



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Senate Bill 63

**Senate Substitute
Amendment 1**

Memo published: March 11, 2004

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Current Law

Under current law, no person may do any of the following with the carcass of a game bird:

- Sell, buy, barter, or trade the carcass.
- Offer to sell, buy, barter, or trade the carcass.
- Have the carcass in possession or under control for the purpose of sale, barter, or trade.

This prohibition does not apply if there is an explicit exception in ch. 29, Stats., the state's wild animals and plants law.

Senate Bill 63

Senate Bill 63 creates an exception to the prohibitions in current law described above for feathers and other nonedible parts of an upland game bird that has been lawfully killed. The bill defines an "upland game bird" to be a grouse, partridge, pheasant, quail, or wild turkey.

Senate Substitute Amendment 1

Senate Substitute Amendment 1 to 2003 Senate Bill 63 authorizes the sale, purchase, trading, and bartering of upland game bird feathers and other nonedible parts as a regulated activity under a license issued by the Department of Natural Resources (DNR). The license requirements include record keeping requirements that enable the tracking of these transactions.

In particular, the substitute amendment modifies the state regulation of fur dealers to include feather dealers. The substitute amendment amends the definitions of Class A and Class B resident fur

dealers to be Class A and Class B fur and feather dealers and authorizes persons meeting the definition of one of these dealers to also buy, sell, barter, or trade nonedible parts of upland game birds if the person holds one of the following licenses issued by the DNR: fur auctioneer license, fur dresser or dyer license, Class A residential fur and feather dealer license, or Class B resident fur and feather dealer license.

The substitute amendment defines “nonedible part” and “upland game bird” as follows:

“Nonedible part” means a part of an animal that is not bought, sold, bartered, or traded for the purpose of being eaten.

“Upland game bird” means a grouse, partridge, pheasant, quail, or wild turkey that is present in the wild and that does not have a leg band or other mark identifying it as being held in captivity.

The substitute amendment requires the license holders identified above to keep records of all of his or her transactions including the buying, selling, bartering, or trading of nonedible parts of upland game birds. These record keeping requirements are the same as those currently applicable to resident fur dealers.

A hunter who has lawfully killed an upland game bird is not subject to the licensing or record keeping requirements required by the substitute amendment when the person sells, barter, or trades a nonedible part of the upland game bird.

The substitute amendment grandfathers currently licensed Class A and Class B resident fur dealers to allow them to buy, sell, barter, and trade nonedible parts of upland game birds until their current license expires. The substitute amendment also authorizes a taxidermist permit holder to buy, sell, barter, or trade nonedible parts of upland game birds.

Under the substitute amendment, the license fees for a Class A and Class B resident fur and feather dealer remain the same as currently for a Class A and Class B resident fur dealer, \$25 and \$10 respectively.

Legislative History

Senator David Zien offered Senate Substitute Amendment 1 to 2003 Senate Bill 63, on May 21, 2003. The Senate Committee on Environment and Natural Resources adopted Senate Substitute Amendment 1 by a vote of Ayes, 5; Noes, 0, on May 22, 2003. The committee recommended passage of Senate Bill 63, as amended, on a vote of Ayes, 3; Noes, 2, on May 22, 2003. The Senate adopted Senate Substitute Amendment 1 and passed Senate Bill 63, as amended, on separate voice votes on October 1, 2003.

On March 2, 2004, the Assembly Committee on Natural Resources recommended concurrence in Senate Bill 63 on a vote of Ayes, 8; Noes, 3.

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