



## ENGROSSED 1997 ASSEMBLY BILL 514

March 24, 1998 - Printed by direction of SENATE CHIEF CLERK.

1     **AN ACT to repeal** 29.092 (9), 29.093 (9), 29.255, 29.425 (title), 29.425 (1), 29.425  
2           (2), 29.425 (3), 29.425 (4m), 29.427 (title), 29.427 (1), 29.427 (2), 29.427 (3),  
3           29.427 (4) (title), 29.427 (5), 29.427 (6), 29.427 (7), 29.54 (1), 29.55, 29.565,  
4           29.572, 29.573, 29.574, 29.575, 29.578, 29.579, 29.585, 29.586 and 29.605; **to**  
5           **renumber** 23.51 (1) and 29.54 (2); **to renumber and amend** 29.41, 29.42 (2),  
6           29.425 (4), 29.425 (5) and 29.427 (4); **to amend** 20.370 (1) (mu), 20.370 (3) (mu),  
7           23.09 (2) (f), 23.50 (1), 23.50 (3), 23.51 (5), 23.65 (1), 25.29 (1) (a), 25.29 (4m),  
8           29.03 (8), 29.05 (8) (a), 29.05 (8) (b), 29.09 (1), 29.092 (15) (a), 29.092 (15) (f),  
9           29.1025 (1) (c), 29.136 (4), 29.17 (1), 29.245 (5) (b) 3., 29.40 (2), 29.40 (6), 29.42  
10          (1), 29.43 (5) (b), 29.44 (3), 29.45 (6), 29.46 (5), 29.49 (3), 29.535 (title), 29.535  
11          (1) (a) 1., 29.535 (1) (a) 2., 29.535 (1) (c), 29.535 (2) (a), 29.535 (2) (b), 29.54 (title),  
12          29.583 (1), 29.59 (1) (f), 29.598 (1), 29.645, 29.65 (1) (intro.), 59.25 (3) (f) 2., 59.40  
13          (2) (m), 167.31 (4) (b), 814.60 (2) (e), 895.57 (3), 943.75 (3), 951.015, 951.09,  
14          951.16, 951.18 (4) (a) 2., 951.18 (4) (b) 1. and 973.05 (1); and **to create** chapter

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1           22, 23.51 (1d), 23.51 (9m), 23.795 (3), 29.02 (4), 29.134 (10m), 29.174 (16), 29.41  
2           (2), 29.42 (2) (b), 29.42 (5), 29.48 (7), 29.535 (1) (g), 951.01 (1m) and 951.15 (5)  
3           of the statutes; **relating to:** the possession of wild animals, granting  
4           rule-making authority, making appropriations and providing penalties.

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***Analysis by the Legislative Reference Bureau******Engrossment information:***

The text of Engrossed 1997 Assembly Bill 514 consists of the following documents adopted in the assembly on March 19, 1998: the bill as affected by Assembly Amendment 1, Assembly Amendment 2, Assembly Amendment 3, Assembly Amendment 4, Assembly Amendment 5, Assembly Amendment 6, Assembly Amendment 7, Assembly Amendment 8, Assembly Amendment 9, Assembly Amendment 10 and Assembly Amendment 11. The text also includes the February 11, 12 and 16 and March 20, 1998, chief clerk's corrections to the bill and to Assembly Amendments 4 and 5.

Assembly amendment 2 deleted from the bill the entire text of section 22.34 and substituted new text. Consequently, the treatment of section 22.34 by item 51 of Assembly Amendment 4 could not be given effect. In 3 cases, more than one amendment added identical text to the bill. In each case, the engrossed bill reflects the effect of just one of the amendments.

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

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

6           20.370 (1) (mu) *General program operations — state funds.* The amounts in  
7           the schedule for general program operations under ss. 23.09 to 23.11, 27.01, 30.203  
8           and 30.277, subch. VI of ch. 77 and chs. 22, 26, 28 and 29.

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

10          20.370 (3) (mu) *General program operations — state funds.* The amounts in  
11          the schedule for law enforcement operations under ss. 23.09 to 23.11 and 166.04 and  
12          chs. 22, 29 and 30 and for review of environmental impact requirements under ss.  
13          1.11 and 23.40.



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1 (a) An animal that, due to a long association with humans, has been bred to a  
2 degree that results in changes affecting the animal's temperament, color,  
3 conformation or other attribute of the species to an extent that it makes the animal  
4 unique and distinguishable from a wild animal of its species.

5 (b) Listed as a domesticated animal by rule by the department.

6 **(15)** "Dressed fur" has the meaning given in s. 29.134 (1) (a).

7 **(16)** "Endangered or threatened species" means those species of wild animals  
8 that are indigenous to the United States or Canada and are identified on the federal  
9 list of endangered and threatened species or on the Wisconsin list of endangered and  
10 threatened species.

11 **(18)** "Environmentally injurious wild animal" means a species of wild animal  
12 that is not a native wild animal and that is capable of inflicting harm to the  
13 environment.

14 **(19)** "Exhibit" means to display for the purpose of public viewing, regardless  
15 of whether a fee is charged.

16 **(20)** "Farm-raised deer" has the meaning given in 95.001 (1) (a).

17 **(22)** "Free-roaming" means not captive.

18 **(23)** "Fur-bearing wild animal" includes badger, beaver, bobcat, coyote, fisher,  
19 red fox, gray fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, skunk,  
20 weasel and wolf.

21 **(27)** "Harm to the environment" includes adversely affecting the natural  
22 population dynamics of wild animals or wild plants, adversely affecting the habitat  
23 of wild animals or wild plants or displacing wild animals or wild plants from any part  
24 of their habitat.

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1           **(28)** “Inherently dangerous wild animal” means a species of wild animal that  
2 is capable of inflicting severe bodily harm to a human.

3           **(29)** “Introduce” means to release for the purpose of allowing the animal to  
4 establish a population in an area in the wild where that type of animal is not  
5 naturally present at the time the wild animal is released.

6           **(31)** “License year” means the year during which a license is valid.

7           **(40)** “Native” means indigenous and occurring or having occurred naturally  
8 within the boundaries of this state.

9           **(41)** “Nonnative wild animal” means a wild animal that is not native.

10          **(42)** “Nonresident” means a person who is not a resident of this state.

11          **(46)** “Person” means any individual, partnership, firm, joint stock company,  
12 corporation, association, trust, estate or other legal entity.

13          **(50)** “Possess” means to own, control, restrain, transport or keep.

14          **(51)** “Propagate” means to breed, encourage or facilitate for the purpose of  
15 generating offspring.

16          **(52)** “Public zoo or aquarium” means a zoo or aquarium that is operated by the  
17 state or by a city, village or county or that is an accredited member of the American  
18 Zoo and Aquarium Association.

19          **(53)** “Purchase” means to acquire through a sale or through an exchange for  
20 consideration.

21          **(58)** “Raw fur” has the meaning given in s. 29.134 (1) (e).

22          **(62)** “Sell” means to transfer or exchange for consideration.

23          **(67)** “State resident” has the meaning given “resident” in s. 27.01 (10) (a).

24          **(68)** “Stock” means to release for the purpose of increasing or maintaining a  
25 population of the animal.

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1           **(69)** “Take” means to capture, but does not include killing.

2           **(71)** “Veterinarian” means an individual who is licensed as a veterinarian  
3 under ch. 453 or by another state and who is accredited under 9 CFR subch. J.

4           **(74)** “Wild animal” means any animal of a wild nature that is normally found  
5 in the wild and that is not a domesticated animal.

6           **(75)** “Wild amphibian” means a wild animal that is an amphibian.

7           **(76)** “Wild bird” means a wild animal that is a bird.

8           **(77)** “Wild reptile” means a wild animal that is a reptile.

9           **22.02 Title to wild animals. (1) TITLE VESTED IN OWNER.** Except as provided  
10 in sub. (3), legal title to a live captive wild animal or the carcass of a captive wild  
11 animal is vested in the person who owns the wild animal if the person is in  
12 compliance with this chapter and the rules promulgated under this chapter. A  
13 person holding legal title may transfer without consideration the live captive wild  
14 animal or the carcass of the captive wild animal to a person who is in compliance with  
15 this chapter and the rules promulgated under this chapter. A person holding legal  
16 title to a live captive wild animal may kill it, or have it killed, in a humane manner.

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

21           **(3) EXCEPTIONS.** Legal title to a live captive wild animal or the carcass of a  
22 captive wild animal that is possessed as authorized under a rehabilitation license or  
23 a scientific research license remains with the state. A person holding a rehabilitation  
24 license or a scientific research license may transfer or dispose of a live captive wild

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1 animal or the carcass of a captive wild animal only as specifically authorized by the  
2 department.

3 **22.025 Interagency cooperation.** The department of natural resources  
4 shall cooperate with the department of agriculture, trade and consumer protection  
5 with respect to any wild animal that is subject to regulation under this chapter and  
6 ch. 93, 94 or 95.

7 **22.03 Possession of live wild animals. (1) RESTRICTIONS ON POSSESSION;**  
8 **GENERALLY.** (a) No person may possess any live wild animal unless the wild animal  
9 is legally obtained.

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

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

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

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

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

22 (b) If a person possessing a live native wild animal under par. (a) determines  
23 that it is necessary to possess the wild animal for a period exceeding 24 hours after  
24 the time the wild animal was first possessed, the person shall request that the

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1 department approve an extension for the temporary possession. The department  
2 may either deny the requested extension or approve it for a specific period of time.

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

6 (d) If a live wild animal has been exposed to or infected with any contagious or  
7 infectious disease, as defined under rules promulgated by the department of  
8 agriculture, trade and consumer protection under s. 95.001 (2), or a reportable  
9 disease, as designated by the department of natural resources under s. 22.41 (2),  
10 during the time the wild animal is being temporarily possessed, the person  
11 possessing the wild animal shall have a valid interstate health certificate or a valid  
12 certificate of veterinary inspection issued by a veterinarian certifying that the wild  
13 animal is free of any such diseases before releasing it into the wild.

14 **(3) WILD ANIMALS UNDER ANOTHER JURISDICTION.** A live wild animal possessed  
15 by a nonresident under the legal authority of another state, province or country may  
16 be possessed by the nonresident in this state for not more than 60 days from the date  
17 the wild animal enters the state if the wild animal is accompanied by a valid  
18 interstate health certificate or a valid certificate of veterinary inspection issued by  
19 a veterinarian and by all of the licenses or other approvals that are required by the  
20 other state, province or country.

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

- 24 1. Arthropods.
- 25 2. Chipmunks.



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

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

- 19           1. Pheasants of the species *Phasianus colchicus* or *Syrmaticus reevesii*, chukar  
20 partridge or gray partridge that are possessed for the purpose of hunting under a bird  
21 hunting preserve license, a dog training license, a hound training license, a dog club  
22 training license, a dog trial license or a hound trial license.
- 23           2. Nonnative wild animals of the family *anatidae* or of the family *cervidae*.
- 24           3. Nonnative wild animals that are inherently dangerous wild animals.

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

3           1. Veterinarians, for the purpose of providing medical treatment to wild  
4 animals.

5           2. Public zoos or aquariums.

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

7           4. The department.

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

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

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

14           **22.04 Taking of wild animals. (1) PROHIBITION.** No person may take any wild  
15 animal from the wild except as authorized under a wild fur farm license, a falconry  
16 license, a rehabilitation license or a scientific research license.

17           **(2) EXEMPTION FOR CERTAIN WILD ANIMALS.** A person is exempt from the  
18 requirement under sub. (1) if the wild animal that the person takes from the wild is  
19 a native wild animal that is exempt under s. 22.03 (4) (a).

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

22           1. Veterinarians, for the purpose of providing medical treatment to wild  
23 animals.

24           2. The department.

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1 (b) For purposes of par. (a) 1., “medical treatment” does not include  
2 rehabilitation.

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

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

7 **22.05 Introduction, stocking and release of wild animals. (1)**

8 PROHIBITION; PERSONS OTHER THAN THE DEPARTMENT. (a) No person may introduce,  
9 stock or release into the wild, or import into this state to introduce, stock or release  
10 into the wild, any wild animal except as authorized under a bird hunting preserve  
11 license, a bird dog training license, a hound dog training license, a dog club training  
12 license, a bird dog trial license, a hound dog trial license, a falconry license, a stocking  
13 license, a rehabilitation license or a scientific research license.

14 (b) No person may introduce, stock or release into the wild, or import into this  
15 state for introducing, stocking or releasing into the wild, any wild animal unless the  
16 department has given its authorization under par. (c) and the person has complied  
17 with the requirements under par. (d).

18 (c) The department may authorize the introducing, stocking, releasing into the  
19 wild or importing of a species of wild animal only if the department has determined  
20 that it is not an environmentally injurious wild animal and that it will not be  
21 detrimental in any manner to the conservation of the natural resources of this state.

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

24 1. If a wild animal has been exposed to or infected with any contagious or  
25 infectious disease, as defined under rules promulgated by the department of

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1 agriculture, trade and consumer protection under s. 95.001 (2), or a reportable  
2 disease, as designated by the department of natural resources under s. 22.41 (2), the  
3 person introducing, stocking or releasing the wild animal shall hold a valid  
4 interstate health certificate or a valid certificate of veterinary inspection issued by  
5 a veterinarian certifying that the wild animal is free of any such diseases before the  
6 introducing, stocking or release.

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

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

13 b. That, within 30 days before the introducing, stocking or release, comply with  
14 any rules promulgated by the department under s. 22.41 (3).

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

18 **(1m) REPORTS.** At the request of a local official in an area in which wild animals  
19 are introduced, stocked or released under sub. (1), the department shall require a  
20 person who introduced, stocked or released those wild animals to report to the local  
21 official the number and type of wild animals introduced, stocked or released and the  
22 location at which the animals were introduced, stocked or released.

23 **(2) BY THE DEPARTMENT.** The department may import into this state to  
24 introduce, stock or release into the wild, may introduce, stock or release into the wild,

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1 or may authorize introducing, stocking or releasing into the wild, a wild animal  
2 without holding a license as required under sub. (1) (a).

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

5 **22.06 Exhibition of live wild animals.** (1) PROHIBITION. (a) No person may  
6 exhibit any captive live native wild animal or any captive live nonnative wild animal  
7 of the family ursidae or cervidae except as authorized under a captive wild animal  
8 farm license, a deer farm license, a falconry license, a rehabilitation license, a  
9 nonprofit educational exhibiting license, a nonresident temporary exhibiting license  
10 or a captive wild animal auction and market license.

11 (b) If a person exhibits a wild animal subject to par. (a) under the authority of  
12 a captive wild animal farm license, a deer farm license, a falconry license or a  
13 rehabilitation license, the person may exhibit only those types of wild animals that  
14 are specified by the department on the license.

15 (2) EXEMPTION FOR CERTAIN WILD ANIMALS. A person is exempt from the  
16 requirements under sub. (1) if the wild animal that the person exhibits is a wild  
17 animal that is exempt under s. 22.03 (4) (a) or (b).

18 (3) EXEMPTION FOR CERTAIN INSTITUTIONS. Any of the following is exempt from  
19 the licensing requirement under sub. (1):

20 (a) Public zoos or aquariums.

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

22 (c) The department.

23 (4) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize  
24 the exhibiting of environmentally injurious wild animals.

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1           **22.07 Propagation of wild animals. (1) PROHIBITION.** No person may  
2 propagate any native wild animal or any nonnative wild animal of the family ursidae  
3 or cervidae except as authorized under a captive wild animal farm license, a deer  
4 farm license, a bird hunting preserve license, a wild fur farm license, a nonprofit  
5 educational exhibiting license, a scientific research license or a falconry license.

6           **(2) EXEMPTION FOR CERTAIN WILD ANIMALS.** A person is exempt from the  
7 requirements under sub. (1) if the wild animal that the person propagates is a wild  
8 animal that is exempt under s. 22.03 (4) (a) or (b).

9           **(3) EXEMPTION FOR CERTAIN INSTITUTIONS.** Any of the following is exempt from  
10 the licensing requirement under sub. (1):

11           (a) Public zoos or aquariums.

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

13           (c) The department.

14           **(4) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** This section does not authorize  
15 the propagating of environmentally injurious wild animals.

16           **22.09 Hunting of captive wild animals. (1) PROHIBITION; GENERALLY.** No  
17 person may hunt a captive wild animal except as authorized under s. 22.36 (5) and  
18 under a deer farm license, a bird hunting preserve license, a bird dog training license,  
19 a hound dog training license, a dog club training license, a bird dog trial license or  
20 a hound dog trial license.

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

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1           **22.10 Selling and purchasing of live wild animals. (1) SELLING.** Except  
2 as authorized under a captive wild animal farm license, a bird hunting preserve  
3 license, a deer farm license, a captive wild animal auction and market license, a  
4 falconry license, a wild fur farm license or a nonprofit educational exhibiting license,  
5 no person may sell or offer to sell any of the following:

6           (a) Any live native wild animal that is not exempt from the licensing  
7 requirement under s. 22.03 (4) (a).

8           (b) Any live nonnative wild animal that is not exempt from the licensing  
9 requirement under s. 22.03 (4) (b).

10           **(2) PURCHASING.** (a) Except as provided under par. (b) and except as authorized  
11 under a captive wild animal farm license, a bird hunting preserve license, a deer farm  
12 license, a bird dog training license, a hound dog training license, a dog club training  
13 license, a bird dog trial license, a hound dog trial license, a falconry license, a  
14 nonprofit educational exhibiting license or a stocking license, no person may  
15 purchase or offer to purchase any of the following:

16           1. Any live native wild animal that is not exempt from the licensing  
17 requirement under s. 22.03 (4) (a).

18           2. Any live nonnative wild animal that is not exempt from the licensing  
19 requirement under s. 22.03 (4) (b).

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

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

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

3           (a) Public zoos or aquariums.

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

5           (c) The department.

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

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

10           (c) The sale of white-tailed deer is subject to s. 22.13 and not to this section.

11           **22.11 Inherently dangerous and environmentally injurious wild**  
12 **animals.** (1) INHERENTLY DANGEROUS WILD ANIMALS. (a) The department shall  
13 designate by rule cougars and members of the family ursidae as inherently  
14 dangerous wild animals and may designate by rule other types of wild animals to be  
15 inherently dangerous wild animals.

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

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

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



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

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

5           2. For purposes of subd. 1., “medical treatment” does not include rehabilitation.

6           **22.12 Possession and sale of native wild reptiles and wild amphibians.**

7           **(1) POSSESSION OF MORE THAN 5 PROHIBITED.** No person may take from the wild or  
8 possess live native wild reptiles or live native wild amphibians unless the  
9 person takes or possesses 5 or fewer of any subspecies or unless sub. (2) or (3) applies.

10           **(2) POSSESSION OF MORE THAN 5 ALLOWED.** (a) A person may take from the wild  
11 or possess more than 5 leopard frogs, 5 mud puppies, 5 tiger salamanders, 5 snapping  
12 turtles or 5 painted turtles if so authorized by the department under a Class A  
13 captive wild animal farm license.

14           (b) An authorization under par. (a) for a type of wild reptile or wild amphibian  
15 may be subject to a quota established by rule by the department that protects from  
16 excessive taking of the population of that wild reptile or wild amphibian from the  
17 wild.

18           (c) 1. For any type of native wild reptile or native wild amphibian, other than  
19 a wild reptile or wild amphibian subject to par. (a), a person may take from the wild  
20 or possess more than 5 of that type of wild reptile or wild amphibian if permission  
21 has been granted to the person by the department.

22           2. A request for permission under subd. 1. shall be in writing and shall include  
23 the name of the species, the number of wild reptiles or wild amphibians, the location  
24 of the proposed taking and the reason for the proposed possession.

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1           3. The natural resources board shall create a council under s. 15.04 (1) (c) to  
2 review requests for permission under subd. 1. The council shall make  
3 recommendations to the department to assist the department in deciding whether  
4 it will grant the permission.

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

8           **(4) RESTRICTIONS OF SALES.** No person may sell live native wild reptiles or live  
9 native wild amphibians except for the following:

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

13           (b) Snapping turtles, painted turtles, leopard frogs, mud puppies and tiger  
14 salamanders that are sold under the authorization of a Class A captive wild animal  
15 farm license.

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

18           (a) Public zoos or aquariums.

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

20           (c) The department.

21           **(6) EXEMPTION FOR VETERINARIANS.** (a) Veterinarians are exempt from subs. (1)  
22 and (2) for the purpose of providing medical treatment to native wild reptiles and  
23 native wild amphibians.

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

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

4           **22.13 Sale and purchase of white-tailed deer for venison. (1)**  
5 **REQUIREMENTS FOR LIVE DEER.** (a) No person may sell a live white-tailed deer to be  
6 processed for venison meat or products except as authorized under a deer farm  
7 license. No person may sell a live white-tailed deer to be processed for venison meat  
8 or products without first attaching a deer farm shipping tag to the body.

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

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

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

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

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

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

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

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

22           (d) Each individual package of white-tailed deer venison that the person  
23 processes and sells contains the license number of the deer farm from which the  
24 white-tailed deer originated and the label clearly states that the venison is from a  
25 licensed deer farm.

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

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

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

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

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

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

15           (d) No person may preserve and mount a carcass of a captive wild animal for  
16 consideration unless that person holds a valid taxidermy permit issued under s.  
17 29.136.

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

22 (b).

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

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

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

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

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

10 (c) The selling, purchasing or possessing of carcasses of endangered or  
11 threatened species is subject to s. 29.415 and not to this section.

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

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

21 (c) The department shall issue a Class A captive wild animal farm license to  
22 any qualified person who files a proper application for the license and who pays the  
23 applicable fee to operate a captive wild animal farm that contains more than 5 of any  
24 of the following:

25 1. Leopard frogs.

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1           2. Mud puppies.

2           3. Tiger salamanders.

3           4. Snapping turtles.

4           5. Painted turtles.

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

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

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

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

15           1. Native wild animals.

16           2. Nonnative wild animals of the family cervidae.

17           3. Inherently dangerous wild animals.

18           4. Endangered or threatened species.

19           (b) For the first year that a person is issued a captive wild animal farm license,  
20 the person shall be issued a Class B captive wild animal farm license, unless the  
21 person operated a game bird and animal farm licensed under s. 29.574, 1995 stats.,  
22 or a deer farm licensed under s. 29.578, 1995 stats., on the effective date of this  
23 paragraph .... [revisor inserts date], that grossed \$10,000 or more in annual sales.

24           **(4) CONTROL OF WILD ANIMALS.** (a) A person holding a captive wild animal farm  
25 license shall control the wild animals at all times in the manner required by the

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1 department and shall keep the wild animals at the locations specified on the  
2 application for the license.

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

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

10 **22.16 Deer farm license. (1) ISSUANCE.** The department shall issue a deer  
11 farm license to any qualified person who files a proper application for the license and  
12 who pays the applicable fee. The applicant shall specify the locations of the  
13 enclosures for the deer on the application.

14 **(2) AUTHORIZATION.** (b) A deer farm license authorizes the holder of the license  
15 to do any of the following:

- 16 1. Possess, propagate, purchase, sell and exhibit live captive white-tailed deer.
- 17 2. Sell or offer to sell the opportunity to hunt live white-tailed deer within the  
18 boundaries of the deer farm.

19 (c) A person holding a deer farm license shall attach a deer shipping tag to any  
20 live white-tailed deer before selling the deer to be processed for venison.

21 **(3) EXEMPTION FROM HUNTING RESTRICTIONS.** A person hunting white-tailed deer  
22 on a deer farm is exempt from having any hunting approval issued under ch. 29 and  
23 is exempt from any closed season restrictions, bag limits or other conditions or  
24 restrictions established by the department under s. 29.174.

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

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

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

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

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

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

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

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

24           1. The holder of the license to possess and propagate live muskrat, beaver,  
25 raccoon, otter and mink on the land subject to the license.



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1           2. The holder of the license and other persons authorized by the holder to take  
2 the live fur-bearing wild animals specified in subd. 1. or kill by trapping the  
3 fur-bearing wild animals specified in subd. 1.

4           3. The holder of the license to sell the live fur-bearing wild animals specified  
5 in subd. 1. to persons authorized to possess the fur-bearing wild animals.

6           (b) Section 29.134 shall apply to the possession and selling of the raw furs and  
7 dressed furs of the fur-bearing wild animals specified in par. (a) 1.

8           (c) The number of otter that are taken or killed may not exceed the quota  
9 established by rule by the department under sub. (5) (a).

10          **(3) ELIGIBLE LAND.** (a) Except as provided in par. (b), a wild fur farm licensed  
11 under this section shall be in a single parcel and may not exceed 640 acres.

12          (b) Upon the request of the applicant for a license under this section, the  
13 department shall issue a single license for a wild fur farm that does not meet all of  
14 the requirements of par. (a) if the wild fur farm is licensed as a fur animal farm under  
15 s. 29.575, 1995 stats., on the effective date of this paragraph .... [revisor inserts date].

16          **(4) EXEMPTION FROM TRAPPING RESTRICTIONS.** Except as provided in sub. (2) (c),  
17 a person trapping fur-bearing wild animals on a wild fur farm is exempt from having  
18 any trapping approval issued under ch. 29 and is exempt from any closed season  
19 restrictions, bag limits or other conditions or restrictions established by the  
20 department under s. 29.174.

21          **(5) RULES.** (a) The department shall promulgate by rule a quota for taking, or  
22 killing by trapping, otter for purposes of this section.

23          (b) The department shall promulgate rules for the purpose of determining  
24 whether a piece of land qualifies as a single parcel under sub. (3).

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1 (c) The department may promulgate rules to establish additional standards,  
2 limitations and requirements for wild fur farm licenses and for wild fur farms.

3 **22.19 Bird hunting preserve licenses. (1) ISSUANCE.** The department shall  
4 issue a Class A or a Class B bird hunting preserve license to any qualified person who  
5 files a proper application and who pays the applicable fee.

6 **(2) AUTHORIZATION.** (a) A Class A or a Class B bird hunting preserve license  
7 authorizes all of the following:

8 1. Possessing, stocking, propagating, releasing into the wild, selling and  
9 purchasing of live wild birds of the species authorized under par. (b) by the holder  
10 of the license.

11 2. Hunting or taking of released wild birds of those species that have been  
12 stocked in the preserve by the holder of the license and other persons authorized by  
13 the holder.

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

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

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

19 3. Gray partridge.

20 4. Chukar partridge.

21 5. Red-legged partridge.

22 6. Mallard ducks that are bred in captivity.

23 7. Wild turkeys, if the wild turkeys are located outside a wild turkey hunting  
24 zone established under s. 29.103 (6).

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

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

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

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

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

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

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1 (b) Except as provided in par. (c), a person hunting wild birds on a bird hunting  
2 preserve that have been stocked on the preserve is exempt from any closed season  
3 restrictions, bag limits or other conditions or restrictions established by the  
4 department under s. 29.174.

5 (c) A person hunting mallard ducks shall comply with rules promulgated by the  
6 department under s. 29.174 governing the hunting of waterfowl.

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

10 **22.20 Dog training licenses. (1) BIRD DOG TRAINING LICENSE.** (a) The  
11 department shall issue a bird dog training license to any qualified individual who is  
12 at least 12 years of age who files a proper application and who pays the applicable  
13 fee.

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

18 (c) The department may restrict the possessing, releasing and hunting of a  
19 species of wild birds specified in par. (b) by persons holding dog training licenses in  
20 zones or areas for which the department has by rule imposed special hunting  
21 restrictions for that species.

22 (d) A person training a bird dog in a bird hunting preserve for which the  
23 hunting of pheasant, quail, mallard ducks bred in captivity or partridge has been  
24 authorized under a bird hunting preserve license is exempt from holding a bird dog

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1 training license to possess, release into the wild and hunt live captive wild birds for  
2 the purposes of training the dog to retrieve, point, flush and track wild birds.

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

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

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

11 2. Live captive raccoon.

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

13 **(3) DOG CLUB TRAINING LICENSE.** (a) The department may issue a dog  
14 clubtraining license to an organization that meets the conditions established by the  
15 department for dog club training licenses.

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

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

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

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

6           **22.21 Dog trial licenses. (1) BIRD DOG TRIAL LICENSE.** (a) The department  
7 shall issue a bird dog trial license to any qualified person who files a proper  
8 application and who pays the applicable fee.

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

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

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

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

24           **22.22 Falconry license. (1) ISSUANCE.** (a) The department shall issue a  
25 falconry license to any qualified individual who is at least 18 years of age, who has

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1 a federal falconry license, who files a proper application and who pays the applicable  
2 fee.

3 (b) The department shall issue a youth falconry license to any individual who  
4 is a resident of this state, who is at least 14 years of age but less than 18 years of age  
5 and who qualifies as a falconry apprentice under 50 CFR 21.29 (e) (1).

6 **(2) AUTHORIZATION; POSSESSION.** A falconry license authorizes the holder of the  
7 license to possess and release raptors for falconry purposes.

8 **(3) AUTHORIZATION; EXHIBITING; HUNTING.** A falconry license authorizes the  
9 holder of the license to do all of the following:

10 (a) Exhibit live captive raptors if specifically authorized to do so by the  
11 department.

12 (b) Hunt small game of the type authorized for hunters holding small game  
13 hunting licenses under s. 29.10 by engaging in falconry.

14 **(4) AUTHORIZATION; TAKINGS.** A falconry license authorizes the holder of the  
15 license to take raptors from the wild.

16 **(5) AUTHORIZATION; OTHER.** A falconry license authorizes the person holding the  
17 license to do any of the following if the person also has a federal propagation permit  
18 issued under 50 CFR 21.30.

19 (a) Propagate and purchase raptors.

20 (b) Sell raptors that are bred in captivity.

21 **(6) RULES.** The department may promulgate rules to establish all of the  
22 following:

23 (a) Additional standards, limitations and requirements for falconry licenses.

24 (b) Bag limits, closed areas and other conditions or restrictions on hunting by  
25 engaging in falconry subject to sub. (3) (b).

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

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

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

11           **22.24 Rehabilitation license. (1) ISSUANCE.** The department shall issue a  
12 rehabilitation license to any qualified individual who is at least 18 years of age, who  
13 meets the qualifications under rules promulgated under sub. (2) and who files a  
14 proper application.

15           **(2) QUALIFICATIONS; RULES.** The department shall promulgate rules to establish  
16 the qualifications required to obtain a rehabilitation license, the types of activities  
17 authorized by a rehabilitation license and the standards, limitations and  
18 requirements for rehabilitation licenses. The rules under this subsection shall  
19 incorporate, to the maximum extent practicable, the provisions of the most recent  
20 version, as of March 1, 1998, of an order of the natural resources board that creates  
21 rules related to wildlife rehabilitation.

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



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

- 3 1. The person's study plan or research proposal.
- 4 2. An approval received by the person under 9 CFR 2.31.

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

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

- 11 (a) The specific purposes for which it is issued.
- 12 (b) The types of wild animals and the number of each type to be studied.
- 13 (c) The locations from where the wild animals will be taken.
- 14 (d) The locations at which the wild animals will be kept and studied.
- 15 (e) The periods of time in which the wild animals may be studied.
- 16 (f) Any other conditions or limitations that the department considers  
17 reasonable.

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

21 **(5) TITLE TO; TRANSFER AND DISPOSAL OF WILD ANIMALS.** (a) A person holding a  
22 scientific research license may not transfer any wild animal or its carcass held under  
23 the authority of the license unless the purpose of the transfer is to trade the wild  
24 animals for other animals for scientific research or classroom demonstrations and  
25 the transfer is specifically authorized by the department at the time of the transfer.

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1 (b) A person holding a scientific research license shall release or dispose of a  
2 live wild animal possessed under the authority of the license, or its carcass, only in  
3 the manner specifically authorized by the department.

4 **(6) RULES.** The department may promulgate rules to establish additional  
5 standards, limitations and requirements for scientific research licenses.

6 **22.26 Nonprofit educational exhibiting license. (1) ISSUANCE.** (a) The  
7 department shall issue a nonprofit educational exhibiting license to any nature  
8 center, aquarium or educational institution if the center, aquarium or institution is  
9 a nonstock, nonprofit corporation described under section 501 (c) (3) or (4) of the  
10 Internal Revenue Code and exempt from taxation under section 501 (a) of the  
11 Internal Revenue Code and if the center, aquarium or institution files a proper  
12 application and pays the applicable fee.

13 **(2) AUTHORIZATION.** A nonprofit educational exhibiting license authorizes the  
14 person holding the license to do all of the following:

15 (a) Possess and exhibit live wild animals.

16 (b) Purchase and propagate live wild animals subject to sub. (3) (a) for the  
17 purpose of exhibiting only.

18 **(3) AUTHORIZATION: RESTRICTION; TRADING.** (a) A person holding a nonprofit  
19 educational exhibiting license may purchase or propagate only those types of wild  
20 animals that the department specifically authorizes on the license.

21 (b) If a person holding a nonprofit educational exhibiting license determines  
22 that the person possesses more live wild animals than are necessary for exhibiting  
23 purposes, the person may sell the excess wild animals to another person who is not  
24 prohibited under this chapter from possessing the wild animals.

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1           (4) RULES. The department may promulgate rules establishing standards,  
2 limitations and requirements for nonprofit educational exhibiting licenses.

3           **22.27 Nonresident temporary exhibiting license. (1) ISSUANCE.** The  
4 department shall issue a nonresident temporary exhibiting license to any qualified  
5 individual who is a nonresident or to any business organization that is not organized  
6 under the laws of this state, who meets the requirement under sub. (2), who files a  
7 proper application and who pays the applicable fee.

8           (2) FEDERAL REQUIREMENT. An applicant for a nonresident temporary exhibiting  
9 license shall hold any license or permit that may be required under 7 USC 2131 to  
10 2159 at the time the department issues the applicant the license.

11           (3) AUTHORIZATION. A person holding a nonresident temporary exhibiting  
12 license may do all of the following:

13           (a) Possess and exhibit live wild animals at locations designated by the  
14 department under the license for the production of motion pictures or television  
15 programs or as parts of theatrical acts, carnivals or other animal attractions or  
16 displays.

17           (b) Move live wild animals in mobile facilities that do not meet the rules for  
18 housing under s. 22.36.

19           (4) RULES. The department may promulgate rules to establish additional  
20 standards, limitations and requirements for nonresident temporary exhibiting  
21 licenses.

22           **22.28 Captive wild animal auction and market license. (1) ISSUANCE.**  
23 The department shall issue a captive wild animal auction and market license to any  
24 qualified person who files a proper application and who pays the applicable fee.

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1           **(2) AUTHORIZATION; LIMITATION.** (a) A captive wild animal auction and market  
2 license authorizes the person holding the license to do all of the following:

- 3           1. Possess live wild animals for an auction or market.
- 4           2. Exhibit live wild animals for an auction or market.
- 5           3. Conduct auctions and markets to sell live wild animals to persons authorized  
6 to possess the wild animals within and outside this state.

7           (b) No person may conduct a private sale of a live wild animal at the same site  
8 and on the same date as the site and date of an auction or market conducted under  
9 the authority of a captive wild animal auction and market license.

10           **(3) CONSIGNMENT SALES.** A person may ship or transport a live wild animal into  
11 this state for consignment sale at an auction or market by a person holding a captive  
12 wild animal auction and market license if all of the following apply:

13           (a) The person shipping or transporting the wild animal is in compliance with  
14 any licensing or other approval requirements of the state, province or country of  
15 origin.

16           (b) A copy of any license or other approval required by the state, country or  
17 province of origin and a valid interstate health certificate or valid certificate of  
18 veterinary inspection issued by a veterinarian accompany the wild animal.

19           **(4) RULES.** The department may promulgate rules that establish additional  
20 standards, limitations and requirements for captive wild animal auction and market  
21 licenses and for captive wild animal auctions and markets.

22           **22.285 Validation license. (1) ELIGIBILITY.** (a) *Initial validation license.* A  
23 person who meets all of the following conditions is eligible for an initial validation  
24 license:

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1           1. The person has a license or permit under s. 29.572, 29.573, 29.574, 29.575,  
2           29.578 or 29.585, 1995 stats., on March 1, 1998.

3           2. The licenses available under ss. 22.15 to 22.28 do not permit the continuation  
4           of an activity that was allowed under the license or permit under s. 29.572, 29.573,  
5           29.574, 29.575, 29.578 or 29.585, 1995 stats., on March 1, 1998, at the location where  
6           the activity is being conducted on March 1, 1998.

7           3. The person obtains licenses under this chapter for any activity that was  
8           allowed under the license or permit under s. 29.572, 29.573, 29.574, 29.575, 29.578  
9           or 29.585, 1995 stats., on March 1, 1998, and for which a license under ss. 22.15 to  
10          22.28 is available.

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

13           1. The person had a license or permit under s. 29.572, 29.573, 29.574, 29.575,  
14           29.578 or 29.585, 1995 stats., on March 1, 1998.

15           2. The person obtained a license under ss. 22.15 to 22.28 for an activity that was  
16           allowed under the license or permit under s. 29.572, 29.573, 29.574, 29.575, 29.578  
17           or 29.585, 1995 stats., on March 1, 1998.

18           3. The rules applicable to licenses available under ss. 22.15 to 22.28 are  
19           modified so as not to permit the continuation of an activity that was allowed under  
20           the license or permit under s. 29.572, 29.573, 29.574, 29.575, 29.578 or 29.585, 1995  
21           stats., on March 1, 1998, at the location where the activity was conducted on March  
22           1, 1998.

23          **(2) APPLICATION.** (a) *Initial validation license.* An eligible person may apply  
24          for an initial validation license no later than December 31, 1999.

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

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

10           **(4) AUTHORIZATION; LIMITATIONS.** (a) Except as provided in pars. (c) and (d) and  
11 sub. (5), a validation license authorizes the continuation of all activities that the  
12 holder of the validation license was authorized to conduct on March 1, 1998, under  
13 a license or permit issued under s. 29.572, 29.573, 29.574, 29.575, 29.578 or 29.585,  
14 1995 stats., if the holder was actually engaged in those activities on March 1, 1998.

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

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

19           (d) A validation license may not permit the hunting of pheasants in excess of  
20 the number of pheasants stocked.

21           **(5) CONDITIONS.** (a) The department shall impose all of the conditions,  
22 restrictions and regulations on the validation license that were applicable to the  
23 same activity under s. 29.572, 29.573, 29.574, 29.575, 29.578 or 29.585, 1995 stats.,  
24 and under any rules promulgated under those sections that were in effect on March  
25 1, 1998.

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1 (b) A validation license is subject to ss. 22.09, 22.11, 22.29, 22.32, 22.33, 22.34,  
2 22.35, 22.36, 22.37, 22.38, 22.39, 22.40, 22.41, 22.42 and 22.43.

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

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

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

8 2. Meets the requirements of this section.

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

11 (c) If the holder of a validation license fails to renew the license within 45 days  
12 after the license's expiration date, the license expires and may not be renewed.

13 (d) If the land subject to a validation license is transferred and the validation  
14 license is not transferred as provided in par. (b), the license expires and may not be  
15 renewed.

16 **(7) FEE.** The department may not charge a fee for a validation license.

17 **22.29 Endangered and threatened species.** No person may take from the  
18 wild, introduce, stock, release into the wild, exhibit, propagate, rehabilitate, hunt,  
19 sell, purchase, transfer or engage in any other activity related to a live wild animal  
20 that is a threatened or endangered species unless the person is in compliance with  
21 this chapter and s. 29.415.

22 **22.30 License and tag fees. (1) FEES.** The following fees shall be paid to the  
23 department for the issuance or renewal of licenses:

24 (a) *Captive wild animal farm licenses.* 1. The fee for an initial Class A captive  
25 wild animal farm license is \$200 and the fee for an initial Class B captive wild

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1 animal farm license is \$50. The department shall waive the fee for an initial license  
2 under this subdivision for an individual who is under 14 years of age if the individual  
3 is a member of a 4-H club or a sporting club.

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

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

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

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

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

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

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

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

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

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

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

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

21 (h) *Falconry licenses.* 1. The fee for a falconry license issued to a resident of  
22 this state is \$75.

23 2. The fee for a falconry license issued to a nonresident is \$100.

24 3. The fee for a falconry license issued under s. 22.22 (1) (b) is \$25.

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



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

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

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

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

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

9 **(1m)** LATE FEES. The late fee for the renewal of any license issued under this  
10 chapter that is filed after the expiration date of the license is \$20.

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

14 (b) To a business or other operation that was licensed for certain activities as  
15 one legal entity with one set of records under one license under s. 29.573, 29.574,  
16 29.575, 29.578 or 29.579, 1995 stats., and that were on noncontiguous land, the  
17 department shall continue to issue one license under this chapter for that activity  
18 to the business or operation if there is one license that authorizes all of those  
19 activities. The department shall continue to issue the one license until the person  
20 holding that one license ceases to be issued a license for the activity or until the  
21 person holding the one license issued ceases to have a controlling interest in that  
22 business or operation.

23 (c) A person applying for 2 or more licenses under this section that are  
24 necessary to engage in a single business or other operation shall pay a total fee that

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1 equals the fee for the required license with the highest fee that is required, plus 50%  
2 of the fee for each additional required license.

3 (4) TAGS. Any tags required by this chapter or rules promulgated thereunder  
4 shall be provided by the department at cost.

5 **22.31 Licenses; effective periods. (1) CAPTIVE WILD ANIMAL FARM LICENSE.**  
6 A captive wild animal farm license is valid from the date of issuance until the  
7 following December 31.

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

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

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

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

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

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

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

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

24 (b) A hound dog trial license is valid from the date of issuance until the  
25 following December 31.

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1           **(8) FALCONRY LICENSE.** 1. A falconry license issued to a resident of this state  
2 is valid from the date of issuance until the 3rd December 31 following the date of  
3 issuance or until the license holder reaches 18 years of age, whichever is earlier.

4           2. A falconry license issued to a nonresident is valid from the date of issuance  
5 until the following December 31.

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

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

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

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

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

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

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

22          **(15) VALIDATION LICENSE.** (a) An initial validation license is valid from the date  
23 of issuance until the 5th December 31 after the date of issuance, and for 5-year  
24 periods thereafter.

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1 (b) A subsequent validation license is valid from the date of issuance until the  
2 5th December 31 after the date of issuance, and for 5-year periods thereafter, unless  
3 par. (c) applies.

4 (c) If a subsequent validation license is combined with an initial validation  
5 license under s. 22.285 (3), the effective period under par. (a) shall apply.

6 **22.32 Licenses; applications; renewals; terminations. (1) APPLICATION.**  
7 The application for a license under this chapter shall be on a form provided by the  
8 department or in a format approved by the department, and shall request the  
9 information required by the department. The department may not issue a license  
10 unless the applicant provides the information required.

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

14 (b) Except for a captive wild animal farm license, an individual who applies for  
15 a license under this chapter shall be at least 14 years of age.

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

19 (b) A person may apply for a renewal of a license issued under this chapter not  
20 more than 45 days after the license's expiration date if the application is  
21 accompanied by the late fee specified under s. 22.30 (2), in addition to the regular  
22 license fee.

23 (c) This subsection does not apply to validation licenses issued under s. 22.285.

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

4           (5) EXPIRATION OF LICENSE. A person holding a license issued under this section  
5 that expires or is revoked or suspended shall remove or cause to be removed from the  
6 land subject to the license any signs indicating that the land was so licensed within  
7 45 days after the expiration, revocation or suspension.

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

10           **22.33 Record keeping and reporting requirements.** (1) CAPTIVE WILD  
11 ANIMAL FARM LICENSES, DEER FARM LICENSES, BIRD HUNTING PRESERVE LICENSES, FALCONRY  
12 LICENSES, NONPROFIT EDUCATIONAL EXHIBITING LICENSES AND CAPTIVE WILD ANIMAL  
13 AUCTION AND MARKET LICENSES. (a) *Records; generally.* Each person holding a captive  
14 wild animal farm license, a deer farm license, a bird hunting preserve license, a  
15 falconry license, a nonprofit educational exhibiting license or a captive wild animal  
16 auction and market license shall keep a correct and complete record of all of the  
17 following information:

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

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

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

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

3           (b) *Records; additional requirements; exemptions.* 1. A person holding a bird  
4 hunting preserve license is exempt from keeping the records required under par. (a)  
5 1. a. for those wild birds that are killed on the land subject to the license.

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

9           3. A person holding a falconry license who takes a raptor from the wild in this  
10 state shall keep a record of its species, age and sex, if discernible, and information  
11 on the taking. The information shall include the date of the taking, the method of  
12 the taking and the location of the taking by township and range.

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

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

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

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

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

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

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

2 (4) DOG TRAINING AND TRIAL LICENSES. Each person holding a bird dog training  
3 license, a hound dog training license, a dog club training license, a bird dog trial  
4 license or a hound dog trial license shall keep a receipt of the purchase of each wild  
5 animal purchased under the authority of the license and a correct and complete  
6 record of any testing for disease on these wild animals that is required under rules  
7 promulgated under s. 22.41 (3).

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

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

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

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

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

19 (b) The date of acquisition.

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

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

23 (8) ZOOS. If a zoo or aquarium is not an accredited member of the American Zoo  
24 and Aquarium Association, the governing body of the zoo or aquarium shall keep  
25 correct and complete records of all transactions involving the movement of wild

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1 animals that are native wild animals, nonnative wild animals of the family cervidae,  
2 inherently dangerous wild animals, environmentally injurious wild animals or  
3 endangered or threatened species. The department shall determine the information  
4 to be kept in these records.

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

10 (b) In addition to the requirements under par. (a), the person holding a license  
11 subject to this section shall provide a copy of the record required under this section  
12 to the department within 7 days after the transaction or activity if the transaction  
13 or activity involved any live wild animal of the family cervidae, canidae, ursidae,  
14 mustelidae or felidae, any inherently dangerous wild animal or any environmentally  
15 injurious wild animal.

16 (c) In addition to the requirements under par. (a), a nonresident who takes a  
17 raptor from the wild in this state shall provide a copy of the record required under  
18 sub. (1) (b) 3. to the department within 2 days after the taking.

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

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



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

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

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

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

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

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

14           **22.34 Inspections. (1) DEPARTMENTAL AUTHORITY.** For purposes of enforcing  
15 this chapter and the rules promulgated under this chapter with respect to a person  
16 who is required to have a license or maintain records under this chapter, a  
17 conservation warden or representative of the department, upon presenting his or her  
18 credentials to that person, may do any of the following:

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

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

23           (c) Gain access to and inspect any records required to be kept under s. 22.33.

24           (d) Investigate and inspect any wild animal or any other animal to be  
25 introduced, stocked or released into the wild. Inspection under this paragraph may

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1 include the removal of reasonable diagnostic samples from wild animals for  
2 biological examination.

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

5 (a) Normal business hours.

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

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

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

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

16 **(5) TAXIDERMISTS.** For an inspection of a taxidermist's place of business, this  
17 section does not apply and the department shall conduct the inspection as authorized  
18 under s. 29.136 (7).

19 **22.35 Entry requirements; interstate health certificates. (1)**  
20 **CONDITIONS.** Except as provided in sub. (3), a person may ship or transport a live wild  
21 animal into this state only if the person complies with all of the following  
22 requirements:

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

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1 (b) The wild animal is accompanied by either of the following, if required by the  
2 department:

3 1. A valid interstate health certificate or a valid certificate of veterinary  
4 inspection issued by a veterinarian, which is filed with the chief livestock health  
5 official in the state, province or country of origin in accordance with the laws of that  
6 jurisdiction.

7 2. If the wild animal is a wild bird, a certification under the national poultry  
8 improvement plan under 9 CFR part 145.

9 (c) For wild animals to be exhibited as authorized under a nonresident  
10 temporary exhibiting license, the person holding the license shall comply with any  
11 applicable rules promulgated by the department of agriculture, trade and consumer  
12 protection.

13 **(2) CERTIFICATES.** Interstate health certificates or certificates of veterinary  
14 inspection are valid only if they are issued within 30 days before entry into this state  
15 and only if they certify that all of the rules promulgated under s. 22.41 (3) have been  
16 met.

17 **(3) EXEMPTIONS FROM STATE ENTRY REQUIREMENTS.** (a) Subsection (1) does not  
18 apply to a person shipping or transporting a live wild animal into this state if the wild  
19 animal will be sent directly to slaughter at an establishment licensed under s. 97.42  
20 or for which inspection is granted under 9 CFR part 304 and if the wild animal is  
21 accompanied by a bill of lading that contains all of the following information:

22 1. A description of the wild animal.

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

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

3           4. The destination for slaughter.

4           (b) Subsection (1) does not apply to a person shipping or transporting a live wild  
5 animal into this state to be sent directly to a veterinarian or a person holding a  
6 rehabilitation license for medical treatment.

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

10           1. Any required testing for disease has been conducted and the results are  
11 pending.

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

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

17           **22.36 Humane care and housing.** (1) COMPLIANCE WITH RULES. No license  
18 may be issued under this chapter unless the department determines that the  
19 applicant will comply with all of the rules promulgated under subs. (2) and (3).

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

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

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

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

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

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

9 (4) ORDERS. (a) The department may issue an order requiring any person  
10 holding a license under this chapter to comply with the rules promulgated under sub.  
11 (2).

12 (b) Any person who fails to comply with an order issued under par. (a) within  
13 10 days after its issuance will be subject to penalties provided in s. 22.42.

14 (5) FREE-ROAMING WILD ANIMALS. A person holding a captive wild animal farm  
15 license or a deer farm license shall make a reasonable effort to drive free-roaming  
16 wild animals from land subject to the license that will be enclosed before the land is  
17 enclosed. If any white-tailed deer remain in the boundaries of a deer farm fence, the  
18 department may authorize the hunting of those deer. A person holding a deer farm  
19 license shall pay the department \$250 for each white-tailed deer remaining within  
20 the boundaries.

21 **22.37 Prohibited activities; trespassing. (1) DISEASED WILD ANIMALS.** (a)  
22 No person may sell, lease, transfer, move from one location to another, release or  
23 dispose of any wild animal if any of the following applies:

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

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

2           3. The person knows that the wild animal has been exposed to or has been  
3 infected with a contagious or infectious disease as defined under rules promulgated  
4 by the department of agriculture, trade and consumer protection under s. 95.001 (2),  
5 or a reportable disease as designated by the department of natural resources under  
6 s. 22.41 (2).

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

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

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

13           (e) No veterinarian may fail to report a contagious or infectious disease, as  
14 defined under rules promulgated by the department of agriculture, trade and  
15 consumer protection under s. 95.001 (2), or a reportable disease, as designated by the  
16 department of natural resources under s. 22.41 (2), in a wild animal.

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

20           (b) No person may cause or permit the commingling of wild animals with  
21 domesticated animals, except as permitted by the department.

22           **(3) TAKING OF WILD ANIMALS.** A person who hunts, traps, kills or takes a wild  
23 animal subject to this chapter on land subject to a license issued under this chapter  
24 without the permission of the license holder or of the holder's employe or agent is

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1 liable to the license holder for any damage that the person causes to any wild animal  
2 that is subject to this chapter or to any property or land that is subject to the license.

3 **22.38 Quarantines. (1) SUMMARY ACTION.** (a) The department of natural  
4 resources or the department of agriculture, trade and consumer protection may  
5 summarily issue a quarantine order to control contagious, infectious or  
6 communicable diseases, to protect the health of wild animals and domesticated  
7 animals in this state and to control the possessing of wild animals in this state.

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

10 **(2) SERVICE OF NOTICE.** No quarantine is effective until written notice of the  
11 quarantine is served upon any person possessing the wild animals and on any person  
12 controlling the premises affected by the quarantine order. The department issuing  
13 the order may serve a quarantine order in any of the following ways:

14 (a) By personal service.

15 (b) By registered mail.

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

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

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

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

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

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

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

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

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

4 **(5) DURATION OF QUARANTINE.** Quarantines shall remain in effect until a written  
5 notice of release is issued by the department issuing the order or until a decision  
6 releasing the quarantine is rendered under sub. (6).

7 **(6) REVIEW OF QUARANTINE.** Any person affected by a quarantine shall be  
8 granted a hearing by the department issuing the order if the person requests the  
9 hearing within 30 days after the date of the service of the quarantine order. The  
10 hearing shall be treated as a contested case if the requirements of s. 227.42 (1) are  
11 met.

12 **22.39 Disposal and removal of wild animals. (1) DISPOSITION.** The  
13 department may seize, dispose of or order the disposal of any of the following:

14 (a) Any animal that is possessed, taken, introduced, stocked, released,  
15 exhibited, propagated, rehabilitated, hunted, sold or purchased in violation of this  
16 chapter.

17 (b) Any dead, dying or sick wild animal that has been exposed to or is known  
18 to be infected with a contagious or infectious disease as defined in the rules  
19 promulgated by the department of agriculture, trade and consumer protection under  
20 s. 95.001 (2), with a reportable disease as designated by the department of natural  
21 resources under s. 22.41 (2) or with a disease or parasite that has pathological  
22 significance to humans or to any animals.

23 (c) Any wild animal that has escaped and that has not been returned to its  
24 owner or other person authorized to possess the wild animal. The department may  
25 not dispose of the wild animal until 72 hours have elapsed after the escape unless



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1 the department determines that the wild animal poses a risk to public safety or to  
2 the health of other animals.

3 (d) Any wild animal housed or held in an inhumane manner.

4 **(2) ENTRY VIOLATIONS.** The department shall notify the owner of a wild animal  
5 that has entered this state in violation of s. 22.35 or that is in violation of a  
6 quarantine order issued under s. 22.38 that the owner has an opportunity to comply  
7 with s. 22.35 or the quarantine order issued under s. 22.38 within a given number  
8 of days as specified by the department in the notice. If the owner fails to comply  
9 within the specified number of days, the department may seize and dispose of the  
10 wild animal or order the disposal of the wild animal or its removal from this state.

11 **(3) EXPENSE OF DISPOSAL.** The owner of a wild animal that is disposed of or  
12 removed by the department under this section shall reimburse the department for  
13 its expenses incurred in the disposal or removal.

14 **22.40 Local ordinances.** A city, village, town or county may enact and enforce  
15 an ordinance relating to possessing or selling live wild animals.

16 **22.41 Rules by the department.** **(1) DOMESTICATED ANIMALS.** The  
17 department shall promulgate rules specifying which animals are domesticated  
18 animals for purposes of s. 22.01 (14) (b).

19 **(2) REPORTABLE DISEASES.** The department may promulgate rules listing  
20 reportable diseases for purposes of this chapter and s. 29.535.

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

23 1. Additional requirements that wild animals shall meet before they enter this  
24 state.

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

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

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

8           **22.42 Penalties; revocations. (1) DEFINITION.** In this section, “violation of  
9 this chapter” means a violation of this chapter or any rule promulgated under this  
10 chapter.

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

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

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

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

23           (d) *Taking of bear and deer.* For taking bear or deer from the wild in violation  
24 of s. 22.04, or a rule promulgate thereunder, a person shall be fined not less than  
25 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

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1           (e) *Diseased and environmentally injurious wild animals.* For a violation of s.  
2           22.11 (2) (b) or (c) or 22.37 (1) or a quarantine order issued under s. 22.38, a person  
3           shall be fined not less than \$500 nor more than \$5,000 or imprisoned for not more  
4           than 6 months or both.

5           (f) *Selling or purchasing venison from white-tailed deer.* For violation of s.  
6           22.13 (1) or (2) or rules promulgated thereunder, a person shall be fined not less than  
7           \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

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

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

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

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

22               (b) For violations under sub. (2) (a), (b), (d) and (e), the court shall revoke all  
23               of the licenses issued to the person under this chapter, and the department may not  
24               issue any license under this chapter to the person for a period of one year after the  
25               current conviction.

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

4           **(6) REVOCATIONS BY THE DEPARTMENT.** In addition to the revocation proceeding  
5 under sub. (4), the department may revoke any license to which any of the following  
6 applies:

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

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

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

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

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

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

22           **(8) PARTIES TO A VIOLATION.** (a) Whoever is concerned in the commission of a  
23 violation of this chapter is a principal and may be charged with and convicted of the  
24 violation of this chapter although he or she did not directly commit it and although

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1 the person who directly committed it has not been convicted of the violation of this  
2 chapter.

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

5 1. Directly commits the violation of this chapter.

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

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

9 **22.43 Natural resources assessments and restitution payments. (1)**

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

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

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

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

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

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

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

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

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

19 (d) The clerk of the court shall collect and transmit to the county treasurer the  
20 natural resources restitution payment and other amounts required under s. 59.40  
21 (2) (m). The county treasurer shall then make payment to the state treasurer as  
22 provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the  
23 natural resources restitution payment in the conservation fund.

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

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

5 23.09 (2) (f) (title) *Propagation, game and fish.* Capture, propagate, transport,  
6 sell or exchange any species of ~~game or~~ fish needed for stocking or restocking any  
7 ~~lands or~~ waters of the state.

8 **SECTION 5.** 23.50 (1) of the statutes is amended to read:

9 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit  
10 court to recover forfeitures, penalty assessments, jail assessments, applicable  
11 weapons assessments, applicable environmental assessments, applicable wild  
12 animal protection assessments, applicable natural resources assessments,  
13 applicable fishing shelter removal assessments, applicable snowmobile registration  
14 restitution payments and applicable natural resources restitution payments for  
15 violations of ss. 77.09, 134.60, 144.783 [299.64] (2), 167.10 (3), 167.31 (2), 281.48 (2)  
16 to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08 and 287.81, subch.  
17 VI of ch. 77, this chapter ~~and, ch. 22,~~ chs. 26 to 31 and of ch. 350, and any  
18 administrative rules promulgated thereunder, violations of ch. 951 if the animal  
19 involved is a captive wild animal, violations of rules of the Kickapoo valley reserve  
20 management board under s. 41.41 (7) (k) or violations of local ordinances enacted by  
21 any local authority in accordance with s. 23.33 (11) (am) or 30.77.

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

23 23.50 (3) All actions in municipal court to recover forfeitures, penalty  
24 assessments and jail assessments for violations of local ordinances enacted by any  
25 local authority in accordance with s. 23.33 (11) (am) or 30.77 shall utilize the

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

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

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

8 23.51 **(1d)** "Captive" has the meaning given in s. 22.01 (5).

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

10 23.51 **(5)** "Natural resources restitution payment" means the payment imposed  
11 under s. 22.43 (2) or 29.998.

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

13 23.51 **(9m)** "Wild animal" has the meaning given in s. 22.01 (74).

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

15 23.65 **(1)** When it appears to the district attorney that a violation of s. 134.60,  
16 144.783 (2) [299.64 (2)], 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4),  
17 287.07, 287.08 or 287.81, this chapter or ch. 22, 26, 27, 28, 29, 30, 31 or 350, violations  
18 of ch. 951 if the animal involved is a captive wild animal, or any administrative rule  
19 promulgated pursuant thereto, has been committed the district attorney may  
20 proceed by complaint and summons.

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

22 23.795 **(3)** In lieu of an order of imprisonment under sub. (1) (a) for a violation  
23 of ch. 22, the court may revoke or suspend any privilege or license granted under ch.  
24 22 as provided in s. 22.42 (5).

25 **SECTION 13.** 25.29 (1) (a) of the statutes is amended to read:



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

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

7           25.29 (4m) Notwithstanding sub. (3), no moneys that accrue to the state for or  
8 in behalf of the department under ch. 22 or 29 may be expended or paid for the  
9 enforcement of the treaty-based, off-reservation rights to fish held by members of  
10 federally recognized American Indian tribes or bands domiciled in Wisconsin.

11           **SECTION 15.** 29.02 (4) of the statutes is created to read:

12           29.02 (4) This section does not apply to wild animals that are subject to  
13 regulation under ch. 22.

14           **SECTION 16.** 29.03 (8) of the statutes is amended to read:

15           29.03 (8) Any dog found running deer, except farm-raised deer or deer subject  
16 to regulation under ch. 22, at any time, or used in violation of this chapter.

17           **SECTION 17.** 29.05 (8) (a) of the statutes is amended to read:

18           29.05 (8) (a) The department and its wardens shall seize and hold subject to  
19 the order of the court for the county in which the alleged offense was committed, any  
20 apparatus, appliance, equipment, vehicle or device, declared by this chapter to be a  
21 public nuisance, which they have probable cause to believe is being used in violation  
22 of this chapter, an administrative rule promulgated under this chapter or s. 167.31,  
23 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, is being used in the commission  
24 of a crime involving an animal normally found in the wild in violation of s. 951.09 or  
25 is being used in the commission of a crime relating to a submerged cultural resource

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1 in violation of s. 44.47. If it is proven that within 6 months previous to the seizure  
2 the apparatus, appliance, equipment, vehicle or device was used in violation of this  
3 chapter or an administrative rule promulgated under this chapter or s. 167.31,  
4 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, was used in the commission of a  
5 crime involving an animal normally found in the wild in violation of s. 951.09 or was  
6 used in the commission of a crime relating to a submerged cultural resource in  
7 violation of s. 44.47, it shall be confiscated if the court directs in its order for  
8 judgment.

9 **SECTION 18.** 29.05 (8) (b) of the statutes is amended to read:

10 29.05 (8) (b) Any perishable property seized by the department or its wardens  
11 may be sold at the highest available price, and the proceeds of the sale turned into  
12 court to await disposition of the proceeds as the court directs. A conservation warden  
13 or other officers charged with the enforcement of the laws dealing with the  
14 conservation of the natural resources of the state may kill a dog found running,  
15 injuring, causing injury to, or killing any deer, other than farm-raised deer or deer  
16 subject to regulation under ch. 22, or destroying game birds, their eggs or nests, if  
17 immediate action is necessary to protect the deer or game birds, their nests or eggs,  
18 from injury or death.

19 **SECTION 19.** 29.09 (1) of the statutes is amended to read:

20 29.09 (1) LICENSE OR OTHER APPROVAL REQUIRED FOR HUNTING, TRAPPING OR  
21 FISHING. Except as specifically provided otherwise by ch. 22 or s. 29.155 (1g) and (1h)  
22 or another section of this chapter, no person may hunt any wild animal, trap any  
23 game or fish for fish in the waters of this state unless the appropriate approval is  
24 issued to the person. A person shall carry the required approval with him or her at  
25 all times while hunting, trapping or fishing unless otherwise required by another

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1 section of this chapter or unless otherwise authorized or required by the department.

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

3 **SECTION 20.** 29.092 (9) of the statutes is repealed.

4 **SECTION 21.** 29.092 (15) (a) of the statutes is amended to read:

5 29.092 (15) (a) *Issuing fee generally.* In addition to the fees specified for licenses  
6 and stamps under subs. (2) to ~~(9)~~ (8), (11) and (13) and any surcharge fee imposed  
7 under sub. (14), a person who applies for a license or stamp or for a duplicate license  
8 or stamp issued under this chapter shall pay an issuing fee.

9 **SECTION 22.** 29.092 (15) (f) of the statutes is amended to read:

10 29.092 (15) (f) *Addition of issuing fee to be shown with license or stamp fee as*  
11 *one amount.* The issuing fee shall be added to the fee provided in subs. (2) to ~~(9)~~ (8),  
12 (11) and (13) and any surcharge fee imposed under sub. (14). Any amount shown on  
13 the printed license form or stamp shall be the total of the issuing fee and other fees.

14 **SECTION 23.** 29.093 (9) of the statutes is repealed.

15 **SECTION 24.** 29.1025 (1) (c) of the statutes is amended to read:

16 29.1025 (1) (c) Any person hunting pheasant under s. 29.123 ~~or on premises~~  
17 ~~licensed under s. 29.573~~ is exempt from the requirements under par. (a).

18 **SECTION 25.** 29.134 (10m) of the statutes is created to read:

19 29.134 (10m) This section applies to raw furs and dressed furs from  
20 fur-bearing animals that are subject to regulation under ch. 22.

21 **SECTION 26.** 29.136 (4) of the statutes is amended to read:

22 29.136 (4) AUTHORIZATION. Subject to this section and rules promulgated under  
23 this section, a taxidermist permit authorizes the permit holder to possess and  
24 transport ~~wild animals or carcasses~~ wild animals in connection with his or her  
25 business. This authority supersedes restrictions on the possession and

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1 transportation of ~~wild animals and carcasses regardless of bag limits, rest days,~~  
2 ~~closed seasons and similar restrictions, notwithstanding s. 29.174 and rules~~  
3 ~~promulgated by the department under that section~~ carcasses of wild animals under  
4 ch. 22 and this chapter and under any rules promulgated under ch. 22 and this  
5 chapter. Subject to this section and rules promulgated under this section, a  
6 taxidermist permit entitles the permit holder to the same privileges as a Class A fur  
7 dealer's license.

8 **SECTION 27.** 29.17 (1) of the statutes is amended to read:

9 29.17 (1) The department may issue a scientific collector permit to a qualified  
10 natural person as provided under this section. This permit authorizes the permittee  
11 to collect or salvage for scientific purposes only, ~~the eggs, nest and~~ live fish and the  
12 nests and carcasses of any wild animals specified in the permit subject to the  
13 conditions and limitations specified in the permit and the rules of the department.  
14 The permittee may use the specimens for the scientific purposes collected or salvaged  
15 and may transport them or cause them to be transported by common carrier.  
16 Possession of these specimens may not be transferred to any other person except  
17 these specimens may be exchanged for other specimens for scientific purposes.

18 **SECTION 27m.** 29.174 (16) of the statutes is created to read:

19 29.174 (16) The department shall permit the hunting of farm-raised deer on  
20 the premises on which farm-raised deer are kept by persons registered under s.  
21 95.55. The department shall determine the requirements and conditions for hunting  
22 farm-raised deer under this subsection, and shall determine the provisions of this  
23 chapter that are applicable to hunting farm-raised deer under this subsection. The  
24 department shall cooperate with the department of agriculture, trade and consumer  
25 protection with respect to the hunting of farm-raised deer.

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1           **SECTION 28.** 29.245 (5) (b) 3. of the statutes is amended to read:

2           29.245 (5) (b) 3. To a person who possesses a flashlight or who uses a flashlight  
3           while if the person is on foot and training a dog to track or hunt raccoons, foxes or  
4           other unprotected wild animals and if the raccoons, foxes or other wild animals are  
5           not subject to regulation under ch. 22.

6           **SECTION 29.** 29.255 of the statutes is repealed.

7           **SECTION 30.** 29.40 (2) of the statutes is amended to read:

8           29.40 (2) DEER TAGS. Except as provided under sub. (5) and s. 29.405 (3), any  
9           person who kills a deer shall immediately attach to the ear or antler of the deer a  
10          current validated deer carcass tag which is authorized for use on the type of deer  
11          killed. Except as provided under sub. (2m) ~~or s. 29.578 (7), (8) or (14)~~, no person may  
12          possess, control, store or transport a deer carcass unless it is tagged as required  
13          under this subsection.

14          **SECTION 31.** 29.40 (6) of the statutes is amended to read:

15          29.40 (6) (title) ~~FARM-RAISED-DEER~~ DEER. This section does not apply to  
16          farm-raised deer or deer that are subject to regulation under ch. 22.

17          **SECTION 32.** 29.41 of the statutes is renumbered 29.41 (1), and 29.41 (1) (c), as  
18          renumbered, is amended to read:

19          29.41 (1) (c) Possess the raw skin of any muskrat, mink, otter, fisher or pine  
20          marten at any time unless the person is the holder of a scientific collector permit, fur  
21          dealer license, trapping license or resident conservation patron license of current  
22          issue. No license is required ~~for a person breeding, raising and producing domestic~~  
23          ~~fur-bearing animals in captivity as defined in s. 29.579~~ or for a person authorized  
24          to take muskrats on a cranberry marsh under a permit issued to the person by the  
25          department.

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1           **SECTION 33.** 29.41 (2) of the statutes is created to read:

2           29.41 (2) Subsection (1) does not apply to the skins of fur-bearing animals that  
3 are subject to regulation under ch. 22.

4           **SECTION 34.** 29.42 (1) of the statutes is amended to read:

5           29.42 (1) APPROVAL NECESSARY. No person, except a person who is issued a valid  
6 hunting license, sports license, a conservation patron license, ~~taxidermist permit~~ or  
7 scientific collector permit and who is carrying this approval on his or her person, may  
8 possess or have under his or her control any game bird, or game animal or the carcass  
9 of any game bird or game animal.

10          **SECTION 35.** 29.42 (2) of the statutes is renumbered 29.42 (2) (a) and amended  
11 to read:

12          29.42 (2) (a) ~~No Except as provided in par. (b), no person, except a person who~~  
13 ~~is issued a valid scientific collector permit~~, may take, needlessly destroy or possess  
14 or have under his or her control the nest or eggs of any wild bird for which a closed  
15 season is prescribed under this chapter.

16          **SECTION 36.** 29.42 (2) (b) of the statutes is created to read:

17          29.42 (2) (b) A person who has a valid scientific collector permit may take or  
18 possess or have under his or her control the nest of a wild bird and may destroy the  
19 nest if necessary for a scientific purpose.

20          **SECTION 37.** 29.42 (5) of the statutes is created to read:

21          29.42 (5) CAPTIVE WILD ANIMALS. This section does not apply to wild animals  
22 that are subject to regulation under ch. 22.

23          **SECTION 38.** 29.425 (title) of the statutes is repealed.

24          **SECTION 39.** 29.425 (1) of the statutes is repealed.

25          **SECTION 40.** 29.425 (2) of the statutes is repealed.

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1           **SECTION 41.** 29.425 (3) of the statutes is repealed.

2           **SECTION 42.** 29.425 (4) of the statutes is renumbered 29.42 (1m) and amended  
3 to read:

4           29.42 **(1m)** HUNTING AND TRAPPING. A person who hunts or traps any game  
5 animal, game bird or fur-bearing animal shall kill ~~the animal~~ it when it is taken and  
6 make it part of the daily bag or shall release ~~the animal~~ it unless authorized ~~the~~  
7 person has the authority to possess under s. 29.55, 29.572, 29.574, 29.575, 29.578 or  
8 29.585 ch. 22.

9           **SECTION 43.** 29.425 (4m) of the statutes is repealed.

10          **SECTION 44.** 29.425 (5) of the statutes is renumbered 29.42 (5) and amended  
11 to read:

12          29.42 **(5)** PENALTY. A person who violates ~~this section~~ sub. (1m) shall forfeit not  
13 less than \$100 nor more than \$1,000.

14          **SECTION 45.** 29.427 (title) of the statutes is repealed.

15          **SECTION 46.** 29.427 (1) of the statutes is repealed.

16          **SECTION 47.** 29.427 (2) of the statutes is repealed.

17          **SECTION 48.** 29.427 (3) of the statutes is repealed.

18          **SECTION 49.** 29.427 (4) (title) of the statutes is repealed.

19          **SECTION 50.** 29.427 (4) of the statutes is renumbered 22.03 (2) (e) and amended  
20 to read:

21          22.03 **(2)** (e) No person may operate on a live wild skunk to remove its scent  
22 glands unless the person holds a Class A or Class B captive wild animal farm license  
23 or the person is a veterinarian and the person who possesses brings the skunk is  
24 authorized under s. 29.55 to the veterinarian holds such a license. A veterinarian  
25 to whom a person brings a live wild skunk for removal of its scent glands ~~or for other~~

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1 treatment shall verify if the person holds a Class A or Class B captive wild animal  
2 farm license. If the person does not hold such a license, the veterinarian shall notify  
3 that person that possession of a live skunk is illegal and shall notify the department.

4 **SECTION 51.** 29.427 (5) of the statutes is repealed.

5 **SECTION 52.** 29.427 (6) of the statutes is repealed.

6 **SECTION 53.** 29.427 (7) of the statutes is repealed.

7 **SECTION 54.** 29.43 (5) (b) of the statutes is amended to read:

8 29.43 (5) (b) Subsections (1) to (4) do not apply to the possession,  
9 transportation, delivery or receipt of farm-raised deer or wild animals that are  
10 subject to regulation under ch. 22.

11 **SECTION 55.** 29.44 (3) of the statutes is amended to read:

12 29.44 (3) Subsection (1) does not apply to the possession, transportation,  
13 delivery or receipt of farm-raised deer or wild animals that are subject to regulation  
14 under ch. 22.

15 **SECTION 56.** 29.45 (6) of the statutes is amended to read:

16 29.45 (6) This section does not apply to the transportation of farm-raised deer  
17 or wild animals that are subject to regulation under ch. 22.

18 **SECTION 57.** 29.46 (5) of the statutes is amended to read:

19 29.46 (5) EXEMPTION; TAXIDERMISTS. Subsections (1) to (3) do not apply to a  
20 person who is issued a valid taxidermist permit and who is transporting, in  
21 connection with his or her business, the carcass of a game bird ~~in connection with his~~  
22 ~~or her business~~ or the carcass of a wild bird that is subject to regulation under ch. 22.

23 **SECTION 58.** 29.48 (7) of the statutes is created to read:

24 29.48 (7) This section does not apply to the carcass of a wild animal that is  
25 subject to regulation under ch. 22.



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1           **SECTION 59.** 29.49 (3) of the statutes is amended to read:

2           29.49 (3) EXEMPTION. This section does not apply to the meat from farm-raised  
3 deer or to meat that is subject to regulation under s. 22.13 or 22.14.

4           **SECTION 60.** 29.535 (title) of the statutes is amended to read:

5           **29.535 (title) Introduction of wild animals fish.**

6           **SECTION 61.** 29.535 (1) (a) 1. of the statutes is amended to read:

7           29.535 (1) (a) 1. Importing into the state any fish, or spawn ~~or any other wild~~  
8 ~~animal~~ for the purpose of introducing, stocking or planting that fish, or spawn ~~or wild~~  
9 ~~animal.~~

10          **SECTION 62.** 29.535 (1) (a) 2. of the statutes is amended to read:

11          29.535 (1) (a) 2. Introducing, stocking or planting any fish, or spawn ~~or other~~  
12 ~~wild animal.~~

13          **SECTION 63.** 29.535 (1) (c) of the statutes is amended to read:

14          29.535 (1) (c) Permits for introducing, stocking or planting under par. (a) 2.  
15 shall be issued by the department only after investigation and inspection of the fish,  
16 or spawn ~~or other wild animals~~ as the department determines necessary.

17          **SECTION 64.** 29.535 (1) (g) of the statutes is created to read:

18          29.535 (1) (g) The department may promulgate rules to establish additional  
19 requirements for the importation, introduction, stocking or planting of fish or spawn.

20          **SECTION 65.** 29.535 (2) (a) of the statutes is amended to read:

21          29.535 (2) (a) Importing into the state any fish, spawn or any other wild animal  
22 for the purpose of introducing, stocking or planting that fish, or spawn ~~or wild~~  
23 ~~animal.~~

24          **SECTION 66.** 29.535 (2) (b) of the statutes is amended to read:

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1           29.535 (2) (b) Introducing, stocking or planting any fish, ~~or spawn or other wild~~  
2 animal.

3           **SECTION 67.** 29.54 (title) of the statutes is amended to read:

4           **29.54** (title) ~~State propagation of wild mammals and~~ **Food in the wild**  
5 **for game birds.**

6           **SECTION 68.** 29.54 (1) of the statutes is repealed.

7           **SECTION 69.** 29.54 (2) of the statutes is renumbered 29.54.

8           **SECTION 70.** 29.55 of the statutes is repealed.

9           **SECTION 71.** 29.565 of the statutes is repealed.

10          **SECTION 72.** 29.572 of the statutes is repealed.

11          **SECTION 73.** 29.573 of the statutes is repealed.

12          **SECTION 74.** 29.574 of the statutes is repealed.

13          **SECTION 75.** 29.575 of the statutes is repealed.

14          **SECTION 76.** 29.578 of the statutes is repealed.

15          **SECTION 77.** 29.579 of the statutes is repealed.

16          **SECTION 78.** 29.583 (1) of the statutes is amended to read:

17           29.583 (1) The department may seize and dispose of or may authorize the  
18 disposal of any deer that has escaped from land licensed under s. ~~29.574 or 29.578~~  
19 22.16 or owned by a person registered under s. 95.55 if the escaped deer has traveled  
20 more than 3 miles from the land or if the licensee or person has not had the deer  
21 returned to the land within 72 hours of the discovery of the escape.

22          **SECTION 79.** 29.585 of the statutes is repealed.

23          **SECTION 80.** 29.586 of the statutes is repealed.

24          **SECTION 81.** 29.59 (1) (f) of the statutes is amended to read:

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1           29.59 (1) (f) Notwithstanding s. 29.01 (14), “wild animal” means any  
2 undomesticated mammal or bird, but does not include farm-raised deer or wild  
3 animals that are subject to regulation under ch. 22.

4           **SECTION 82.** 29.598 (1) of the statutes is amended to read:

5           29.598 (1) DEFINITION. In this section, “wildlife damage” means damage caused  
6 by deer ~~that live in the wild~~, bear or geese that are not subject to regulation under  
7 ch. 22 and that is done to commercial seedings or crops on agricultural land, to  
8 orchard trees or nursery stock or to apiaries or livestock.

9           **SECTION 83.** 29.605 of the statutes is repealed.

10          **SECTION 84.** 29.645 of the statutes is amended to read:

11          **29.645 Larceny of game.** A person who, without permission of the owner,  
12 molests, disturbs or appropriates any wild animal or its carcass that has been  
13 lawfully reduced to possession by another shall forfeit not less than \$1,000 nor more  
14 than \$2,000. This section does not apply to farm-raised deer or to wild animals that  
15 are subject to regulation under ch. 22.

16          **SECTION 85.** 29.65 (1) (intro.) of the statutes is amended to read:

17          29.65 (1) (intro.) The department may bring a civil action in the name of the  
18 state for the recovery of damages against any person ~~unlawfully~~ killing, wounding,  
19 catching, taking, trapping, or ~~having unlawfully in possession~~ possessing in  
20 violation of this chapter or of any rule promulgated under this chapter any of the  
21 following named protected wild animals, birds, or fish, or any part of an animal, bird  
22 or fish, and the sum assessed for damages for each wild animal, bird, or fish shall be  
23 not less than the amount stated in this section:

24          **SECTION 86.** 59.25 (3) (f) 2. of the statutes is amended to read:

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1           59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be  
2 deposited in the state treasury, the amounts required by s. 165.87 for the penalty  
3 assessment surcharge, the amounts required by s. 167.31 (5) for the weapons  
4 assessment, the amounts required by s. 973.045 for the crime victim and witness  
5 assistance surcharge, the amounts required by s. 973.046 for the deoxyribonucleic  
6 acid analysis surcharge, the amounts required by s. 961.41 (5) for the drug abuse  
7 program improvement surcharge, the amounts authorized by s. 971.37 (1m) (c) 1. or  
8 required by s. 973.055 (1) for the domestic abuse assessment, the amounts required  
9 by s. 346.655 (2) (a) and (b) for the driver improvement surcharge, the amounts  
10 required by s. 102.85 (4) for the uninsured employer assessment, the amounts  
11 required by s. 299.93 for the environmental assessment, the amounts required by s.  
12 29.9965 for the wild animal protection assessment, the amounts required by ~~s. ss.~~  
13 22.43 (1) (d) and 29.997 for the natural resources assessment surcharge, the amounts  
14 required by s. 29.9967 for the fishing shelter removal assessment, the amounts  
15 required by s. 350.115 for the snowmobile registration restitution payment and the  
16 amounts required by ~~s. ss.~~ 22.43 (2) (d) and 29.998 for natural resources restitution  
17 payments, transmit to the state treasurer a statement of all moneys required by law  
18 to be paid on the actions entered during the preceding month on or before the first  
19 day of the next succeeding month, certified by the county treasurer's personal  
20 signature affixed or attached thereto, and at the same time pay to the state treasurer  
21 the amount thereof.

22           **SECTION 87.** 59.40 (2) (m) of the statutes is amended to read:

23           59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's  
24 percentage of the fees required to be paid on each civil action, criminal action and  
25 special proceeding filed during the preceding month and pay monthly to the

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1 treasurer for the use of the state the percentage of court imposed fines and forfeitures  
2 required by law to be deposited in the state treasury, the amounts required by s.  
3 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s.  
4 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the  
5 crime victim and witness assistance surcharge, the amounts required by s. 973.046  
6 for the deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41  
7 (5) for the drug abuse program improvement surcharge, the amounts authorized by  
8 s. 971.37 (1m) (c) 1. or required by s. 973.055 for the domestic abuse assessment  
9 surcharge, the amounts required by s. 346.655 for the driver improvement  
10 surcharge, the amounts required by s. 102.85 (4) for the uninsured employer  
11 assessment, the amounts required by s. 299.93 for the environmental assessment,  
12 the amounts required under s. 29.9965 for the wild animal protection assessment,  
13 the amounts required under ~~s.~~ ss. 22.43 (1) (d) and 29.997 (1) (d) for the natural  
14 resources assessment surcharge, the amounts required by s. 29.9967 for the fishing  
15 shelter removal assessment, the amounts required by s. 350.115 for the snowmobile  
16 registration restitution payment and the amounts required under ~~s.~~ ss. 22.43 (2) (d)  
17 and 29.998 (1) (d) for the natural resources restitution payments. The payments  
18 shall be made by the 15th day of the month following receipt thereof.

19 **SECTION 88.** 167.31 (4) (b) of the statutes is amended to read:

20 167.31 (4) (b) Subsections (2) (a), (b) and (c) and (3) (a) and (b) do not apply to  
21 the holder of a scientific collector permit research license under s. ~~29.17~~ 22.25 who  
22 is using a net gun or tranquilizer gun in an activity related to the purpose for which  
23 the permit was issued.

24 **SECTION 89.** 814.60 (2) (e) of the statutes is amended to read:

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1           814.60 (2) (e) Natural resources restitution payment imposed by s. 22.43 (2) (d)  
2           or 29.998.

3           **SECTION 90.** 895.57 (3) of the statutes is amended to read:

4           895.57 (3) Subsection (2) does not apply to any humane officer, local health  
5           officer, peace officer, employe of the department of natural resources while on any  
6           land licensed under s. 22.15, 22.16, 22.17, 22.18, 22.19 or 29.52, 29.573, 29.574,  
7           ~~29.575 or 29.578~~ or designated as a wildlife refuge under s. 29.57 (1) or employe of  
8           the department of agriculture, trade and consumer protection if the officer's or  
9           employe's acts are in good faith and in an apparently authorized and reasonable  
10          fulfillment of his or her duties.

11          **SECTION 91.** 943.75 (3) of the statutes is amended to read:

12          943.75 (3) Subsection (2) does not apply to any humane officer, local health  
13          officer, peace officer, employe of the department of natural resources while on any  
14          land licensed under s. 22.15, 22.16, 22.17, 22.18, 22.19 or 29.52, 29.573, 29.574,  
15          ~~29.575 or 29.578~~ or designated as a wildlife refuge under s. 29.57 (1) or employe of  
16          the department of agriculture, trade and consumer protection if the officer's or  
17          employe's acts are in good faith and in an apparently authorized and reasonable  
18          fulfillment of his or her duties. This subsection does not limit any other person from  
19          claiming the defense of privilege under s. 939.45 (3).

20          **SECTION 92.** 951.01 (1m) of the statutes is created to read:

21          951.01 (1m) "Conservation warden" means a warden appointed under s. 23.10.

22          **SECTION 93.** 951.015 of the statutes is amended to read:

23          **951.015 Construction and application.** This chapter shall not be  
24          interpreted as controverting any law regulating wild animals subject to regulation  
25          under ch. 22, the taking of game as defined in s. 29.01 (4) to (7) and (10), the trapping

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1 of wild animals under ch. 29, the use of live animals in dog trials or in the training  
2 of hunting dogs or the slaughter of animals by persons acting under state or federal  
3 law.

4 **SECTION 94.** 951.09 of the statutes is amended to read:

5 **951.09 Shooting at caged or staked animals.** No person may instigate,  
6 promote, aid or abet as a principal, agent, employe, participant or spectator, or  
7 participate in the earnings from, or intentionally maintain or allow any place to be  
8 used for the shooting, killing or wounding with a firearm or any deadly weapon, any  
9 animal, except for farm-raised deer, as defined in s. 95.001 (1) (a), that is tied, staked  
10 out, caged or otherwise intentionally confined in a man-made enclosure, regardless  
11 of size. Nothing in this section prohibits the shooting of any wild game in its wild  
12 state or the shooting of game birds and waterfowl at licensed game farms or licensed  
13 shooting preserves captive wild birds or captive white-tailed deer that is authorized  
14 under s. 22.09 (2).

15 **SECTION 95.** 951.15 (5) of the statutes is created to read:

16 951.15 (5) For purposes of enforcing this chapter as to wild animals subject to  
17 regulation under ch. 22, a conservation warden has the same powers and duties that  
18 a law enforcement officer has under this section.

19 **SECTION 96.** 951.16 of the statutes is amended to read:

20 **951.16 Investigation of cruelty complaints.** A person may apply for a  
21 search warrant under s. 968.12 if there is reason to believe that a violation of this  
22 chapter has taken place or is taking place. If the court is satisfied that probable cause  
23 exists, it shall issue a search warrant directing a law enforcement officer in the  
24 county to proceed immediately to the location of the alleged violation with a doctor  
25 of veterinary medicine, if the court determines that a veterinarian is necessary for

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1 purposes of the search, and directing the law enforcement officer to search the place  
2 designated in the warrant, retaining in his or her custody subject to the order of the  
3 court such property or things as are specified in the warrant, including any animal.  
4 For purposes of enforcing this chapter as to a wild animal that is subject to regulation  
5 under ch. 22, the warrant may direct a conservation warden to act as provided in this  
6 section. The warrant shall be executed and returned to the court which issued the  
7 warrant in accordance with ss. 968.15 and 968.17. This section shall not affect other  
8 powers and duties of law enforcement officers or conservation wardens.

9 **SECTION 97.** 951.18 (4) (a) 2. of the statutes is amended to read:

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

20 **SECTION 98.** 951.18 (4) (b) 1. of the statutes is amended to read:

21 951.18 (4) (b) 1. A sentencing court may order that an animal be delivered to  
22 the local humane society or the county or municipal pound or to a law enforcement  
23 officer if a person commits a crime under this chapter, the person is the owner of the  
24 animal that is involved in the crime and the court considers the order to be  
25 reasonable and appropriate. A sentencing court may order that an animal be



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1 delivered to the department of natural resources, if the animal is a wild animal  
2 subject to regulation under ch. 22 and the court considers the order to be reasonable  
3 and appropriate. The society, pound or officer shall release the animal to a person  
4 other than the owner or dispose of the animal in a proper and humane manner. If  
5 the animal is a dog, the release or disposal shall be in accordance with s. 174.046 (8)  
6 or (9), except s. 174.046 (8) (a) does not apply and the fees under s. 174.046 (8) (d) do  
7 not apply if the expenses are covered under s. 951.17. If the animal is not a dog, the  
8 society, pound or officer may charge a fee for the release of the animal.

9 **SECTION 99.** 973.05 (1) of the statutes is amended to read:

10 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant  
11 permission for the payment of the fine, of the penalty assessment imposed by s.  
12 165.87, the jail assessment imposed by s. 302.46 (1), the crime victim and witness  
13 assistance surcharge under s. 973.045, any applicable deoxyribonucleic acid analysis  
14 surcharge under s. 973.046, any applicable drug abuse program improvement  
15 surcharge imposed by s. 961.41 (5), any applicable domestic abuse assessment  
16 imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver improvement  
17 surcharge imposed by s. 346.655, any applicable weapons assessment imposed by s.  
18 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4), any  
19 applicable environmental assessment imposed by s. 299.93, any applicable wild  
20 animal protection assessment imposed by s. 29.9965, any applicable natural  
21 resources assessment imposed by s. 22.43 (1) (d) or 29.997 and any applicable natural  
22 resources restitution payment imposed by s. 22.43 (2) (d) or 29.998 to be made within  
23 a period not to exceed 120 days. If no such permission is embodied in the sentence,  
24 the fine, the penalty assessment, the jail assessment, the crime victim and witness  
25 assistance surcharge, any applicable deoxyribonucleic acid analysis surcharge, any

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1 applicable drug abuse program improvement surcharge, any applicable domestic  
2 abuse assessment, any applicable driver improvement surcharge, any applicable  
3 weapons assessment, any applicable uninsured employer assessment, any  
4 applicable environmental assessment, any applicable wild animal protection  
5 assessment, any applicable natural resources assessment and any applicable  
6 natural resources restitution payment shall be payable immediately.

7 **SECTION 100m. Effective dates.** This act takes effect on January 1, 1999,  
8 except as follows:

9 (1) The treatment of section 22.285 of the statutes takes effect on the day after  
10 publication.

11 (END)