.** 29.853 (4m) of the statutes is repealed.

20 **SECTION 68.** 29.853 (5) (title) of the statutes is repealed.

21 **SECTION 69.** 29.853 (5) of the statutes is renumbered 29.334 (2) and amended  
22 to read:

23 29.334 (2) A person who violates ~~this section~~ sub. (1) shall forfeit not less than  
24 \$100 nor more than \$1,000.

25 **SECTION 70.** 29.855 (title) of the statutes is repealed.

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1           **SECTION 71.** 29.855 (1) of the statutes is repealed.

2           **SECTION 72.** 29.855 (2) of the statutes is repealed.

3           **SECTION 73.** 29.855 (3) of the statutes is repealed.

4           **SECTION 74.** 29.855 (4) (title) of the statutes is repealed.

5           **SECTION 75.** 29.855 (4) of the statutes is renumbered 169.04 (2) (e) and  
6 amended to read:

7           169.04 (2) (e) No person may operate on a live wild skunk to remove its scent  
8 glands unless the person ~~who possesses~~ holds a Class A or Class B captive wild  
9 animal farm license or unless the person is a veterinarian and the person bringing  
10 the skunk is authorized under s. 29.857 or 29.869 to the veterinarian holds such a  
11 license. A veterinarian to whom a person brings a live wild skunk for removal of its  
12 scent glands ~~or for other treatment~~ shall verify whether the person holds a Class A  
13 or Class B captive wild animal farm license. If the person does not hold such a license,  
14 the veterinarian shall notify that person that possession of a live skunk is illegal and  
15 shall notify the department.

16           **SECTION 76.** 29.855 (5) of the statutes is repealed.

17           **SECTION 77.** 29.855 (6) of the statutes is repealed.

18           **SECTION 78.** 29.855 (7) of the statutes is repealed.

19           **SECTION 79.** 29.857 of the statutes is repealed.

20           **SECTION 80.** 29.861 of the statutes is repealed.

21           **SECTION 81.** 29.863 of the statutes is repealed.

22           **SECTION 82.** 29.865 of the statutes is repealed.

23           **SECTION 83.** 29.867 of the statutes is repealed.

24           **SECTION 84.** 29.869 of the statutes is repealed.

25           **SECTION 85.** 29.871 of the statutes is repealed.

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1           **SECTION 86.** 29.873 of the statutes is renumbered 29.627.

2           **SECTION 87.** 29.875 (1) of the statutes is amended to read:

3           29.875 (1) The department may seize and dispose of or may authorize the  
4 disposal of any deer that has escaped from land licensed under s. 29.867 or 29.871  
5 or owned by a person registered under s. 95.55 if the escaped deer has traveled more  
6 than 3 miles from the land or if the licensee or person has not had the deer returned  
7 to the land within ~~72~~ 24 hours of the discovery of the escape.

8           **SECTION 88.** 29.877 of the statutes is repealed.

9           **SECTION 89.** 29.879 of the statutes is repealed.

10          **SECTION 90.** 29.881 of the statutes is repealed.

11          **SECTION 91.** 29.885 (1) (f) of the statutes is amended to read:

12          29.885 (1) (f) Notwithstanding s. 29.001 (90), “wild animal” means any  
13 undomesticated mammal or bird, but does not include farm-raised deer fish,  
14 farm-raised game birds, or wild animals that are subject to regulation under ch. 169.

15          **SECTION 92.** 29.889 (1) (intro.) of the statutes is amended to read:

16          29.889 (1) DEFINITION. (intro.) In this section, “wildlife damage” means damage  
17 caused by any of the following ~~noneaptive~~ wild animals that are not subject to  
18 regulation under ch. 169:

19          **SECTION 93.** 29.889 (1) (a) of the statutes is amended to read:

20          29.889 (1) (a) Deer that are not farm-raised deer.

21          **SECTION 94.** 29.924 (4) of the statutes is amended to read:

22          29.924 (4) ACCESS TO STORAGE PLACES. The owner or occupant of any  
23 cold-storage warehouse or building used for the storage or retention of wild animals,  
24 or their carcasses, that are subject to regulation under this chapter shall permit the  
25 department and its wardens to enter and examine the premises subject to s. 66.0119.

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1 The owner or occupant, or the agent or employee of the owner or occupant, shall  
2 deliver to the officer any such wild animal or carcass, in his or her possession during  
3 the closed season, whether taken within or without the state.

4 **SECTION 95.** 29.927 (5) of the statutes is amended to read:

5 29.927 (5) Any unlicensed trap, snare, spring gun, set gun, net or other device  
6 used in violation of this chapter which might entrap, ensnare, or kill game.

7 **SECTION 96.** 29.931 (1) of the statutes is amended to read:

8 29.931 (1) SEIZURE AND CONFISCATION OF WILD ANIMALS OR PLANTS. The  
9 department and its wardens shall seize and confiscate any wild animal, carcass or  
10 plant caught, killed, taken, had in possession or under control, sold or transported  
11 in violation of this chapter ~~and the~~ or ch. 169. The officer may, with or without  
12 warrant, open, enter and examine all buildings, camps, boats on inland or outlying  
13 waters, vehicles, valises, packages and other places where the officer has probable  
14 cause to believe that wild animals, carcasses or plants, taken or held in violation of  
15 this chapter or ch. 169, are to be found.

16 **SECTION 97.** 29.931 (2) (a) of the statutes is amended to read:

17 29.931 (2) (a) The department and its wardens shall seize and hold, subject to  
18 the order of the court for the county in which the alleged offense was committed, any  
19 vehicle, boat or object declared by this chapter to be a public nuisance, or which they  
20 have probable cause to believe is being used in violation of this chapter or ch. 169 or  
21 s. 167.31, 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, is being used in the  
22 commission of a crime involving an animal normally found in the wild in violation  
23 of s. 951.09, or is being used in the commission of a crime relating to a submerged  
24 cultural resource in violation of s. 44.47. If it is proven that the vehicle, boat or object  
25 is a public nuisance or that within 6 months previous to the seizure the vehicle, boat

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1 or object was used in violation of this chapter or ch. 169 or s. 167.31, 287.81, 940.24,  
2 941.20, 948.60, 948.605 or 948.61, was used in the commission of a crime involving  
3 an animal normally found in the wild in violation of s. 951.09, or was used in the  
4 commission of a crime relating to a submerged cultural resource in violation of s.  
5 44.47, it shall be confiscated if the court directs in its order for judgment.

6 **SECTION 98.** 29.931 (4) of the statutes is created to read:

7 29.931 (4) ORDINANCE VIOLATIONS. For purposes of this section, a violation of ch.  
8 169 includes a violation of an ordinance enacted under s. 169.43.

9 **SECTION 99.** 29.934 (1) (a) of the statutes is amended to read:

10 29.934 (1) (a) All wild animals, carcasses or plants that are confiscated by the  
11 department for a violation of this chapter or ch. 169 and all ~~confiscated~~ vehicles,  
12 boats or objects confiscated by the department for a violation of this chapter or ch.  
13 169 shall, if not destroyed as authorized by law, be sold at the highest price  
14 obtainable, by the department, or by an agent on commission under supervision of  
15 the department. The net proceeds of sales under this subsection, after deducting the  
16 expense of seizure and sale and any commissions and any amounts owing to holders  
17 of security interests under par. (c) or (d), shall be remitted to the department. The  
18 remittance shall be accompanied by a report of the sales, supported by vouchers for  
19 expenses and commissions, and shall be filed with the department.

20 **SECTION 100.** 29.957 of the statutes is amended to read:

21 **29.957 Breaking seals of department.** Any person who breaks, removes or  
22 interferes with any seal or tag attached to any animal, carcass or object by the  
23 department, or who interferes with any animal, carcass or object with a seal or tag  
24 attached, or who counterfeits a seal or tag, attached or unattached, shall be fined not

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1 more than \$500 or imprisoned for not more than 90 days or both. This section applies  
2 to seals and tags required by the department under this chapter or ch. 169.

3 SECTION 101. 29.969 of the statutes is amended to read:

4 **29.969 Larceny of game wild animals.** A person who, without permission  
5 of the owner, disturbs or appropriates any wild animal or its carcass that has been  
6 lawfully reduced to possession by another shall forfeit not less than \$1,000 nor more  
7 than \$2,000. This section does not apply to farm-raised deer ~~or~~ farm-raised fish,  
8 farm-raised game birds, or wild animals that are subject to regulation under ch. 169.

9 SECTION 102. 29.971 (14) of the statutes amended is to read:

10 29.971 (14) In any prosecution under this section it is not necessary for the  
11 state to allege or prove that the animals were not farm-raised deer, farm-raised fish,  
12 farm-raised game birds, wild animals subject to regulation under ch. 169, or  
13 domesticated domestic animals, that they were not taken for scientific purposes, or  
14 that they were taken or in possession or under control without a required approval.  
15 The person claiming that these animals were farm-raised deer, farm-raised fish,  
16 farm-raised game birds, wild animals subject to ch. 169, or domesticated domestic  
17 animals, that they were taken for scientific purposes or that they were taken or in  
18 possession or under control under the required approval, has the burden of proving  
19 these facts.

20 SECTION 103. 29.974 (2) of the statutes is renumbered 29.974 (2) (b).

21 SECTION 104. 29.974 (2) (a) of the statutes is created to read:

22 29.974 (2) (a) In this subsection, “wild animal” does not include a farm-raised  
23 deer, a farm-raised fish, a farm-raised game bird, or a wild animal subject to  
24 regulation under ch. 169.

25 SECTION 105. 29.977 (1) (g) of the statutes is amended to read:

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1           29.977 (1) (g) Any pheasant, ~~Hungarian gray~~ partridge, quail, rail, Wilson's  
2 snipe, woodcock or shore bird, or protected song bird or harmless bird, \$17.50.

3           **SECTION 106.** 29.983 (1) (b) 7. of the statutes is amended to read:

4           29.983 (1) (b) 7. For any pheasant, ~~Hungarian gray~~ partridge, quail, rail,  
5 Wilson's snipe, woodcock or shore bird, or protected song bird or harmless bird,  
6 \$17.50.

7           **SECTION 107.** 49.857 (1) (d) 2. of the statutes is amended to read:

8           49.857 (1) (d) 2. An approval specified in s.29.024 (2g) or a license issued under  
9 ch. 169.

10          **SECTION 108.** 59.25 (3) (f) 2. of the statutes is amended to read:

11          59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be  
12 deposited in the state treasury, the amounts required by s. 757.05 for the penalty  
13 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories  
14 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the  
15 weapons assessment, the amounts required by s. 973.045 for the crime victim and  
16 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the  
17 delinquency victim and witness assistance surcharge, the amounts required by s.  
18 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by  
19 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts  
20 required by s. 100.261 for the consumer information assessment, the amounts  
21 authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse  
22 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment  
23 under the supplemental food program for women, infants and children, the amounts  
24 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing  
25 improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the

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1 driver improvement surcharge, the amounts required by s. 102.85 (4) for the  
2 uninsured employer assessment, the amounts required by s. 299.93 for the  
3 environmental assessment, the amounts required by s. 29.983 for the wild animal  
4 protection assessment, the amounts required by ~~s.~~ ss. 29.987 and 169.46 (1) for the  
5 natural resources assessment surcharge, the amounts required by s. 29.985 for the  
6 fishing shelter removal assessment, the amounts required by s. 350.115 for the  
7 snowmobile registration restitution payment and the amounts required by ~~s.~~ ss.  
8 29.989 and 169.46 (2) for natural resources restitution payments, transmit to the  
9 state treasurer a statement of all moneys required by law to be paid on the actions  
10 entered during the preceding month on or before the first day of the next succeeding  
11 month, certified by the county treasurer's personal signature affixed or attached  
12 thereto, and at the same time pay to the state treasurer the amount thereof.

13 **SECTION 109.** 59.40 (2) (m) of the statutes is amended to read:

14 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's  
15 percentage of the fees required to be paid on each civil action, criminal action and  
16 special proceeding filed during the preceding month and pay monthly to the  
17 treasurer for the use of the state the percentage of court imposed fines and forfeitures  
18 required by law to be deposited in the state treasury, the amounts required by s.  
19 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for  
20 the crime laboratories and drug law enforcement assessment, the amounts required  
21 by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for  
22 the crime victim and witness assistance surcharge, the amounts required by s.  
23 938.34 (8d) for the delinquency victim and witness assistance surcharge, the  
24 amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the  
25 amounts required by s. 961.41 (5) for the drug abuse program improvement

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1 surcharge, the amounts required by s. 100.261 for the consumer information  
2 assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055  
3 for the domestic abuse assessment surcharge, the amounts required by s. 253.06 (4)  
4 (c) for the enforcement assessment under the supplemental food program for women,  
5 infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r)  
6 for the railroad crossing improvement assessment, the amounts required by s.  
7 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4)  
8 for the uninsured employer assessment, the amounts required by s. 299.93 for the  
9 environmental assessment, the amounts required under s. 29.983 for the wild  
10 animal protection assessment, the amounts required under ~~s.~~ ss. 29.987 (1) (d) and  
11 169.46 (1) (d) for the natural resources assessment surcharge, the amounts required  
12 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.  
13 350.115 for the snowmobile registration restitution payment and the amounts  
14 required under ~~s.~~ ss. 29.989 (1) (d) and 169.46 (2) (d) for the natural resources  
15 restitution payments. The payments shall be made by the 15th day of the month  
16 following receipt thereof.

17 **SECTION 110.** 73.0301 (1) (d) 1. of the statutes is amended to read:

18 73.0301 (1) (d) 1. An approval specified in s. 29.024 (2r) or a license specified  
19 in s. 169.35.

20 **SECTION 111.** 90.20 (title) of the statutes is amended to read:

21 **90.20 (title) Fencing of farm-raised deer that are not white-tailed deer.**

22 **SECTION 112.** 90.20 (1) (a) of the statutes is amended to read:

23 90.20 (1) (a) "Farm-raised deer" has the meaning given in s. 95.001 (1) (a) (ag).

24 **SECTION 113.** 90.20 (2) (intro.) of the statutes is amended to read:

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1           90.20 (2) SPECIFICATIONS. (intro.) ~~Any~~ Unless s. 90.21 applies, any person who  
2 keeps farm-raised deer shall keep the farm-raised deer enclosed by a fence that  
3 meets all of the following requirements:

4           **SECTION 114.** 90.21 of the statutes is created to read:

5           **90.21 Fencing of farm-raised deer; white-tailed deer.** (1) DEFINITIONS.

6 In this section:

7           (a) “Department” means the department of natural resources.

8           (b) “Farm-raised deer” has the meaning given in s. 95.001 (1) (ag).

9           (2) REQUIREMENTS. (a) No person may keep farm-raised deer if any of the  
10 farm-raised deer are white-tailed deer unless all of the farm-raised deer are  
11 contained in an fenced area for which the person holds a valid fence inspection  
12 certificate issued by the department under this section.

13           (b) The department may not issue a fence inspection certificate under this  
14 section for a fence that is used to contain farm-raised deer that are white-tailed deer  
15 unless the fence meets the requirements established by the department by rule  
16 under sub. (6).

17           (c) No person may apply for registration under s. 95.55 in order to keep  
18 farm-raised deer that are white-tailed deer without being first issued a fence  
19 inspection certificate under this section.

20           (3) FEES. (a) The fee for a fence inspection certificate issued under this section  
21 is \$50 for a fenced area that is less than 80 acres in size and \$100 for a fenced area  
22 that is 80 acres or more in size.

23           (b) If a person expands a fenced area that is less than 80 acres in size during  
24 the period that the fence inspection certificate issued under this section is valid so

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1 that the fenced area is 80 acres or more in size, the person shall apply for a new fence  
2 inspection certificate and pay an additional fee of \$50.

3 (c) A fence inspection certificate issued under par. (a) or (b) shall be valid from  
4 the date of issuance until the 10th December 31 following the date of issuance.

5 (4) NEW OPERATIONS; DRIVING OUT OF WILD DEER. A person who is starting an  
6 operation to keep farm-raised deer that are white-tailed deer and who is applying  
7 for a fence inspection certificate under this section shall make a reasonable effort to  
8 drive any wild white-tailed deer from the area to be fenced before the area is  
9 completely closed. No person may place any baiting material in attempt to attract  
10 white-tailed deer to remain in the fenced area. If the department issues a certificate  
11 under this section, the department shall determine whether any white-tailed deer  
12 remaining in the area after the area is completely closed will be killed or will be sold  
13 to the holder of the certificate. If the white-tailed deer are to be killed, the  
14 department shall determine how the deer will be killed. If the white-tailed deer are  
15 to be sold, the holder of the certificate shall pay the department the fair market value  
16 for each deer.

17 (5) EXISTING OPERATIONS. A person who holds a license under s. 29.871, 1999  
18 stats., on the effective date of this subsection .... [revisor inserts date], may continue  
19 to keep white-tailed deer, and the department shall automatically issue the person  
20 a fence inspection certificate under this section that will be valid during the period  
21 beginning on the effective date of this subsection .... [revisor inserts date], and ending  
22 on the 30th day after the effective date of the rules promulgated under sub. (6).

23 (6) RULES. The department shall promulgate rules to establish requirements  
24 for fences for which fence inspection certificates are issued under this section. If the

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1 rules include provisions authorizing the placement of fences in navigable bodies of  
2 water, s. 30.12 does not apply to fences placed in compliance with these rules.

3 (7) ENFORCEMENT AUTHORITY. If a fence fails to comply with the requirements  
4 established by rule under sub. (6), the department may issue an order directing the  
5 person who is required to maintain the fence to bring the fence into compliance  
6 within 10 days after the issuance of the order. If the person fails to comply with the  
7 order within 10 days of its issuance, the department may revoke the applicable fence  
8 inspection certificate.

9 (8) PENALTIES. (a) Any person who violates this section, or a rule promulgated  
10 under this section, shall be subject to a forfeiture of not more than \$200.

11 (b) In addition to or in lieu of the forfeiture specified in par. (a), a court may  
12 suspend a fence inspection certificate issued under this section, a registration issued  
13 under s. 95.55 that authorizes the defendant to keep farm-raised deer, or both, for  
14 a period of up to 3 years.

15 (c) The department may revoke any fence inspection certificate issued under  
16 this section to which any of the following applies:

- 17 1. The holder fails to comply with an order issued under sub. (7).
- 18 2. The department determines that the certificate was fraudulently procured,  
19 or erroneously issued.

20 **SECTION 115.** 93.06 (1g) of the statutes is amended to read:

21 **93.06 (1g) ~~INTERSTATE HEALTH CERTIFICATES~~ CERTIFICATES OF VETERINARY**  
22 **INSPECTION.** Furnish, to veterinarians in this state, forms to be used by them in  
23 issuing ~~interstate health certificates~~ or certificates of veterinary inspection. The  
24 department may charge a \$2 fee for each form unless the department specifies a  
25 different fee by rule.

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1           **SECTION 116.** 93.07 (10) (a) of the statutes is repealed.

2           **SECTION 117.** 93.07 (10) (b) of the statutes is renumbered 93.07 (10) and  
3 amended to read:

4           **93.07 (10) ANIMAL HEALTH; QUARANTINE.** To protect the health of domestic  
5 animals ~~of the~~ located in this state; and of humans residing in this state and to  
6 determine and employ the most efficient and practical means for the prevention,  
7 suppression, control, and eradication of communicable diseases among domestic  
8 animals, ~~and for.~~ For these purposes it the department may establish, maintain,  
9 enforce, and regulate such quarantine and such other measures relating to the  
10 importation, movement, and care of animals and their products, the disinfection of  
11 suspected localities and articles, and the disposition of animals, as the department  
12 may deem necessary. The definition of “communicable disease” in s. 990.01 (5g) does  
13 not apply to this paragraph.

14           **SECTION 118.** 93.07 (10m) of the statutes is created to read:

15           **93.07 (10m) RULES FOR DOMESTIC ANIMALS.** To promulgate rules specifying  
16 which animals are domestic animals for purposes of s. 169.01 (7). The rules shall  
17 specify that fur-bearing animals to which s. 29.627 applies are domestic animals.

18           **SECTION 119.** 95.001 (1) (a) of the statutes is renumbered 95.001 (1) (ag) and  
19 amended to read:

20           **95.001 (1) (ag) “Farm-raised deer”** means ~~an animal that is a member of the~~  
21 ~~family cervidae and of the genus dama, the genus rangifer or the genus cervus, except~~  
22 ~~for an elk~~ a cervid that is kept in captivity or a cervid that is present in the wild and  
23 that ~~does not have~~ has an ear tag or other mark identifying it as being raised on a  
24 farm.

25           **SECTION 120.** 95.001 (1) (ad) of the statutes is created to read:

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1           95.001 (1) (ad) “Domestic animal” means any of the following:

2           1. An animal that is a member of a species that has been domesticated by  
3 humans.

4           2. A farm-raised deer, farm-raised game bird, or farm-raised fish.

5           3. An animal that is listed as a domestic animal by rule by the department.

6           **SECTION 121.** 95.001 (1) (ah) of the statutes is created to read:

7           95.001 (1) (ah) “Farm-raised fish” means any fish egg that is present on a fish  
8 farm or any fish that is reared on a fish farm.

9           **SECTION 122.** 95.001 (1) (ai) of the statutes is created to read:

10           95.001 (1) (ai) “Farm-raised game bird” has the meaning given in s. 169.01  
11 (12m).

12           **SECTION 123.** 95.10 (5) of the statutes is amended to read:

13           95.10 (5) No person shall remove or permit the removal of any swine from any  
14 premises where public or commercial garbage is received, except to federally  
15 inspected slaughtering establishments and other slaughtering establishments  
16 approved by the state to receive diseased animals, and only if such swine are  
17 accompanied by a ~~health certificate issued by a veterinarian~~ of veterinary inspection.

18           **SECTION 124.** 95.12 of the statutes is amended to read:

19           **95.12 False pedigree.** No person with intent to defraud shall obtain from any  
20 corporation, association, society or company organized for the purpose of improving  
21 breeds of domestic animals, a false certificate of registration of any such domestic  
22 animal in the herd or other register of any such corporation, association, society or  
23 company, or the transfer of any such certificate, or shall, with intent to defraud, give  
24 a false pedigree of any such domestic animal.

25           **SECTION 125.** 95.13 of the statutes is amended to read:

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1           **95.13 Misrepresenting breed of domestic animal.** No person shall sell or  
2 barter or cause to be sold or bartered any domestic animal and represent, or cause  
3 to be represented that such domestic animal is a pure bred domestic animal, when  
4 in fact such domestic animal is not registered, or entitled to registry, in any pure  
5 breed registry maintained for such domestic animals; nor shall any person  
6 knowingly utter, pass or deliver to any person as true, any false, or altered pedigree;  
7 nor shall any person refuse to deliver proper certificate of registry for any domestic  
8 animal sold or transferred by the person, having represented at the time of sale or  
9 transfer, and as an inducement thereto, that such domestic animal was registered  
10 and that the person possessed and would deliver a certificate of registry as evidence  
11 thereof, or that such domestic animal was entitled to registry and that the person  
12 would secure such certificate and deliver the same.

13           **SECTION 126.** 95.17 of the statutes is amended to read:

14           **95.17 Animal diseases; cooperation with United States.** Whenever it is  
15 determined by the department and the state constitutional officers that it is  
16 necessary to combat dangcrous diseases ~~among domestic~~ in animals in this state in  
17 cooperation with the U.S. department of agriculture and to destroy animals affected  
18 with or which have been exposed to any such disease or to destroy property in the  
19 disinfection of the premises or to do any other act or incur any other expense  
20 reasonably necessary in suppressing or combating such disease, the department  
21 may accept, on behalf of the state, the rules and regulations prepared by the U.S.  
22 department of agriculture under authority of an act of congress relating to the  
23 suppression of any such disease and cooperate with the authorities of the U.S. in the  
24 enforcement of their provisions; or it may follow such procedure as to inspection,  
25 vaccination, condemnation, appraisal, disinfection and other acts reasonably

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1 necessary in the suppression of such diseases as may be agreed upon and adopted  
2 by the department and the state constitutional officers with the representatives of  
3 the U.S. department of agriculture. Within the amount which may, subsequent to  
4 March 23, 1915, be appropriated for this purpose, the state shall pay such proportion  
5 of the expense incurred in suppressing or combating any such disease and in  
6 compensating owners of animals slaughtered under this section as shall be  
7 determined by and mutually agreed upon with the U.S. department of agriculture.

8 **SECTION 127.** 95.20 of the statutes is repealed and recreated to read:

9 **95.20 Import and movement of animals.** The department may prohibit or  
10 regulate the importing of animals into this state or the movement of animals within  
11 this state if the department has reasonable grounds to believe that regulation or  
12 prohibition is necessary to prevent the introduction or spread of a disease in this  
13 state that threatens the health of animals or of humans.

14 **SECTION 128.** 95.22 of the statutes is repealed and recreated to read:

15 **95.22 Reporting animal diseases.** (1) A veterinarian and the department  
16 of natural resources shall report to the department of agriculture, trade and  
17 consumer protection any disease specified in the rules promulgated under sub. (2)  
18 (a) each time a veterinarian or the department of natural resources discovers that  
19 such a disease is present in any animal in this state.

20 (2) The department shall promulgate rules that specify all of the following:

21 (a) The diseases that a veterinarian or the department of natural resources  
22 must report under this section.

23 (b) For each disease specified in par. (a), the deadline for reporting the disease  
24 after the date of its discovery.

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1 (c) The information that a veterinarian or the department of natural resources  
2 must include in his or her report.

3 (d) Procedures to be used in preparing and submitting the report.

4 (3) The department of agriculture, trade and consumer protection shall notify  
5 the department of natural resources of the contents of any report submitted under  
6 sub. (1) by a veterinarian if the department of agriculture, trade and consumer  
7 protection determines that the disease that is the subject of the report may present  
8 a threat to any wild animals present in this state.

9 **SECTION 129.** 95.24 (3) (a) (intro.) of the statutes is amended to read:

10 95.24 (3) (a) (intro.) No type of living vaccine for immunizing against anthrax  
11 or swine erysipelas may be administered to any domestic animal, ~~including fowl~~, or  
12 sold or dispensed in this state without first having obtained the written approval of  
13 the chief veterinarian of the department. Approval to administer such vaccine shall  
14 be granted to licensed veterinarians only, and then only to qualify the domestic  
15 animal ~~or fowl~~ for export or in the event that any of the following has been  
16 established:

17 **SECTION 130.** 95.24 (3) (a) 1. of the statutes is amended to read:

18 95.24 (3) (a) 1. The domestic animals to be so treated are infected.

19 **SECTION 131.** 95.24 (3) (a) 2. of the statutes is amended to read:

20 95.24 (3) (a) 2. The domestic animals to be so treated are on premises known  
21 to be contaminated.

22 **SECTION 132.** 95.24 (3) (a) 3. of the statutes is amended to read:

23 95.24 (3) (a) 3. The domestic animals to be so treated have been exposed within  
24 40 days to infection with the disease for which the living vaccine is prescribed as a  
25 proper immunizing agent.

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1           **SECTION 133.** 95.31 (1) of the statutes is amended to read:

2           95.31 (1) The department ~~shall have general power and authority to~~ may  
3           condemn and ~~order the slaughter or destruction of animals~~ that are affected with or  
4           exposed to a contagious and or infectious diseases as ~~as~~ disease if the department  
5           determines that it is necessary to do so to prevent or control the spread of dangerous  
6           diseases ~~among domestic animals of this state.~~ ~~The department shall pay~~  
7           ~~indemnities to the owners of animals condemned and destroyed as provided in this~~  
8           ~~chapter~~ the disease. Condemned animals shall be slaughtered or destroyed as  
9           directed by the department.

10          **SECTION 134.** 95.31 (2) of the statutes is amended to read:

11          95.31 (2) ~~Whenever~~ If the department determines that it is necessary to  
12          condemn ~~diseased animals~~ an animal under sub. (1), the department shall, in all  
13          cases where the payment of indemnities is authorized under this chapter, appraise  
14          the ~~condemned animals~~ animal as provided in s. 95.32 and shall notify the owner in  
15          writing of the appraised value. The notice shall include the number and description  
16          of the animals and the name of the owner.

17          **SECTION 135.** 95.31 (3) of the statutes is amended to read:

18          95.31 (3) In addition to the indemnities for specific animal diseases provided  
19          under ss. 95.25, 95.26 and 95.27 or under special emergency programs and subject  
20          to s. 95.36, the department shall pay indemnities on livestock condemned and  
21          slaughtered or destroyed because of other diseases if the department determines  
22          that the condemnation and slaughter or destruction is necessary to protect public  
23          health or the livestock industry. The indemnity under this subsection shall be  
24          two-thirds of the difference between net salvage value and appraised value, but may  
25          not exceed \$1,500 for an animal. As used in this subsection, “livestock” means

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1 animals of species raised primarily to produce food for human consumption,  
2 including farm-raised deer.

3 **SECTION 136.** 95.31 (4) of the statutes is amended to read:

4 95.31 (4) In the event of a major or serious outbreak of ~~dangerous diseases~~  
5 affecting a contagious or infectious disease that may affect public health or the  
6 health of domestic animals requiring and that requires special control measures, the  
7 department may request the joint committee on finance to release funds  
8 appropriated under s. 20.115 (2) (b) as needed to conduct emergency control  
9 programs independently or in cooperation with federal or local units of government  
10 and, subject to s. 95.36, to pay indemnities on animals of species raised primarily to  
11 produce food for human consumption, including farm-raised deer, condemned and  
12 slaughtered or destroyed under the emergency control programs. For all indemnities  
13 paid under this subsection, the state shall pay two-thirds of the difference between  
14 the net salvage value and the appraised value of an animal, except that no payment  
15 may exceed \$1,500 for an animal.

16 **SECTION 137.** 95.38 (1) of the statutes is amended to read:

17 95.38 (1) It shall be unlawful for any person to in any manner change any test  
18 record, falsely record any test, misrepresent the identification of any animal or any  
19 other material fact on any test record, ~~interstate health certificate,~~ certificate of  
20 veterinary inspection, vaccination record, claim for indemnity, or any disease control  
21 report or application to the department. It shall be unlawful for any person to induce  
22 or to conspire with another, either directly or indirectly, to do any of the said  
23 prohibited acts.

24 **SECTION 138.** 95.45 (title) of the statutes is repealed and recreated to read:

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1           **95.45 (title) Certificates of veterinary inspection; tests for interstate**  
2           **shipment.**

3           **SECTION 139.** 95.45 (2) of the statutes is repealed.

4           **SECTION 140.** 95.45 (3) of the statutes is repealed.

5           **SECTION 141.** 95.45 (4) of the statutes is created to read:

6           95.45 (4) (a) If the department requires that a certificate of veterinary  
7           inspection accompany an animal imported into this state, the veterinarian who  
8           issues the certificate shall file a copy of the certificate with the department.

9           (b) If a certificate of veterinary inspection is required for a wild animal under  
10          s. 169.04 (2) (d) and (3) (a) or 169.06 (1) (d) 1., the veterinarian who issues the  
11          certificate shall file a copy of the certificate with the department of agriculture, trade  
12          and consumer protection. The department of agriculture, trade and consumer  
13          protection shall provide a copy of the certificate to the department of natural  
14          resources.

15          (c) The department may promulgate rules to impose requirements on the form,  
16          issuance, and filing of certificates of veterinary inspection.

17          **SECTION 142.** 95.45 (5) of the statutes is created to read:

18          95.45 (5) Any certificate of veterinary inspection prepared under this chapter  
19          or ch. 169 shall comply with any rules that are promulgated by the department.

20          **SECTION 143.** 95.49 (1) (e) of the statutes is amended to read:

21          95.49 (1) (e) Animals not known to be reactors moved to the premises of ~~a~~  
22          ~~livestock~~ an animal market operator licensed under s. 95.68 or ~~a livestock~~ an animal  
23          dealer licensed under s. 95.69, for sale and removal as provided in sub. (2).

24          **SECTION 144.** 95.49 (1m) (e) of the statutes is amended to read:

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1           95.49 (1m) (e) Animals not known to be reactors moved to the premises of -a  
2   livestock an animal market operator licensed under s. 95.68 or -a livestock an animal  
3   dealer licensed under s. 95.69, for sale and removal as provided in sub. (2).

4           **SECTION 145.** 95.49 (2) of the statutes is amended to read:

5           95.49 (2) Animals moved to the premises of -a livestock an animal market or  
6   animal dealer pursuant to the exemption from brucellosis test in sub. (1) (e) or (1m)  
7   (e) may be removed only in compliance with the brucellosis test requirements in sub.  
8   (1) or (1m).

9           **SECTION 146.** 95.55 (title) of the statutes is amended to read:

10          **95.55 Farm-raised deer; registration.**

11          **SECTION 147.** 95.55 (1) (b) of the statutes is renumbered 95.55 (1) (b) 1.

12          **SECTION 148.** 95.55 (1) (b) 2. of the statutes is created to read:

13          95.55 (1) (b) 2. The department may promulgate rules to exempt groups of  
14   persons or species of farm-raised deer from the registration requirement under this  
15   section.

16          **SECTION 149.** 95.55 (3m) of the statutes is created to read:

17          95.55 (3m) AUTHORIZATION. A person who is registered under this section may  
18   do any of the following:

19           (a) Possess, propagate, purchase, sell, hunt, kill, and exhibit farm-raised deer.

20           (b) Hunt or sell or offer to sell the opportunity to hunt farm-raised deer that  
21   the person owns.

22          **SECTION 150.** 95.55 (5) of the statutes is created to read:

23          95.55 (5) HUNTING. (a) A person hunting farm-raised deer is exempt from  
24   having any hunting approval issued under ch. 29 and is exempt from any closed  
25   season restrictions or bag limits established by the department of natural resources.

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1 In order to regulate the hunting of farm-raised deer, the department of agriculture,  
2 trade and consumer protection may promulgate rules to establish tagging  
3 requirements or other methods for identifying dead farm-raised deer that have been  
4 legally hunted or killed and to impose other conditions or requirements regulating  
5 the hunting of farm-raised deer. Section 29.314 applies to the hunting of  
6 farm-raised deer.

7 (b) No owner of farm-raised deer may sell, or offer to sell, the opportunity to  
8 hunt farm-raised deer unless the farm-raised deer to be hunted are confined in an  
9 area of 80 contiguous acres or more.

10 (c) The department of natural resources and the department of agriculture,  
11 trade and consumer protection shall cooperate with each other with respect to the  
12 hunting of farm-raised deer.

13 **SECTION 151.** 95.55 (6) of the statutes is created to read:

14 95.55 (6) RULES. (a) The department shall promulgate rules to regulate  
15 persons who keep farm-raised deer. The rules shall establish disease testing  
16 requirements for bovine tuberculosis and chronic wasting disease and may establish  
17 testing requirements for other diseases.

18 (b) The rules promulgated under this subsection may include any of the  
19 following:

20 1. Standards to be followed by persons keeping farm-raised deer to prevent the  
21 spread of disease.

22 2. Provisions requiring that registration under this section be on an annual  
23 basis.

24 3. Exemptions from any annual registration requirements established under  
25 subd. 2.

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1           **SECTION 152.** 95.57 of the statutes is created to read:

2           **95.57 Poultry and farm-raised game birds; national poultry**  
3 **improvement program.** (1) **PARTICIPATION IN PROGRAM.** The department may  
4 promulgate rules to require that any of the following originate from a flock of a person  
5 participating in the national poultry improvement plan under 9 CFR part 145:

6           (a) Poultry, including their eggs, that are used for breeding purposes.

7           (b) Farm-raised game birds, including their eggs, that are used for breeding  
8 purposes.

9           (2) **FEEES.** The department shall promulgate a rule to set any fee that it imposes  
10 on a person for participation in the national poultry improvement plan.

11           **SECTION 153.** 95.60 (1) (intro.) and (b) of the statutes are consolidated,  
12 renumbered 95.60 (1) and amended to read:

13           95.60 (1) In this section: (b) ~~“Waters,~~ “waters of the state” has the meaning  
14 given in s. 281.01 (18).

15           **SECTION 154.** 95.60 (1) (a) of the statutes is renumbered 95.001 (1) (aj).

16           **SECTION 155.** 95.68 (title) of the statutes is amended to read:

17           **95.68 (title) ~~Livestock~~ Animal markets.**

18           **SECTION 156.** 95.68 (1) (a) of the statutes is renumbered 95.68 (1) (am).

19           **SECTION 157.** 95.68 (1) (b) of the statutes is amended to read:

20           95.68 (1) (b) ~~“Equine market” means a livestock~~ an animal market that is open  
21 to the public solely for the purpose of trading in equine animals.

22           **SECTION 158.** 95.68 (1) (e) of the statutes is renumbered 95.68 (1) (ag) and  
23 amended to read:

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1           95.68 (1) (ag) “~~Livestock~~ Animal market” means any premises which are open  
2 to the public for the purpose of trading in livestock or wild animals and on which  
3 facilities are maintained for their yarding, feeding and watering prior to sale.

4           **SECTION 159.** 95.68 (1) (f) of the statutes is renumbered 95.68 (1) (ai) and  
5 amended to read:

6           95.68 (1) (ai) “~~Livestock~~ Animal transport vehicle” has the meaning given in  
7 s. 95.71 (1) (g) (~~dm~~).

8           **SECTION 160.** 95.68 (1) (g) of the statutes is created to read:

9           95.68 (1) (g) “Wild animal” means a wild animal that is subject to regulation  
10 under ch. 169.

11           **SECTION 161.** 95.68 (2) of the statutes is amended to read:

12           95.68 (2) LICENSE. Except as provided in sub. (2m), no person may operate ~~a~~  
13 ~~livestock~~ an animal market without an annual license from the department. ~~A~~  
14 ~~livestock~~ An animal market license expires on June 30 annually. A separate license  
15 is required for every ~~livestock~~ animal market. A license is not transferable between  
16 persons or locations.

17           **SECTION 162.** 95.68 (2m) (title) of the statutes is repealed and recreated to read:

18           95.68 (2m) (title) EXEMPTIONS.

19           **SECTION 163.** 95.68 (2m) of the statutes is renumbered 95.68 (2m) (a) and  
20 amended to read:

21           95.68 (2m) (a) A person is not required to obtain a license under sub. (2) to  
22 operate an occasional auction sale sponsored by a livestock breeder association or a  
23 youth agricultural organization if records of the transactions at the sale are  
24 maintained by an auctioneer registered under ch. 480 or by ~~a livestock~~ an animal  
25 dealer licensed under s. 95.69.

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1           **SECTION 164.** 95.68 (2m) (b) of the statutes is created to read:

2           95.68 (2m) (b) The department may promulgate rules to exempt groups of  
3 persons from the licensing requirement under sub. (2) or the registration  
4 requirement under sub. (7) or both.

5           **SECTION 165.** 95.68 (4) (intro.) of the statutes is amended to read:

6           95.68 (4) FEES. (intro.) Unless the department specifies a different fee by rule,  
7 the fee for a ~~livestock market~~ license issued under this section is the following  
8 amount:

9           **SECTION 166.** 95.68 (4) (a) of the statutes is amended to read:

10          95.68 (4) (a) For ~~a livestock~~ an animal market that is not an equine market  
11 and that conducted sales at the market on at least 5 days during the year  
12 immediately preceding the year for which the license is issued, \$150.

13          **SECTION 167.** 95.68 (4) (b) of the statutes is amended to read:

14          95.68 (4) (b) For ~~a livestock~~ an animal market that is not an equine market  
15 and that conducted sales on fewer than 5 days during the year immediately  
16 preceding the year for which the license is issued, \$75.

17          **SECTION 168.** 95.68 (4) (c) of the statutes is amended to read:

18          95.68 (4) (c) For ~~a livestock~~ an animal market other than one described in par.  
19 (a) or (b), \$100.

20          **SECTION 169.** 95.68 (5) (a) 1. of the statutes is amended to read:

21          95.68 (5) (a) 1. Operated ~~a livestock~~ an animal market without a license in  
22 violation of sub. (2).

23          **SECTION 170.** 95.68 (5) (a) 1m. of the statutes is created to read:

24          95.68 (5) (a) 1m. Operated a livestock market, as defined in s. 95.68 (1) (e), 1999  
25 stats., without a license in violation of s. 95.68 (2), 1999 stats.

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1           **SECTION 171.** 95.68 (5) (a) 2. of the statutes is amended to read:

2           95.68 (5) (a) 2. Operated an unregistered ~~livestock~~ animal transport vehicle in  
3 violation of sub. (7).

4           **SECTION 172.** 95.68 (5) (a) 2m. of the statutes is created to read:

5           95.68 (5) (a) 2m. Operated an unregistered livestock vehicle, as defined in s.  
6 95.71 (1) (g), 1999 stats., in violation of s. 95.68 (7), 1999 stats.

7           **SECTION 173.** 95.68 (5) (b) of the statutes is amended to read:

8           95.68 (5) (b) In addition to the surcharge under par. (a), an applicant for a  
9 license under sub. (2) shall pay the fees due for the year in which the applicant was  
10 in violation of ~~sub. (2) or (7)~~.

11           **SECTION 174.** 95.68 (5) (c) of the statutes is amended to read:

12           95.68 (5) (c) The payment of the surcharge and fees under this subsection does  
13 not relieve the applicant of other civil or criminal liability that may result from the  
14 failure to obtain a license or from the operation of an unregistered ~~livestock~~ vehicle,  
15 but does not constitute evidence of a violation of a law.

16           **SECTION 175.** 95.68 (7) of the statutes is amended to read:

17           95.68 (7) ~~LIVESTOCK ANIMAL TRANSPORT VEHICLE REGISTRATION.~~ No ~~livestock~~  
18 animal market operator may operate ~~a livestock~~ an animal transport vehicle unless  
19 the ~~livestock~~ animal transport vehicle is registered with the department in the name  
20 of the ~~livestock~~ animal market operator. The ~~livestock~~ animal transport vehicle shall  
21 be registered on a form provided by the department. The registration shall include  
22 a description and the serial number of the livestock animal transport vehicle.

23           **SECTION 176.** 95.68 (8) of the statutes is amended to read:

24           95.68 (8) **RULES.** The department may promulgate rules to specify license fees  
25 under sub. (4) or to regulate the operation of ~~livestock~~ animal markets, including

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1 rules related to market operator qualifications, market construction and  
2 maintenance, construction and maintenance of ~~livestock~~ animal transport vehicles,  
3 identification of ~~livestock~~ animal transport vehicles, disease sanitation, humane  
4 treatment of animals, identification of animals, record keeping, reports to the  
5 department and compliance with applicable financial security requirements under  
6 state or federal law.

7 **SECTION 177.** 95.69 (title) of the statutes is amended to read:

8 **95.69 (title) ~~Livestock~~ Animal dealers.**

9 **SECTION 178.** 95.69 (1) (b) of the statutes is renumbered 95.69 (1) (g).

10 **SECTION 179.** 95.69 (1) (c) (intro.) of the statutes is amended to read:

11 95.69 (1) (c) (intro.) “~~Livestock~~ Animal dealer” means a person who, as  
12 principal or agent, engages in the business of buying for resale or for slaughter,  
13 selling or exchanging livestock or wild animals. “~~Livestock~~ Animal dealer” does not  
14 include any of the following:

15 **SECTION 180.** 95.69 (1) (c) 1. of the statutes is amended to read:

16 95.69 (1) (c) 1. A ~~livestock~~ An animal dealer employee.

17 **SECTION 181.** 95.69 (1) (c) 2m. of the statutes is created to read:

18 95.69 (1) (c) 2m. A person holding a license issued under s. 169.15, 169.18,  
19 169.19, or 169.26 who sells wild animals if the person keeps them solely for breeding  
20 or feeding purposes and the person is not otherwise engaged in the business of buying  
21 them for resale, slaughter, sale or exchange.

22 **SECTION 182.** 95.69 (1) (d) of the statutes is amended to read:

23 95.69 (1) (d) “~~Livestock~~ Animal dealer employee” means an employee of a  
24 licensed ~~livestock~~ animal dealer, who does business in the name of the licensed  
25 ~~livestock~~ animal dealer.

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1           **SECTION 183.** 95.69 (1) (e) of the statutes is amended to read:

2           95.69 (1) (e) “~~Livestock~~ Animal market” has the meaning given in s. 95.68 (1)  
3 (e) (ag).

4           **SECTION 184.** 95.69 (1) (f) of the statutes is amended to read:

5           95.69 (1) (f) “~~Livestock~~ Animal transport vehicle” has the meaning given in s.  
6 95.71 (1) (g) (dm).

7           **SECTION 185.** 95.69 (1) (h) of the statutes is created to read:

8           95.69 (1) (h) “Wild animal” has the meaning given in s. 95.68 (1) (g).

9           **SECTION 186.** 95.69 (2) of the statutes is amended to read:

10          95.69 (2) LICENSE. No person may operate as ~~a livestock~~ an animal dealer  
11 without an annual license from the department, except that no license is required  
12 of a person licensed as ~~a livestock~~ an animal market operator under s. 95.68. ~~A~~  
13 ~~livestock~~ An animal dealer license expires on June 30 annually. ~~A livestock~~ An  
14 animal dealer license is not transferable.

15          **SECTION 187.** 95.69 (2m) of the statutes is created to read:

16          95.69 (2m) EXEMPTION. The department may promulgate rules to exempt  
17 groups of persons from the licensing requirement under sub. (2) or the registration  
18 requirement under sub. (7) or both.

19          **SECTION 188.** 95.69 (4) of the statutes is amended to read:

20          95.69 (4) FEES. Unless the department specifies a different fee by rule, the fee  
21 for ~~a livestock~~ an animal dealer license is \$75.

22          **SECTION 189.** 95.69 (5) (a) 1. of the statutes is amended to read:

23          95.69 (5) (a) 1. Operated as ~~a livestock~~ an animal dealer without a license in  
24 violation of sub. (2).

25          **SECTION 190.** 95.69 (5) (a) 1m. of the statutes is created to read:

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1           95.69 (5) (a) 1m. Operated as a livestock dealer, as defined in s. 95.69 (1) (c),  
2 1999 stats., without a license in violation of s. 95.69 (2), 1999 stats.

3           **SECTION 191.** 95.69 (5) (a) 2. of the statutes is amended to read:

4           95.69 (5) (a) 2. Operated an unregistered ~~livestock~~ animal transport vehicle in  
5 violation of sub. (7).

6           **SECTION 192.** 95.69 (5) (a) 2m. of the statutes is created to read:

7           95.69 (5) (a) 2m. Operated an unregistered livestock vehicle, as defined in s.  
8 95.71 (1) (g), 1999 stats., in violation of s. 95.69 (7), 1999 stats.

9           **SECTION 193.** 95.69 (5) (b) of the statutes is amended to read:

10          95.69 (5) (b) In addition to the surcharge under par. (a), an applicant for a  
11 license under sub. (2) shall pay the fees due for the year in which the applicant was  
12 in violation of ~~sub. (2) or (7)~~.

13          **SECTION 194.** 95.69 (5) (c) of the statutes is amended to read:

14          95.69 (5) (c) The payment of the surcharge and fees under this subsection does  
15 not relieve the applicant of other civil or criminal liability that may result from the  
16 failure to obtain a license or from the operation of an unregistered ~~livestock~~ vehicle  
17 but does not constitute evidence of a violation of a law.

18          **SECTION 195.** 95.69 (7) of the statutes is amended to read:

19          95.69 (7) ~~LIVESTOCK~~ ANIMAL TRANSPORT VEHICLE REGISTRATION. No ~~livestock~~  
20 animal dealer may operate ~~a livestock~~ an animal transport vehicle unless the  
21 ~~livestock~~ animal transport vehicle is registered with the department in the name of  
22 the ~~livestock~~ animal dealer. The ~~livestock~~ animal transport vehicle shall be  
23 registered in the name of the ~~livestock~~ animal dealer on a form provided by the  
24 department. The registration shall include a description and the serial number of  
25 the ~~livestock~~ animal transport vehicle.

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1           **SECTION 196.** 95.69 (8) of the statutes is amended to read:

2           95.69 (8) **RULES.** The department may promulgate rules to specify license fees  
3 under sub. (4) or to regulate ~~livestock~~ animal dealers, including rules related to  
4 ~~livestock~~ animal dealer qualifications, construction and maintenance of ~~livestock~~  
5 animal transport vehicles, identification of ~~livestock~~ animal transport vehicles,  
6 disease sanitation, humane treatment of animals, identification of animals, record  
7 keeping, reports to the department and compliance with applicable financial  
8 security requirements under state or federal law.

9           **SECTION 197.** 95.69 (8m) of the statutes is amended to read:

10          95.69 (8m) **TRANSACTION RECORDS.** An auctioneer registered under ch. 480 who  
11 sells livestock or wild animals and who is not required to obtain a license under this  
12 section shall make records of the sales available to the department upon request for  
13 disease investigation purposes.

14          **SECTION 198.** 95.71 (title) of the statutes is amended to read:

15          95.71 (title) **Livestock Animal truckers.**

16          **SECTION 199.** 95.71 (1) (b) of the statutes is renumbered 95.71 (1) (h).

17          **SECTION 200.** 95.71 (1) (c) of the statutes is repealed.

18          **SECTION 201.** 95.71 (1) (d) of the statutes is repealed.

19          **SECTION 202.** 95.71 (1) (e) of the statutes is amended to read:

20          95.71 (1) (e) “Livestock Animal trucker” means a person engaged in the  
21 business of transporting for hire, by means of ~~a livestock an animal transport~~  
22 vehicle, livestock and wild animals, except that it “animal trucker” does not include  
23 ~~a livestock an animal~~ trucker employee.

24          **SECTION 203.** 95.71 (1) (f) of the statutes is amended to read:

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1           95.71 (1) (f) “Livestock Animal trucker employee” means the employee of a  
2 person who holds ~~a livestock~~ an animal trucker license if the employee, in the name  
3 of the licensed livestock animal trucker, operates ~~a livestock~~ an animal transport  
4 vehicle which is registered by the livestock animal trucker and on which the name  
5 and the business address of the licensed animal livestock trucker are prominently  
6 displayed.

7           **SECTION 204.** 95.71 (1) (g) of the statutes is renumbered 95.71 (1) (dm) and  
8 amended to read:

9           95.71 (1) (dm) “~~Livestock~~ Animal transport vehicle” means any vehicle used to  
10 transport livestock or wild animals.

11           **SECTION 205.** 95.71 (1) (i) of the statutes is created to read:

12           95.71 (1) (i) “Wild animal” has the meaning given in s. 95.68 (1) (g).

13           **SECTION 206.** 95.71 (2) of the statutes is amended to read:

14           95.71 (2) LICENSE. No person may operate as ~~a livestock~~ an animal trucker  
15 without an annual license issued by the department. ~~A livestock~~ An animal trucker  
16 license authorizes ~~a livestock~~ an animal trucker to operate only those livestock  
17 animal transport vehicles that are registered by the livestock animal trucker under  
18 sub. (4). A license expires on June 30 annually. ~~A livestock~~ An animal trucker license  
19 is not transferable.

20           **SECTION 207.** 95.71 (3) of the statutes is amended to read:

21           95.71 (3) APPLICATION. An application for ~~a livestock~~ an animal trucker license  
22 under sub. (2) shall be made on a form provided by the department. The application  
23 shall include information reasonably required by the department for licensing  
24 purposes. As part of the application, the applicant shall register every livestock  
25 animal transport vehicle operated by the applicant as provided under sub. (4). An

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1 application shall be accompanied by the applicable fees and surcharges required  
2 under subs. (5) and (6).

3 **SECTION 208.** 95.71 (4) of the statutes is amended to read:

4 95.71 (4) ~~LIVESTOCK~~ ANIMAL TRANSPORT VEHICLE REGISTRATION. No ~~livestock~~  
5 animal trucker may operate ~~a livestock~~ an animal transport vehicle unless the  
6 ~~livestock~~ animal transport vehicle is registered with the department in the name of  
7 the ~~livestock~~ animal trucker. The ~~livestock~~ animal transport vehicle shall be  
8 registered on a form provided by the department. The registration shall include a  
9 description and the serial number of the ~~livestock~~ animal transport vehicle.

10 **SECTION 209.** 95.71 (5) (a) of the statutes is amended to read:

11 95.71 (5) (a) Unless the department specifies different fees by rule, an  
12 applicant for ~~a livestock~~ an animal trucker license shall pay a fee in an amount equal  
13 to \$20 plus \$5 for each ~~livestock~~ animal transport vehicle registered with the  
14 applicant's license application under sub. (3).

15 **SECTION 210.** 95.71 (5) (b) of the statutes is amended to read:

16 95.71 (5) (b) If during any license year ~~a livestock~~ an animal trucker registers  
17 ~~a livestock~~ an animal transport vehicle that was not registered with the ~~livestock~~  
18 animal trucker's annual license application under sub. (3), the ~~livestock~~ animal  
19 trucker shall, at the time of the additional registration, pay a registration fee of \$5  
20 for each ~~livestock~~ animal transport vehicle registered.

21 **SECTION 211.** 95.71 (6) (a) (intro.) of the statutes is amended to read:

22 95.71 (6) (a) (intro.) An applicant for ~~a livestock~~ an animal trucker license shall  
23 pay a license fee surcharge of \$100 if the department determines that within 365  
24 days prior to submitting the license application the applicant did any of the  
25 following: