



2009 SENATE BILL 112

March 13, 2009 - Introduced by Senators HOLPERIN, KEDZIE, OLSEN and TAYLOR, cosponsored by Representatives HRAYCHUCK, GUNDERSON, MILROY, A. OTT, SMITH and VRUWINK. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1 **AN ACT** *to repeal* 29.539 (5) (b); *to renumber and amend* 29.351 (1) (b), 29.351
2 (1) (c), 29.539 (1m), 29.539 (4), 29.539 (5) (a) and 29.539 (7); *to consolidate,*
3 *renumber and amend* 29.351 (1) (intro.) and (a); *to amend* 29.331 (1), 29.351
4 (2m), 29.539 (title), 29.539 (1) (a) (intro.), 29.539 (1) (a) 1., 29.539 (1) (b) and
5 29.539 (6); and *to create* 29.024 (5) (e), 29.351 (1m) (b), 29.539 (1) (a) 1m.,
6 29.539 (1m) (a), 29.539 (1m) (b), 29.539 (1m) (c), 29.539 (1m) (g) and 29.539 (1m)
7 (h) of the statutes; **relating to:** the possession of green skins of fur-bearing
8 animals, the tagging of traps, and the sale, purchase, bartering, and trade of
9 wild animals and their carcasses.

Analysis by the Legislative Reference Bureau

Under current law, a person is prohibited from possessing the green skin of any fur-bearing animal, except beaver, from the fifth day after the beginning of the closed season for that animal until the end of that closed season. This bill exempts from this prohibition the possession of the green skin of a lawfully killed fur-bearing animal that carries a registration tag issued by the Department of Natural Resources (DNR) or for which there is an open season without any bag or possession limits. The bill also exempts from the prohibition a landowner or occupant who

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possesses the greenskin of certain fur-bearing animals that are trapped on that land. Also, under the bill, the prohibition and the exemption apply to beaver in the same manner that they apply to other fur-bearing animals.

Under current law, with limited exceptions, no person may sell, buy, barter, or trade a deer (except farm-raised deer), bear, elk, squirrel, the carcass of one of those wild animals, at any time, or any other wild animal, or its carcass, during the closed season for that wild animal. The tail and skin of a squirrel are currently exempt from this prohibition. This bill expands the exemption by including the skull and claws of a squirrel. Also, the bill allows a person to sell, purchase, barter, or trade a fur-bearing animal that has a valid registration tag attached by DNR or a wild animal, or its carcass, for which there is an open season and for which there is no bag or possession limit. The bill further allows the sale, purchase, barter, and trade of liquid scent made from the carcass of a lawfully taken wild animal, except from a bear's gallbladder. Finally, the bill allows the sale, purchase, barter, and trade of rabbits, or their parts, if they are lawfully taken by landowners on their own property or as part of DNR's program for eliminating nuisance wildlife.

Under current law, each trap used by a licensed trapper must have a metal tag that has the name and address of the owner of the trap. The bill changes this requirement so that the name and address must be that of the operator of the trap. Under the bill, the operator of a trap may use, in lieu of the name and address, a customer identification number issued by DNR to the operator under DNR's automated system for issuing trapping licenses and other fishing and hunting approvals.

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

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

1 **SECTION 1.** 29.024 (5) (e) of the statutes is created to read:

2 29.024 (5) (e) *Identification numbers.* The department may issue customer
3 identification numbers as part of its statewide automated system for issuing
4 approvals.

5 **SECTION 2.** 29.331 (1) of the statutes is amended to read:

6 29.331 (1) TAGS. Each trap used under a trapping license shall be tagged with
7 a metal tag stamped with the name and address or customer identification number
8 of the ~~owner~~ operator of the trap. All untagged traps shall be seized and confiscated,

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1 and the owner or person using or attending the untagged traps shall be punished as
2 provided under s. 29.971 (4) and (12).

3 **SECTION 3.** 29.351 (1) (intro.) and (a) of the statutes are consolidated,
4 renumbered 29.351 (1g) and amended to read:

5 29.351 (1g) No person may ~~do any of the following:~~ ~~(a) Possess~~ possess or
6 control the skin of any mink, muskrat, fisher, pine marten, or otter showing that the
7 animal was shot.

8 **SECTION 4.** 29.351 (1) (b) of the statutes is renumbered 29.351 (1m) (a) and
9 amended to read:

10 29.351 (1m) (a) Possess Except as provided in par. (b), or unless otherwise
11 authorized by the department, no person may possess or control the green skin of any
12 fur-bearing animal, ~~except beaver,~~ from the 5th day after the beginning of the closed
13 season for that animal until the end of that closed season.

14 **SECTION 5.** 29.351 (1) (c) of the statutes is renumbered 29.351 (1r) and amended
15 to read:

16 29.351 (1r) ~~Possess~~ No person may possess the raw skin of any muskrat, mink,
17 otter, fisher, or pine marten at any time unless the person is the holder of a valid
18 scientific collector permit, fur dealer license, trapping license, or resident
19 conservation patron license. No license is required for a person breeding, raising,
20 and producing domestic fur-bearing animals in captivity, as defined in s. 29.627, or
21 for a person authorized to take muskrats on a cranberry marsh under a permit issued
22 to the person by the department.

23 **SECTION 6.** 29.351 (1m) (b) of the statutes is created to read:

24 29.351 (1m) (b) Paragraph (a) does not apply to any of the following:

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1 1. A fur-bearing animal that was lawfully taken and that has a valid
2 registration tag attached to it by the department.

3 2. A fur-bearing animal that is taken as authorized under s. 29.337.

4 3. A fur-bearing animal that was lawfully taken for which an open season is
5 established by rule and for which no bag or possession limit is imposed by rule.

6 **SECTION 7.** 29.351 (2m) of the statutes is amended to read:

7 29.351 (2m) ~~Subsection (1) does~~ Subsections (1g) to (1r) do not apply to the
8 skins of fur-bearing animals that are subject to regulation under ch. 169.

9 **SECTION 8.** 29.539 (title) of the statutes is amended to read:

10 **29.539 (title) Sale of game or fish wild animals.**

11 **SECTION 9.** 29.539 (1) (a) (intro.) of the statutes is amended to read:

12 29.539 (1) (a) (intro.) Except as otherwise expressly provided under this
13 chapter, no person may sell, ~~buy~~ purchase, barter, or trade, or offer to sell, ~~buy~~
14 purchase, barter, or trade or have in possession or under control for the purpose of
15 sale, barter, or trade any of the following:

16 **SECTION 10.** 29.539 (1) (a) 1. of the statutes is amended to read:

17 29.539 (1) (a) 1. ~~Deer~~ Any deer, elk, ~~bear~~, squirrel, game bird, game fish, or the
18 carcass of any of these ~~such~~ wild animals animal at any time.

19 **SECTION 11.** 29.539 (1) (a) 1m. of the statutes is created to read:

20 29.539 (1) (a) 1m. Any bear or any carcass of a bear at any time, including any
21 head of a bear, bear claws, or bear teeth.

22 **SECTION 12.** 29.539 (1) (b) of the statutes is amended to read:

23 29.539 (1) (b) This subsection applies whether ~~the~~ a ~~wild animals~~ animal listed
24 under par. (a) ~~were~~ was lawfully or unlawfully taken within or without the state.

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1 **SECTION 13.** 29.539 (1m) of the statutes is renumbered 29.539 (1m) (intro.) and
2 amended to read:

3 29.539 (1m) (intro.) Subsection (1) does not apply to farm-raised any of the
4 following:

5 (d) A farm-raised deer, a farm-raised fish, a farm-raised game birds bird, or
6 a wild animals, animal that are is subject to regulation under ch. 169 or the carcasses
7 of these animals carcass of such a wild animal.

8 **SECTION 14.** 29.539 (1m) (a) of the statutes is created to read:

9 29.539 (1m) (a) A lawfully taken wild animal that is not listed in sub (1) (a) 1.
10 or 1m. for which an open season is established by rule and for which there is no bag
11 or possession limit imposed by rule, or the carcass of such a wild animal.

12 **SECTION 15.** 29.539 (1m) (b) of the statutes is created to read:

13 29.539 (1m) (b) A fur-bearing animal, or the carcass of a fur-bearing animal,
14 that was lawfully taken and that has a valid registration tag attached by the
15 department.

16 **SECTION 16.** 29.539 (1m) (c) of the statutes is created to read:

17 29.539 (1m) (c) Liquid scent made from the carcass of a lawfully taken wild
18 animal, other than the gallbladder of a bear.

19 **SECTION 17.** 29.539 (1m) (g) of the statutes is created to read:

20 29.539 (1m) (g) Any claws, head, or teeth that are part of the hide of a bear that
21 is lawfully taken.

22 **SECTION 18.** 29.539 (1m) (h) of the statutes is created to read:

23 29.539 (1m) (h) A rabbit, or the carcass of a rabbit, that is taken as authorized
24 under s. 29.337 or 29.885.

