

*1999 DRAFTING REQUEST***Bill**Received: **10/08/1998**Received By: **gibsom**Wanted: **As time permits**

Identical to LRB:

For: **DuWayne Johnsrud (608) 266-3534**By/Representing: **Scott Loomans**This file may be shown to any legislator: **NO**Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Captive wildlife

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**Instructions:**

See Attached, same as 97 engrossed bill 5 14

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	gibsom 1 1/13/1998	gilfokm 02/23/1999	lpaasch 02/24/1999	_____			
/P2	gibsom 02/26/1999			_____	lrb-docadmin 02/26/1999		
/P3	gibsom 02/28/1999	gilfokm 03/01/1999	jfrantze 03/04/1999	_____	lrb-docadmin 03/04/1999		
/P4	gibsom 09/09/1999 gibsom 10/05/1999	gilfokm 09/17/1999 gilfokm 10/06/1999	jfrantze 09/20/1999	_____	lrb-docadmin 09/20/1999		

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/1			martykr 10/07/1999	_____	lrb-docadmin 10/07/1999		S&L
/2	gibsom 1 1/16/1999	gilfokm 1 1/18/1999	kfollet 1 1/18/1999	_____	lrb-docadmin 1 1/19/1999		S&L
13	gibsom 12/21/1999	gilfokm 12/21/1999	jfrantze 12/21/1999	_____	lrb-docadmin 12/21/1999		S&L
/4	gibsom 0 1/04/2000	gilfokm 0 1/05/2000	martykr 0 1/06/2000	_____	lrb-docadmin 0 1/06/2000	lrb_docadmin	S&L 01/12/2000

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01-20-00  
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<END>

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14-1/5/99  
Kmg

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	gibsom 10/05/1999	gilfokm 10/06/1999		_____			
		13-12-21-99 Kmg		_____			

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		12-11-18-99 kmg	11/18 kgf		kft/mk 11/18		

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**<END>**

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Captive wildiife

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/P2	gibsom 02/26/99			_____	lrb-docadmin 02/26/99		
/P3	gibsom 02/28/99	gilfokm 03/1/99	jfrantze 03/4/99	_____	lrb-docadmin 03/4/99		

FE Sent For:

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*Kmg*  
*9/17*  
*gibson*  
*1/99*  
*submit*  
*END*

1999 DRAFTING REQUEST

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1/?	gibson	1/1-2-12-99 Kmg	2-24 L.P.	2-24 L.P.	1/1 - do not submit		
FE Sent For:		1/2-2-25-99 Kmg	Ch 2-25	Ch 2-25 KEND>	1/3 - submit 1/4 - submit		
		1/3-3-1-99	Jb 3/4	Jb 3/4			

6-5-99

M 6 6

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: February 19, 1999

TO: Tom Harelson - LE/5

FROM: Michael A. Lutz - LS/5

SUBJECT: Amendment to Chapter 951, Stats.- Corrected Copy

You recently requested that I provide language for amending ch. 951, Stats., to allow for enforcement of the provisions regarding shooting at caged or staked animals by Conservation Wardens. My suggested language follows:

s. 951.01

SEC 3

(4) "Law Enforcement Officer" has the meaning assigned under s. 967.02(5) and includes a humane officer under s. 58.07 and includes a Conservation Warden appointed under s. 23.10 but only for purposes of s. 951.09 when wild animals as defined in s. 29.001(90), are involved.

29.001(90)

(90) "Wild animal" means any mammal, bird, fish, or other creature of a wild nature endowed with sensation and the power of voluntary motion.

Current def OK

A change would also have to be made to s. 29.05, to reflect this additional, grant of authority. Section 951.09, Stats., could simply be added to the list of statutes found in s. 29.05(1), Stats.

SEC 2

We need to-add s.951.09 to the civil citation authority in order to be able to user our conservation citation.

23.50 Procedure in forfeiture actions.

SEC 1

23.50(1)

(1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of ss. 77.09, 134.60, 167.10(3), 167.31(2), 281.48(2) to (5), 283.33, 285.57(2), 285.59(2), (3) end (4), 287.07, 287.08, 287.81 and 299.64(2), subch. VI of ch. 77, this chapter and chs. 24 to 31 and of ch. 354, and any administrative rules promulgated thereunder, violations of rules of the Kickapoo reserve management board under s. 41.41(7)(k) or violations of local ordinances enacted by any local authority in accordance with s. 23.33(11)(am) or 30.77~ 951.09 animals as defined in s. 29.001(90), are involved.



**B I L L**  
**REQUEST FORM**

**LEGISLATIVE REFERENCE BUREAU**  
**Legal Section Telephone: 266-3561**  
**5th Floor, 100 N. Hamilton Street**

Use of this form is optional. It is often better to talk directly with the LRB attorney **who** will draft the bill.

Use this form only for DILL drafts. Attach more pages if necessary.

Legislator, agency or other body requesting this draft: Rep. Townsend

Date: 1/7 Person submitting request (name, phone number): Scott Loomans 2-534

Persons to contact for questions about this draft (names, phone numbers): Scott Loomans, Mark Patrosky or Sarah Henley (OUR) 7-2472

**Describe the problem, including any helpful examples.**

**How do you want to solve the problem?**

Privatization of wildlife on game farms, spread of wildlife disease through commerce, humane care and treatment of captive wildlife, enforcement of existing prohibition of commercial hunts...

Please attach a copy of any correspondence or other material that may help us.

If you know of any statute sections that might be affected, list them or provide a marked-up (not re-typed) **copy**.

You may attach a marked-up (not **retyped**) **copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):** English version prepared by Assem. General LRB-97-5142

**Requests are confidential unless stated otherwise.**

- May we tell others that we are working on this for you?  Yes  No
- If yes: Anyone who asks?  Yes  No Any legislator?  Yes  No Only the following persons: \_\_\_\_\_

Do you **consider this request urgent**?  Yes  No If yes, please indicate why: \_\_\_\_\_

**Should we give this request priority over any other pending request of this legislator, agency or body?**  Yes  No If yes, sign your name here: \_\_\_\_\_

Yes No





Smart List - Amendments to Bill

Object Name	Amend String	intro No	Leg Topic
97a0872/2	AA1-AB514	AA1-AB514	Definition of zoo
97a1597/1	AA1-ASA1-AB514	AA1-ASA1-AB514	Inspection procedures for captive <b>wildlif</b>
97a1619/1	AA2-ASA1-AB514	AA2-ASA1-AB514	Local ordinances
97a1692/1	AA-ASA2-AB514	---	Hunting of wild birds
97a1696/1	AA2-AB514	AA2-AB514	Ordinances, inspections and falconry re
97a1704/1	AA-AB514	---	Release of propagated animals
97a1708/1	AA-AA(LRBa1696/1)-AB514	---	Wild animals
97a1710/1	AA-AB514	---	Shooting at captive wild animals
97a1712/1	AA3-AB514	AA3-AB514	Location of taking of reptiles
97a1809/1	AA4-AB514	AA4-AB514	Statutory fees, transitional provisions
97a1837/3	AA5-AB514	AA5-AB514	Hunting of elk
97a1959/1	AA6-AB514	AA6-AB514	Rehabilitation license qualifications
97a2001/1	AA-AB514	---	Exclude certain arthropods and mollusk
97a2040/1	AA7-AB514	AA7-AB514	Exempt certain molluskd and arthropod:
97a2042/1	AA8-AB514	AA8-AB514	Rehabilitation license not required
97a2197/1	AA9-AB514	AA9-AB514	Define certain birds as domestic animal
97a2198/1	AA-AB514	---	Do not restrict prohibition on shooting <b>st</b>
97a2201/1	AA10-AB514	AA10-AB514	Require reports of released animals
97a2210/1	AA11-AB514	AA11-AB514	Shooting at caged or staked animals
97a2372/1	SA-AB514	---	Restore provisions of bill concerning loc

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11 37/enrolled

P. 22

6-94 - 4/95

1997

(To Be Printed for Legislature)

LRB-5162 11

ENGROSS BILL  
(or 2nd House Sub)

1664 RCT: King

ENGROSSED 1997 Assembly BILL 514

(Date) March 24, <sup>1998</sup> 1997 - Printed by direction of Senate CHIEF CLERK.

JOINT RULE 63. PRINTING OF ENGROSSED MEASURES. Upon the finding by the chief clerk of a house that a bill [or sub.amdt] has been amended in the house of origin to a considerable degree, the chief clerk shall instruct the legislative reference bureau to prepare and have printed an engrossed copy of the proposal. In preparing such engrossed copy for the printer the legislative reference bureau shall, IF TIME PERMITS, provide with a revised analysis.... Any subsequent amendments to a proposal ordered printed engrossed shall be drafted to fit the printed engrossed text.

(1) Drafter: enter documents adopted

Original (X)      Sub. Amdt.      <sup>97-1137, 12</sup>  
Amendments (to above): AA1, AA2, AA3, AA4, AA5, AA6, AA7, AA8, AA9, AA10 and AA11  
Corrections (show date): 2/11/98, 2/17/98 and 2/16/98, and 3/20/98

3/20/98 Hecca Bradwell  
(Date) (Drafter)

(2) Clerical procedure:

(a) Use the engrossing routine on the copy document (bill, sub.amdt) adopted as shown above. The routine clears working storage; copies and edits the copy document; inserts the new LRB-number, initials and bill number; freezes SECTION numbers; stores the result under the mu LRB number; and displays the new version in working storage ready for editing.

exec:eng'bil;;;[97]-/sENGR[1];ATTY:edt:wpo;[97]-/sFROM/?;(A/S)B ???

- (b) Check centered title and "Printed by" date on first page.
- (c) Insert analysis into the blanks provided.
- (d) Make the changes in the text as shown by the drafter's manuscript.
- (e) Restore, regenerate catalog of statutes affected, rutore.
- (f) Use print routine "exec;pvs" or "exec;pages;;;?"
- (g) Before copying, show to editor for one lut check.

(Typist)

(3) Make IS copies of ENGROSSED BILL:

Use black or red stripes corresponding to the house of the chief clerk who ordered the engrossed bill printed (enter the introductory information shown on this sheet). Place "LRB file copy" in drafting folder. Give one copy each to drafter, chief editor, and index librarian. Return the bill jacket and remaining copies to requesting chief clerk. Send camera-ready copy to printer IMMEDIATELY.



Today by 3 p.m.

Engrossed 1997 ASSEMBLY BILL 514

(important to use this date)

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

~~September 16, 1997 - Introduced by Representatives JOHNSRUD, HAHN, OTT, BRANDEMUEHL and KEDZIE. Referred to Committee on Natural Resources.~~

regenerate

1 **AN ACT** ~~trepeal~~<sup>regenerate</sup> 92 (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** 23.510) 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) l., 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



## ASSEMBLY BILL 514

1 **[3; AA4-AB514; Page: 6, Line: 6]**

2 **[3; AA4-AB514; Page: 6, Line: 6]**

3 **[3; AA4-AB514; Page: 6, Line: 6]**

4 (5) "Captive" means any of the following:

5 (a) Restrained by a cage, pen, fence or other enclosure.

6 (b) Restrained by physical alterations that limit movement or facilitate  
7 capture.

8 (c) Restrained by a **leash** or a tether or otherwise tied.

9 (d) Held in a controlled environment that is designed to prevent the departure  
10 from the controlled environment.

11 (6) "**Carcass**" means the dead body of any wild animal including the head, hair,  
12 skin, plumage, skeleton, meat or any other part thereof.

13 **[3; AA4-AB514; Page: 6, Line: 18][3; AA4-AB514; Page: 6, Line: 181]**

14 **[3; AA4-AB514; Page: 6, Line: 18]**

15 (9) "Circus" means a scheduled event staged by a traveling company with  
16 mobile facilities in which entertainment consisting of a variety of performances by  
17 acrobats, clowns or trained animals is the primary attraction or principal business.

18 **(10) "Conservation warden"** means a warden appointed under s. 23.10.

19 **[3; AA4-AB514; Page: 6, Line: 25]**

20 **[3; AA4-AB514; Page: 7, Line: 1]**

21 **(13) "Department"** means the department of natural resources.

22 (14) "Domesticated animal" means farm-raised deer, a pet bird that is either  
23 a psittacine or a softbill and is not native, is not endangered or threatened and is not  
24 a migratory bird on the list in 50 CFR 10.13 that is promulgated under 16 USC 701  
25 to 715s**[3; AA-AB514; Page: 7, Line: 3]** or an animal that is all of the following:

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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 **[3; AA4-AB514; Page: 7, Line: 15]**

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

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

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

18 **[3; AA4-AB514; Page: 7, Line: 221]**

19 (22) "Free-roaming" means not captive.

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

23 **[3; AA4-AB514; Page: 8, Line: 4]**

24 **[3; AA4-AB514; Page: 8, Line: 4]**

25 **[3; AA4-AB514; Page: 8, Line: 4]**

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1           (27) “Harm to the environment” includes adversely affecting the natural  
2           population dynamics of wild animals or wild plants, adversely affecting the habitat  
3           of wild animals or wild plants or displacing wild animals or wild plants **from** any part  
4           of their habitat.

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

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

10           **[3; AA4-AB514; Page: 8, Line: 16]**

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

12           **[3; AA4-AB514; Page: 8, Line: 181]**

13           **[3; AA4-AB514; Page: 8, Line: 18][3; AA4-AB514; Page: 8, Line: 181]**

14           **[3; AA4-AB514; Page: 8, Line: 18]**

15           **[3; AA4-AB514; Page: 8, Line: 18]**

16           **[3; AA4-AB514; Page: 8, Line: 18]**

17           **[3; AA4-AB514; Page: 8, Line: 18]**

18           **[3; AA4-AB514; Page: 8, Line: 18]**

19           **[3; AA4-AB514; Page: 9, Line: 1]**

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

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

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

24           **[3; AA4-AB514; Page: 9, Line: 6]**

25           **[3; AA4-AB514; Page: 9, Line: 6]**

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1           **[3; AA4-AB514; Page: 9, Line: 6]**

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

4           **[3; AA4-AB514; Page: 9, Line: 11][3; AA4-AB514; Page: 9, Line: 11]**

5           **[3; AA4-AB514; Page: 9, Line: 11]**

6           **[3; AA4-AB514; Page: 9, Line: 11]**

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

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

10           **(52)** “Public zoo or aquarium” means a zoo or aquarium that is operated by the  
11 state or by a city, village or county or that is an accredited member of the American  
12 Zoo and Aquarium Association**[3; AA1-AB514; Page: 9, Line: 191.**

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

15           **[3; AA4-AB514; Page: 9, Line: 221]**

16           **[3; AA4-AB514; Page: 9, Line: 221]**

17           **[3; AA4-AB514; Page: 9, Line: 22]**

18           **[3; AA4-AB514; Page: 9, Line: 221]**

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

20           **[3; AA4-AB514; Page: 10, Line: 2]**

21           **[3; AA4-AB514; Page: 10, Line: 2]**

22           **[3; AA4-AB514; Page: 10, Line: 2][3; AA4-AB514; Page: 10, Line: 21]**

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

24           **[3; AA4-AB514; Page: 10, Line: 7]**

25           **[3; AA4-AB514; Page: 10, Line: 7]**



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1           **[3; AA4-AB514; Page: 10, Line: 71**

2           **[3; AA4-AB514; Page: 10, Line: 7]**

3           (67) "State resident" has the meaning given "resident" in s. 27.01 (10) (a).

4           (66) "Stock" means to release for the purpose of increasing or maintaining a  
5 population of the animal.

6           (69) "Take" means to capture, but does not**[3; CCC-1-AB514; Page: 10, Line:**  
7 **14] include[3; CCC-1-AB514; Page: 10, Line: 14] killing.**

8           **[3; AA4-AB514; Page: 10, Line: 15][3; AA4-AB514; Page: 10, Line: 151**

9           (71) "Veterinarian" means an individual who is licensed as a veterinarian  
10 under ch. 453 or by another state and who is accredited under 9 CFR subch. J.

11           **[3; AA4-AB514; Page: 10, Line: 191**

12           **[3; AA4-AB514; Page: 10, Line: 191**

13           (74) "Wild animal" means any animal of a wild nature that is normally found  
14 in the wild and that is not a domesticated animal.

15           (75) "Wild amphibian" means a wild animal that is an amphibian.

16           (76) "Wild bird" means a wild animal that is a bird.

17           (77) "Wild reptile" means a wild animal that is a reptile.

18           **[3; AA4-AB514; Page: 11, Line: 11**

19           **[3; AA4-AB514; Page: 11, Line: 11**

20           22.02 **Title to wild animals. (1) TITLE VESTED IN OWNER.** Except as provided  
21 in sub. (3), legal title to a live captive wild animal or the carcass of a captive wild  
22 animal is vested in the person who owns the wild animal if the person is in  
23 compliance with this chapter and the rules promulgated under this chapter. A  
24 person holding legal title may transfer without consideration the live captive wild  
25 animal or the carcass of the captive wild animal to a person who is in compliance with

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1 this chapter and the rules promulgated under this chapter. A person holding legal  
2 title to a live captive wild animal may kill it, or have it killed, in a humane manner.

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

7 (3) **EXCEPTIONS.** Legal title to a live captive wild animal or the carcass of a  
8 captive wild animal that is possessed as authorized under a rehabilitation license or  
9 a scientific research license remains with the state. A person holding a rehabilitation  
10 license or a scientific research license may transfer or dispose of a live captive wild  
11 animal or the carcass of a captive wild animal only as specifically authorized by the  
12 department[**3; AA4-AB514; Page: 11, Line: 20**].

13 **22.025 Interagency cooperation.** The department of natural resources  
14 shall cooperate with the department of agriculture, trade and consumer protection  
15 with respect to any wild animal that is subject to regulation under this chapter and  
16 ch. 93, 94 or 95. [**3; AA4-AB514; Page: 11, Line: 20**]

17 **22.03 Possession of live wild animals. (1) RESTRICTIONS ON POSSESSION;**  
18 **GENEFULLY.** (a) No person may possess any live wild animal unless the wild animal  
19 is legally obtained.

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

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

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

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

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

7           (b) If a person possessing a live native wild animal under par. (a) determines  
8 that it is necessary to possess the wild animal for a period exceeding 24 hours after  
9 the time the wild animal was first possessed, the person shall request that the  
10 department approve an extension for the temporary possession. The department  
11 may either deny the requested extension or approve it for a specific period of time.

12           (c) An establishment licensed under s. 97.42, or for which inspection is granted  
13 under 9 CFR part 304, may keep live white-tailed deer for slaughtering purposes for  
14 up to 72 hours without holding a **[3; AA4-AB514; Page: 12, Line: 18]** deer farm  
15 license.

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

24           (3) WILD ANIMALS UNDER ANOTHER JURISDICTION. A live wild animal possessed  
25 by a nonresident under the legal authority of another state, province or country may

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1 be possessed by the nonresident in this state for not more than 60 days from the date  
2 the wild animal enters the state if the wild animal is accompanied by a valid  
3 interstate health certificate or a valid certificate of veterinary inspection issued by  
4 a veterinarian and by all of the licenses or other approvals that are required by the  
5 other state, province or country.

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

- 9 1. Arthropods.
- 10 2. Chipmunks.
- 11 3. Pocket gophers.
- 12 4. Mice.
- 13 5. Moles.
- 14 6. Mollusks.
- 15 7. Opossums.
- 16 8. Pigeons.
- 17 9. Porcupines.
- 18 10. Rats.
- 19 11. Shrews.
- 20 12. English sparrows.
- 21 13. Starlings.
- 22 14. Ground squirrels.
- 23 15. Red squirrels.
- 24 16. Voles.
- 25 17. Weasels.

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

4 1. Pheasants of the species *Phasianus colchicus* or *Syrnaticus reevesii*, chukar  
5 partridge or gray partridge that are possessed for the purpose of hunting under a bird  
6 hunting preserve license, a dog training license, a hound training license, a dog club  
7 training license, a dog trial license or a hound trial license.

8 2. Nonnative wild animals of the family anatidae or of the family cervidae.

9 3. Nonnative wild animals that are inherently dangerous wild animals.

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

12 1. Veterinarians, for the purpose of providing medical treatment to wild  
13 animals.

14 2. Public zoos or aquariums.

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

16 4. The department.

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

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

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

23 22.04 **Taking of wild animals. (1) PROHIBITION.** No person may take any wild  
24 animal from the wild except as authorized under a wild fur farm license, a falconry  
25 license, a rehabilitation license or a scientific research license.

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

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

6           1. Veterinarians, for the purpose of providing medical treatment to wild  
7 animals. ,

8           . 2. The department.

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

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

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

15           **22.05 Introduction, stocking and release of wild animals. (1)**  
16 **PROHIBITION; PERSONS OTHER THAN THE DEPARTMENT.** (a) No person may introduce,  
17 stock or release into the wild, or import into this state to introduce, stock or release  
18 into the wild, any wild animal except as authorized under a bird hunting preserve  
19 license, a bird dog training license, a hound dog training license, a dog club training  
20 license, a bird dog trial license, a hound dog trial license, a falconry license, a stocking  
21 license, a rehabilitation license or a scientific research license.

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

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

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

7 1. If a wild animal has been exposed to or infected with any contagious or  
8 infectious disease, as defined under rules promulgated by the department of  
9 agriculture, trade and consumer protection under s. 95.001 (2), or a reportable  
10 disease, as designated by the department of natural resources under s. 22.41 (2), the  
11 person introducing, stocking or releasing the wild animal shall hold a valid  
12 interstate health certificate or a valid certificate of veterinary inspection issued by  
13 a veterinarian certifying that the wild animal is free of any such diseases before the  
14 introducing, stocking or release.

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

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

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

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

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1           **(1m) REPORTS.** At the request of a local **official** in an area in which wild animals  
2 are introduced, stocked or released under sub. (1), the department shall require a  
3 person who introduced, stocked or released those wild animals to report to the local  
4 **official** the number and type of wild animals introduced, stocked or released and the  
5 location at which the animals were introduced, stocked or released. **[3; AA-AB514;**  
6 **Page: 17, Line: 8]**

7           (2) **BY THE DEPARTMENT.** The department may import into this state to  
8 introduce, stock or release into the wild, may introduce, stock or release into the wild,  
9 or may authorize introducing, stocking or releasing into the wild, a wild animal  
10 without holding a license as required under sub. (1) (a).

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

13           **22.06 Exhibition of live wild animals. (1) PROHIBITION.** (a) No person may  
14 exhibit any captive live native wild animal or any captive live nonnative wild animal  
15 of the family ursidae or cervidae except as authorized under a captive wild animal  
16 farm license, a deer farm license, a falconry license, a rehabilitation license, a  
17 nonprofit educational exhibiting license, a nonresident temporary exhibiting license  
18 or a captive wild animal auction and market license.

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

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



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

3           (a) Public zoos or aquariums.

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

5           (c) The department.

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

8           **22.07 Propagation of wild animals. (1) PROHIBITION.** No person may  
9 propagate any native wild animal or any nonnative wild animal of the family ursidae  
10 or cervidae except as authorized under a captive wild animal farm license, a deer  
11 farm license, a bird hunting preserve license, a wild fur farm license, a nonprofit  
12 educational exhibiting license, a scientific research license or a falconry license.

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

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

18           (a) Public zoos or aquariums.

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

20           (c) The department.

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

23           **[3; AA-AB514; Page: 19, Line: 1][3; AA-AB614; Page: 19, Line: 1]**

24           **[3; AA-AB514; Page: 19, Line: 1][3; AA-AB514; Page: 19, Line: 1][3;**  
25 **AA-AB514; Page: 19, Line: 1][3; AA-AB514; Page: 19, Line: 1][3; AA-AB514;**

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1 **Page: 19, Line: 1][3; AA-AB514; Page: 19, Line: 1][3; AA-AB514; Page: 19,**  
2 **Line: 1][3; AA-AB514; Page: 19, Line: 1]**

3 **[3; AA-AB514; Page: 19, Line: 1][3; AA-AB514; Page: 19, Line: 11**

4 **22.09 Hunting of captive wild animals. (1) PROHIBITION; GENERALLY. No**  
5 person may hunt a captive wild animal except as authorized under s. 22.36 (5) and  
6 under a**[3; AA4-AB514; Page: 19, Line: 15]** deer farm license, a bird hunting  
7 preserve license, a bird dog training license, a hound dog training license, a dog club  
8 training license, a bird dog trial license or a hound dog trial license.

9 **(2) PROHIBITION; COMMERCIAL HUNTING. No** person may sell or offer to sell or  
10 purchase or offer to purchase the opportunity to hunt any wild animal that is or has  
11 been captive except as authorized under a**[3; AA4-AB514; Page: 19, Line: 15]** deer  
12 farm license or a bird hunting preserve license.

13 **22.10 Selling and purchasing of live wild animals. (1) SELLING.** Except  
14 as authorized under a captive wild animal farm license, a bird hunting preserve  
15 license, a deer farm license, a captive wild animal auction and market license, a  
16 falconry license, a wild fur farm license or a nonprofit educational exhibiting license,  
17 no person may sell or offer to sell any of the following:

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

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

22 (2) **PURCHASING.** (a) Except as provided under par. (b) and except as authorized  
23 under a captive wild animal farm license, a bird hunting preserve license, a deer farm  
24 license, a bird dog training license, a hound dog training license, a dog club training  
25 license, a bird dog trial license, a hound dog trial license, a falconry license, a

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1 nonprofit educational exhibiting license or a stocking license, no person may  
2 purchase or offer to purchase any of the following:

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

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

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

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

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

15 (a) Public zoos or aquariums.

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

17 (c) The department.

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

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

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

23 **22.11 Inherently dangerous and environmentally injurious wild**  
24 **animals. (1) INHERENTLY DANGEROUS WILD ANIMALS** (a) The department shall  
25 designate by rule cougars and members of the family ursidae as inherently

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1 dangerous wild animals and may designate by rule other types of wild animals to be  
2 inherently dangerous wild animals.

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

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

9 (c) No person may introduce, stock or release, or import into this state to  
10 introduce, stock or release, any environmentally injurious wild animal, unless  
11 specifically authorized to do so by the department[3; AA4-AB514; Page: 21, Line:  
12 201.

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

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

17 2. For purposes of subd. 1., "medical treatment" does not include rehabilitation.

18 **22.12 Possession and sale of native wild reptiles and wild amphibians.**

19 (1) POSSESSION OF MORE THAN [3; CCC-3-AB514; Page: 22, Line: 2] 5[3;

20 CCC-3-AB514; Page: 22, Line: 21 PROHIBITED. No person may take from the wild

21 or possess live native wild reptiles or live native wild amphibians unless the person ✓

22 [3; AA2-AB514; Page: 22, Line: 4; Invalid Instruction]takes or possesses[3;

23 AA4-AB514; Page: 22, Line: 4] 5 or fewer[3; AA4-AB514; Page: 22, Line: 4] of

24 any subspecies or unless sub. (2) or (3) applies.

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1 (2) POSSESSION OF MORE THAN [3; CCC-2-AB514; Page: 22, Line: 5] 5

2 ALLOWED[3; AA2-AB514; Page: 22, Line: 5][3; CCC-2-AB514; Page: 22, Line: 5]

3 ~~ALLOWED~~[3; AA4-AB514; Page: 22, Line: 5]. (a) A person may take from the wild

4 or possess more than 5 leopard frogs, 5 mud puppies, 5 tiger salamanders, 5 snapping  
5 turtles or 5 painted turtles if so authorized by the department under a Class A  
6 captive wild animal farm license.

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

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

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

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

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

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

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

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

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

11           (a) Public zoos or aquariums.

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

13           (c) The department.

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

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

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

21           **22.13 Sale and purchase of white-tailed deer for venison. (1)**

22           **REQUIREMENTS FOR LIVE DEER.** (a) No person may sell a live white-tailed deer to be  
23 processed for venison meat or products except as authorized under **a[3; AA4-AB514;**

24           **Page: 24, Line: 1]** deer farm license. No person may sell a live white-tailed deer

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1 to be processed for venison meat or products without first attaching a[3;  
2 **AA4-AB514; Page: 24, Line: 1**] deer farm shipping tag to the body.

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

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

7 2. The person holds a whit-tailed deer venison sales license.

8 3. The deer originated from a[3; **AA4-AB514; Page: 24, Line: 9**] deer farm and  
9 has a[3; **AA4-AB514; Page: 24, Line: 9**] deer farm shipping tag attached to its body.

10 (2) REQUIREMENTS FOR CARCASSES. No person may sell venison meat or process  
11 venison products from ~~captive~~[3; **AA4-AB514; Page: 24, Line: 12**] white-tailed  
12 deer unless all of the following apply:

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

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

16 (c) The ~~white-tailed~~ deer originated from a[3; **AA4-AB514; Page: 24, Line:**  
17 **163** deer farm.

18 (d) Each individual package of whit&ailed deer venison that the person  
19 processes and sells contains the license number of the[3; **AA4-AB514; Page: 24,**  
20 **Line: 18**] deer[3; **AA4-AB514; Page: 24, Line: 18**] farm from which the  
21 white-tailed deer originated and the label clearly states that the venison is from a  
22 licensed[3; **AA4-AB514; Page: 24, Line: 20**] deer farm.

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

*note: there is no p. 22 in  
the drafting file or the electronic  
file*

Pg24Ln25 (a) An establishment licensed under s. 97.42 or for which inspection is granted under 9 CFR part 304.

Pg25Ln1 AB514, s. 3 - continued

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

Pg25Ln2 AB514, s. 3 - continued

Pg25Ln3 22.14 Carcasses of captive wild animals. (1) **Restrictions on sales and**  
Pg25Ln4 **purchases.** (a) No person may sell the carcass of any captive wild animal unless the seller provides to the purchaser written proof of origin.

Pg25Ln5 AB514, s. 3 - continued

Pg25Ln6 (b) No person may purchase or possess the carcass of any captive wild animal  
Pg25Ln7 unless the purchaser maintains written proof of origin during the time the purchaser possesses the carcass.

Pg25Ln8 AB514, s. 3 - continued

Pg25Ln9 (c) No person may sell or purchase the carcass, except for the hide, of a bear that was a captive wild animal.

Pg25Ln10 AB514, s. 3 - continued

Pg25Ln11 (d) No person may preserve and mount a carcass of a captive wild animal for  
Pg25Ln12 consideration unless that person holds a valid taxidermy permit issued under s. 29.136.

Pg25Ln13 AB514, s. 3 - continued

Pg25Ln14 (2) **Tagging requirements for captive wild animal farms.** (a) A person killing  
Pg25Ln15 a wild animal under the authority of a captive wild animal farm license shall tag the  
Pg25Ln16 carcass in the manner required by the department before removing the carcass from  
Pg25Ln17 the farm. No person may remove the tag from the carcass except as provided in par. (b).

Pg25Ln18 AB514, s. 3 - continued

Pg25Ln19 (b) A person acquiring a carcass tagged under par (a) that is to be consumed  
Pg25Ln20 for food may remove the tag at the time the carcass is prepared for final consumption.  
Pg25Ln21 The person shall keep the tag in evidence until the carcass is consumed or otherwise disposed of.

*P. 22  
no changes  
in engrossed bill*



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

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

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

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

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

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

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

- 23 1. Leopard frogs.
- 24 2. Mud puppies.
- 25 3. Tiger salamanders.

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1 4. Snapping turtles.

2 5. Painted turtles.

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

5 (2) **AUTHORIZATION.** (a) A captive wild animal farm license authorizes the  
6 holder of the license to possess, propagate, hill, exhibit, purchase and sell live captive  
7 wild animals of the types specified by the department on the [3; AA4-AB514; Page:  
8 27, Line: 5] [3; AA4-AB514; Page: 27, Line: 5] license ,

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

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

- 14 1. Native wild animals.
- 15 2. Nonnative wild animals of the family cervidae.
- 16 3. Inherently dangerous wild animals.
- 17 4. Endangered or threatened species.

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

23 (4) **CONTROL OF WILD ANIMALS.** (a) A person holding a captive wild animal farm  
24 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[3; AA4-AB514;  
4 Page: 28, Line: 1] or canidae escapes from its enclosure or fenced area on a captive  
5 wild animal farm, the person holding the captive wild animal farm license shall  
6 notify the department within 24 hours after the escape.

7 (5) Rum. 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[3; AA4-AB514; Page: 28, Line: 8] license[3; AA4-AB514;  
11 Page: 28, Line: 8]. (1) ISSUANCE. The department shall issue a deer farm license  
12 to any qualified person who files a proper application for the license and who pays  
13 the applicable fee. The applicant shall specify the locations of the enclosures for the  
14 deer on the application.

15 [3; AA4-AB514; Page: 28, Line: 12][3; AA4-AB514; Page: 28, Line: 12][3;  
16 AA4-AB514; Page: 28, Line: 12]

17 (2) AUTHORIZATION.[3; AA4-AB514; Page: 28, Line: 15](b) A[3; AA4-AB514;  
18 Page: 28, Line: 15] deer farm license authorizes the holder of the license to do any  
19 of the following:

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

23 (c) A person holding a[3; AA4-AB514; Page: 28, Line: 20] deer farm license  
24 shall attach a deer shipping tag to any live white-tailed deer before selling the deer  
25 to be processed for venison.

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1           (3) **EXEMPTION FROM HUNTING RESTRICTIONS.** A person hunting white-tailed deer  
2 on **a[3; AA4-AB514; Page: 28, Line: 20]** deer farm is exempt from having any  
3 hunting approval issued under ch. 29 and is exempt from any closed season  
4 restrictions, bag limits or other conditions or restrictions established by the  
5 department under s. 29.174.

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

9           (b) If any deer escapes from its enclosure or fenced area on a deer farm, the  
10 person holding the deer farm license shall notify the department within 24 hours  
1 1 **after** the escape.

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

15           **22.17 White-tailed deer venison sales license. (1) APPLICATION.** The  
16 department shall issue a white-tailed deer venison sales license to any qualified  
17 person who files a proper application for the license and who pays the applicable fee.

18           (2) **AUTHORIZATION.** (a) A whit&ailed deer venison sales license authorizes the  
19 holder of the license to sell, purchase and process venison from white-tailed deer that  
20 originates from **a[3; AA4-AB514; Page: 29, Line: 15]** deer farm.

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

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

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

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

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

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

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

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

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

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

23           **(4) EXEMPTION FROM TRAPPING RESTRICTIONS.** **Except as provided in sub. (2) (c),**  
24 a person trapping fur-bearing wild animals on a wild fur farm is exempt from having  
25 any trapping approval issued under ch. 29 and is exempt from any closed season

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1 restrictions, bag limits or other conditions or restrictions established by the  
2 department under s. 29.174.

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

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

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

9 **22.19 Bird hunting preserve licenses. (1) ISSUANCE.** The department shall  
10 issue a Class A or a Class B bird hunting preserve license to any qualified person who  
11 files a proper application and who pays the applicable fee.

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

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

17 2. Hunting or ~~taking~~**[3; AA4-AB514; Page: 31, Line: 11]** of released wild birds  
18 of those species that have been stocked in the preserve by the holder of the license  
19 and other persons authorized by the holder.

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

22 1. Pheasants of the species *Phasianus colchicus* or the species *Syrmaticus*  
23 *reevesii*.

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

25 3. Gray partridge.

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1 4. Chukar partridge.

2 5. Red-legged partridge.

3 6. Mallard ducks that are bred in captivity.

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

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

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

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

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

22 (4) **REQUIREMENTS FOR MALLARD DUCKS.** A person possessing mallard ducks  
23 under the authority of a bird hunting preserve license may possess only mallard  
24 ducks that are bred in captivity and shall identify them as required under 50 CFR  
25 21.13 (b). The person shall house the mallard ducks in pens that are covered and

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1 maintained to prevent free-roaming wild waterfowl from being attracted to the pens  
2 with the mallard ducks that are being bred.

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

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

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

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

15 22.20 **Dog training licenses. (1) BIRD DOG TRAINING LICENSE.** (a) The  
16 department shall issue a bird dog training license to any qualified individual who is  
17 at least 12 years of age who files a proper application and who pays the applicable  
18 fee.

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

23 (c) The department may restrict the possessing, releasing and hunting of a  
24 species of wild birds specified in par. (b) by persons holding dog training licenses in



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1 zones or areas for which the department has by rule imposed special hunting  
2 restrictions for that species.

3 (d) A person training a bird dog in a bird hunting preserve for which the  
4 hunting of pheasant, quail, mallard ducks bred in captivity or partridge has been  
5 authorized under a bird hunting preserve license is exempt from holding a bird dog  
6 training license to possess, release into the wild and hunt live captive wild birds for  
7 the purposes of training the dog to retrieve, point, flush and track wild birds.

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

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

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

16 2. Live captive raccoon.

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

18 (3) DOG CLUB TRAINING LICENSE. (a) The department[3; AA4-AB514; Page: 34,  
19 **Line: 11]**may[3; AA4-AB514; Page: 34, **Line: 11]**issue a dog club [3; AA4-AB514;  
20 **Page: 34, Line: 12]**[3;AA4-AB514; Page: 34, **Line:12]**[3; AA4-AB514; Page: 34,  
21 **Line: 12]**[3; AA4-AB514; Page: 34, **Line: 12]**training license to an organization  
22 that meets the conditions established by the department for dog. club training  
23 licenses. [3; AA4-AB514; Page: 34, **Line: 12]**

24 (b) A dog club training license authorizes the club or its members to purchase,  
25 possess, release into the wild and hunt species of live captive wild animals that are

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1 authorized by the department on property owned or leased by the club for the  
2 purpose of teaching a bird dog or hound dog to retrieve, point, flush or track game.

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

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

10 **(b)** A license under this section does not authorize organized competitive field  
11 events.

12 **22.21 Dog trial licenses. (1) BIRD DOG TRIAL LICENSE.** (a) The department  
13 shall issue a bird dog trial license to any qualified person who files a proper  
14 application and who pays the applicable fee.

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

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

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

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

5 **22.22 Falconry license. (1) ISSUANCE.** (a) The department shall issue a  
6 falconry license to any qualified individual who is at least 18 years of age, who has  
7 a federal falconry license, who files a proper application and who pays the applicable  
8 fee.

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

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

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

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

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

20 **[3; AA2-AB514; Page: 36, Line: 14][3; AA2-AB514; Page: 36, Line: 14][3;**  
21 **AA2-AB514; Page: 36, Line: 14][3; AA2-AB514; Page: 36, Line: 14][3;**  
22 **AA2-AB514; Page: 36, Line: 14][3; AA2-AB514; Page: 36, Line: 14]**

23 (4) **AUTHORIZATION; TAKINGS.** A falconry license authorizes the holder of the  
24 license to take raptors from the wild. **[3; AA2-<sup>✓</sup>AB514; Page: 36, Line: 14]**

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

4           (a) Propagate and purchase raptors.

5           **(b)** Sell raptors that are bred in **captivity**.

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

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

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

11           **22.23 Stocking license. (1) ISSUANCE.** The department may issue stocking  
12 licenses. If the department issues stocking licenses, it shall issue a stocking license  
13 to any qualified person who files a proper application and who pays the applicable  
14 fee.

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

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

21           **22.24 Rehabilitation license. (1) ISSUANCE.** The department shall issue a  
22 rehabilitation license to any qualified individual who is at least 18 years of age, who  
23 meets the qualifications under rules promulgated under **[3; AA6-AB514; Page: 37,**  
24 **Line: 18]** sub. (2) and who files a proper application.

25           **[3; AA6-AB514; Page: 37, Line: 191]**

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1           **[3; AA6-AB514; Page: 37, Line: 19]**

2           **[3; AA6-AB514; Page: 37, Line: 191]**

3           **[3; AA6-AB514; Page: 37, Line: 191]**

4           **[3; AA6-AB514; Page: 37, Line: 191]**

5           **[3; AA6-AB514; Page: 37, Line: 191]**

6           **[3; AA6-AB514; Page: 37, Line: 191]**

7           **[3; AA6-AB514; Page: 37, Line: 191]**

8           **[3; AA6-AB514; Page: 37, Line: 191]**

9           (2) **QUALIFICATIONS; RULES.** The department shall promulgate rules to establish  
10 the qualifications required to obtain a rehabilitation license, the types of activities  
11 authorized by a rehabilitation license and the standards, limitations and  
12 requirements for rehabilitation licenses. The rules under this subsection shall  
13 incorporate, to the maximum extent practicable, the provisions of the most recent  
14 version, as of March 1, 1998, of an order of the natural resources board that creates  
15 rules related to wildlife rehabilitation. **[3; AA6-AB514; Page: 37, Line: 191]**

16           **22.25 Scientific research license. (1) ISSUANCE.** (a) The department shall  
17 issue a scientific research license to any qualified person who is engaged in a study  
18 or in research that the department determines will lead to increased, useful scientific  
19 knowledge, who files a proper application and who pays the applicable fee.

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

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

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

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

7           (a) The specific purposes for which it is issued.

8           (b) The types of wild animals and the number of each type to be studied.

9           (c) The locations from where the wild animals will be taken.

10          (d) The locations at which the wild animals will be kept and studied.

11          (e) The periods of time in which the wild animals may be studied.

12          (f) Any other conditions or limitations that the department considers  
13 reasonable.

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

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

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

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

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

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

12           (a) Possess and exhibit live wild animals.

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

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

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

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

24           **22.27 Nonresident temporary exhibiting license. (1) ISSUANCE.** The  
25 department shall issue a nonresident temporary exhibiting license to any **qualified**

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1 individual who is a nonresident or to any business organization that is not organized  
2 under the laws of this state, who meets the requirement under sub. (2), who files a  
3 proper application and who pays the applicable fee.

4 (2) **FEDERAL REQUIREMENT.** An applicant for a nonresident temporary exhibiting  
5 license shall hold any license or permit that may be required under 7 USC 2131 to  
6 2159 at the time the department issues the applicant the license.

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

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

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

15 (4) **RULES.** The department may promulgate rules to establish additional  
16 standards, limitations and requirements for nonresident temporary exhibiting  
17 licenses.

18 **22.28 Captive wild animal auction and market license. (1) ISSUANCE.**

19 The department shall issue a captive wild animal auction and market license to any  
20 qualified person who files a proper application and who pays the applicable fee.

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

23 1. Possess live wild animals for an auction or market.

24 2. Exhibit live wild animals for an auction or market.



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1           3. Conduct auctions and markets to sell live wild animals to persons authorized  
2 to possess the wild animals within and outside this state.

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

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

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

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

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

18           **22.285 Validation license. (1) ELIGIBILITY.** (a) Initial *validation license*. A  
19 person who meets all of the following conditions is eligible for an initial validation  
20 license:

21           1. The person has a license or permit under s. **29.572, 29.573, 29.574, 29.575,**  
22 **29.578 or 29.585, 1995 stats., on March 1, 1998.**

23           2. The licenses available under ss. 22.15 to 22.28 do not permit the continuation  
24 of an activity that was allowed under the license or permit under s. **29.572, 29.573,**

1     **29.574, 29.575, 29.578 or 29.585, 1995** stats., on March**1, 1998**, at the location where  
2     the activity is being conducted on March **1, 1998**.

3             3. The person obtains licenses under this chapter for any activity that was  
4     allowed under the license or permit under s. **29.572, 29.573, 29.574, 29.575, 29.578**  
5     or **29.585, 1995** stats., on March 1, 1998, and for which a license under ss. 22.15 to  
6     **22.28** is available.

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

9                 1. The person had a license or permit under s. **29.572, 29.573, 29.574, 29.575,**  
10     **29.578 or 29.585, 1995** stats., on March **1, 1998**.

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

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

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

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

24             **(3) ISSUANCE.** The department shall issue a single validation license to any  
25     eligible person who files a proper application for the license. The validation license

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1 shall apply to all activities described under sub. (4) (a). The department shall specify  
2 on the validation license the activities that are permitted under the license. The  
3 department shall combine a subsequent validation license with an initial validation  
4 license that has been previously issued to the same person.

5 (4) **AUTHORIZATION; LIMITATIONS.** (a) Except as provided in pars. (c) and (d) and  
6 sub. (5), a validation license authorizes the continuation of all activities that the  
7 holder of the validation license was authorized to conduct on March 1, 1998, under  
8 a license or permit issued under s. **29.572, 29.573, 29.574, 29.575, 29.578** or 29.585,  
9 1995 stats., if the holder was actually engaged in those activities on March 1, 1998.

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

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

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

16 (5) **CONDITIONS.** (a) The department shall impose all of the conditions,  
17 restrictions and regulations on the validation license that were applicable to the  
18 same activity under s. **29.572, 29.573, 29.574, 29.575, 29.578** or **29.585, 1995** stats.,  
19 and under any rules promulgated under those sections that were in effect on March  
20 1, 1998.

21 (b) A validation license is subject to ss. **22.09, 22.11, 22.29, 22.32, 22.33, 22.34,**  
22 **22.35, 22.36, 22.37, 22.38, 22.39, 22.40, 22.41, 22.42** and 22.43.

23 (6) **RENEWAL, TRANSFERABILITY.** (a) The department shall renew or transfer a  
24 validation license upon the same conditions as the original validation license.

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

- 3 1. Acquires the land that is subject to the validation license.  
4 2. Meets the requirements of this section.  
5 3. Applies to the department for transfer of the validation license, or any  
6 portion of the validation license, within 3 months after acquiring the land.

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

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

12 (7) FEE. The department may not charge a fee for a validation license. **[3;**  
13 **AA4-AB514; Page: 42, Line: 21]**

14 **22.29 Endangered and threatened species.** No person may take from the  
15 wild, introduce, stock, release into the wild, exhibit, propagate, rehabilitate, hunt,  
16 sell, purchase, transfer or engage in any other activity related to a live wild animal  
17 that is a threatened or endangered species unless the person is in compliance with  
18 this chapter and s. 29.415.

19 **[3; AA4-AB514; Page: 43, Line: 3][3; AA4-AB514; Page: 43, Line: 3][3;**  
20 **AA4-AB514; Page: 43, Line: 3][3; AA4-AB514; Page: 43, Line: 3]**

21 **22.30 License and tag fees. (1) FEES.** The following fees shall be paid to the  
22 department for the issuance or renewal of licenses:

23 (a) *Captive wild animal farm licenses.* 1. The fee for an initial Class A captive  
24 wild animal farm license is \$200 and the fee for an initial Class B captive wild  
25 animal farm license is \$50. The department shall waive the fee for an initial license

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

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

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

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

8 (1m) **LATE FEES**. The late fee for the renewal of any license issued under this  
9 chapter that is filed after the expiration date of the license is \$20. **[3; AA4-AB514;**  
10 **Page: 43, Line: 31**

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) **NONRESIDENTTEMPORARY 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. **[3;**  
6 **AA4-AB514; Page: 45, Line: 181**

7 **22.32 Licenses; applications; renewals; terminations. (1) APPLICATION.**

8 The application for a license under this chapter shall be on a form provided by the  
9 department or in a format approved by the department, and shall request the  
10 information required by the department. The department may not issue a license  
11 unless the applicant provides the information required.

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

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

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

20 (b) A person may apply for a renewal of a license issued under this chapter not  
21 more than 45 days after the license's expiration date if the application is  
22 accompanied by the late fee **specified[3; AA4-AB514; Page: 46, Line: 11]** under s.  
23 22.30 (2)**[3; AA4-AB514; Page: 46, Line: 11]**, in addition to the regular license fee.

24 (c) This subsection does not apply to validation licenses issued under s. 22.285.  
25 **[3; AA4-AB514; Page: 46, Line: 12]**



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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 under this subdivision for an individual who is under 14 years of age if the individual  
2 is a member of a 4-H club or a sporting club.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2 5 (j) ***Rehabilitation license.*** There is no fee for a rehabilitation license.

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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 ~~by township and~~  
9            ~~range.~~

MA3  
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8  
✓  
9

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (b) The date of acquisition.

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

22 (7) **ADDITIONAL INFORMATION.** The department may impose additional  
23 record-keeping requirements on **any[3; AA4-AB514; Page: 49, Line: 101** holders  
24 of licenses under this chapter.

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1 (8) Zoos. If a zoo or aquarium is not~~[3; AA1-AB514; Page: 49, Line: 111 an~~  
2 accredited member~~[3; AA1-AB514; Page: 49, Line: 11]~~ of the American Zoo and  
3 Aquarium Association, the governing body of the zoo or aquarium~~[3; AA4-AB514;~~  
4 ~~Page: 49, Line: 121 or aquarium[3; AA2-AB514; Page: 49, Line: 121 or~~  
5 ~~aquarium[3; AA1-AB514; Page: 49, Line: 121~~ shall keep correct and complete  
6 records of all transactions involving the movement of wild animals that are native  
7 wild animals, nonnative wild animals of the family cervidae, inherently dangerous  
8 wild animals, environmentally injurious wild animals or endangered or threatened  
9 species. The department shall determine the information to be kept in these records.

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

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

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

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

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

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

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

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

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

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

18 **[3; AA4-AB514; Page: 50, Line: 231**

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

22 **[3; AA2-AB514; Page: 51, Line: 6]**

23 **[3; AA2-AB514; Page: 51, Line: 61**

24 **[3; AA2-AB514; Page: 51, Line: 6]**

25 **[3; AA2-AB514; Page: 51, Line: 6]**

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1 [3; AA2-AB514; Page: 51, Line: 6]

2 [3; AA2-AB514; Page: 51, Line: 61]

3 [3; AA2-AB514; Page: 51, Line: 61]

4 [3; AA2-AB514; Page: 51, Line: 6]

5 [3; AA2-AB514; Page: 51, Line: 6]

6 [3; AA2-AB514; Page: 51, Line: 61]

7 ~~[3; AA2-AB514; Page: 51, Line: 6] [3; AA4-AB514; Page: 52, Line: 5; Could~~

8 ~~not find pattern match.] animals for biological examination. Only persons~~

9 ~~determined by the department to be experienced in wildlife disease may remove~~

10 ~~diagnostic samples and diagnose diseases for purposes of this subsection.~~

11 ~~(5) TAXIDERMISTS. For an inspection of a taxidermist's place of business for~~

12 ~~purposes of enforcing this chapter and the rules promulgated under this chapter, this~~

13 ~~section does not apply and the department shall conduct the inspection as authorized~~

14 ~~[3; AA2-AB514; Page: 51, Line: 6]~~

4 22.34 Inspections. (1) DEPARTMENTAL AUTHORITY. For purposes of enforcing

16 this chapter and the rules promulgated under this chapter with respect to a person

17 who is required to have a license or maintain records under this chapter, a

18 conservation warden or representative of the department, upon presenting his or her

19 credentials to that person, may do any of the following:

20 (a) Enter and inspect any land, vehicle, building or other structure where live

21 wild animals are possessed or where carcasses of wild animals are possessed.

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

23 animals.

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

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1 (d) Investigate and inspect any wild animal or any other animal to be  
2 introduced, stocked or released into the wild. Inspection under this paragraph may  
3 include the removal of reasonable diagnostic samples from wild animals for  
4 biological examination.

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

7 (a) Normal business hours.

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

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

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

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

18 (5) **TAXIDERMISTS** For an inspection of a taxidermist's place of business, this  
19 section does not apply and the department shall conduct the inspection as authorized  
20 under s. 29.136 (7). **[3; AA2-AB514; Page: 51, Line: 6]**

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



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

4 **[3; AA4-AB514; Page: 52, Line: 20][3; AA4-AB514; Page: 52, Line: 20][3;**  
5 **AA4-AB514; Page: 52, Line: 20][3; AA4-AB514; Page: 52, Line: 201**

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

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

12 2. If the wild animal is a wild bird, a certification under the national poultry  
13 improvement plan under 9 CFR part 145. **[3; AA4-AB514; Page: 52, Line: 20]**

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

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

22 **(3) EXEMPTIONS FROM STATE ENTRY REQUIREMENTS** (a) Subsection (1) does not  
23 apply to a person shipping or transporting a live wild animal into this state if the wild  
24 animal will be sent directly to slaughter at an establishment licensed under s. 97.42

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1 or for which inspection is granted under 9 CFR part 304 and if the wild animal is  
2 accompanied by a bill of lading **that** contains all of the following information:

3 1. A description of the wild animal.

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

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

8 4. The destination for slaughter.

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

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

15 1. Any required testing for disease has been conducted and the results are  
16 pending.

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

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

22 22.36 **Humane care and housing. (1) COMPLIANCE WITH RULES.** No license  
23 may be issued under this chapter unless the department determines that the  
24 applicant will comply with all of the rules promulgated under subs. (2) and (3).

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

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

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

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

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

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

15           **(4) ORDERS.** (a) The department may issue an order requiring any person  
16 holding a license under this chapter to comply with the rules promulgated under sub.  
17 **(2)**.

18           (b) Any person who fails to comply with an order issued under par. (a) within  
19 10 days **after** its issuance will be subject to penalties provided in s. 22.42.

20           **(5) FREE-ROAMING WILD ANIMALS.** A person holding a captive wild animal farm  
21 license or a deer farm license shall make a reasonable effort to drive free-roaming  
22 wild animals from land subject to the license that will be enclosed before the land is  
23 enclosed. If any white-tailed deer remain in the boundaries of a deer farm fence, the  
24 department may authorize the hunting of those deer. A person holding a **a[3;**  
25 **AA4-AB514; Page: 55, Line: 7]** deer farm license shall pay the department \$250

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1 for each white-tailed[3;AA4-AB514; Page: 55, Line: 8] deer remaining within the  
2 boundaries.

3 **22.37 Prohibited activities; trespassing. (1) DISEASED WILD ANIMALS.** (a)  
4 No person may sell, lease, transfer, move from one location to another, release or  
5 dispose of any wild animal if any of the following applies:

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

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

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

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

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

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

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

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

4           (b) No person may cause or permit the commingling of wild animals with  
5 domesticated animals, except as permitted by the **department[3; AA4-AB514;**  
6 **Page: 56, Line: 11].**

7           (3) **TAKING OF WILD ANIMALS.** A person who hunts, traps, kills or takes a wild  
8 animal subject to this chapter on land subject to a license issued under this chapter  
9 without the permission of the license holder or of the holder's employe or agent is  
10 liable to the license holder for any damage that the person causes to any wild animal  
11 that is subject to this chapter or to any property or land that is subject to the license.

12           **22.38 Quarantines. (1) SUMMARY ACTION.** (a) The department of natural  
13 resources or the department of agriculture, trade and consumer protection may  
14 summarily issue a quarantine order to control contagious, infectious or  
15 communicable diseases, to protect the health of wild animals and domesticated  
16 animals in this state and to control the possessing of wild animals in this state.

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

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

23           (a) By personal service.

24           (b) By registered mail.

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

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

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

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

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

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

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

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

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

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

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

22           **22.39 Disposal and removal of wild animals. (1) DISPOSITION.** The  
23 department may seize, dispose of or order the disposal of any of the following:

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

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

10 (c) Any wild animal that has escaped and that has not been returned to its  
11 owner or other person authorized to possess the wild animal. The department may  
12 not dispose of the wild animal until 72 hours have elapsed after the escape unless  
13 the department determines that the wild animal poses a risk to public safety or to  
14 the health of other animals.

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

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

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

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1           **[3; AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 4][3;**  
 2 **AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 4]**  
 3           **[3; AA2-AB514; Page: 59, Line: 4]**  
 4           **[3; AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 41**  
 5           **[3; AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 4]**  
 6           **[3; AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 4][3;**  
 7 **AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 4][3;**  
 8 **AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 4][3;**  
 9 **AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 4][3;**  
 10 **AA2-AB514; Page: 59, Line: 4][3; AA2-AB514; Page: 59, Line: 4][3;**  
 11 **AA2-AB514<sup>✓</sup>; Page: 59, Line: 4][3; AA2<sup>✓</sup>-AB514; Page: 59, Line: 41**

12           22.49 Local **ordinances.** A city, village, town or county may enact and enforce  
 13 an ordinance relating to possessing or selling live wild animals. **[3; AA2<sup>✓</sup>-AB514;**  
 14 **Page: 59, Line: 41**

15           **22.41 Rules by the department. (1) DOMESTICATED ANIMALS** The  
 16 department shall promulgate rules specifying which animals are domesticated  
 17 animals for purposes of s. 22.01 (14) (b).

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

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

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

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



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

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

6 **22.42 Penalties; revocations. (1) DEFINITION.** In this section, "violation of  
7 this chapter" means a violation of this chapter or any rule promulgated under this  
8 chapter.

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

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

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

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

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

24 (e) **Diseased and environmentally injurious wild animals.** For a violation of s.  
25 **22.11 (2) (b) or (c) or 22.37 (1) or a quarantine order issued under s. 22.38,** a person

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1 shall be fined not less than \$500 nor more than \$5,000 or imprisoned for not more  
2 than 6 months or both.

3 (f) *Selling or purchasing venison from white-tailed* deer. For violation of s.  
4 22.13 (1) or (2) or rules promulgated thereunder, a person shall be fined not less than  
5 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

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

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

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

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

20 (b) For violations under sub. (2) (a), (b), (d) and (e), the court shall revoke all  
21 of the licenses issued to the person under this chapter, and the department may not  
22 issue any license under this chapter to the person for a period of one year after the  
23 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) NATURALRESOURCESRESTITUTIONPAYMENTS. (a) Ifacourtimposesafineor  
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) (ml). 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) 1299.64 **(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 hilling 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

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 t r a n s p o r t . carcasses of 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~~ es 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 ests 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

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1 **protection** with respect to the hunting of farm-raised deer. **[27m; AA5-AB514;**

2 **Page: 71, Line: 21**

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

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

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

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

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

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

17 29.40 (6) (title) ~~FARM-RAISED DEER~~ **DEER**. This section does not apply to  
18 farm-raised deer ~~or deer that are subject to regulation under ch. 22.~~

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

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

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1 to take muskrats on a cranberry marsh under a permit issued to the person by the  
2 department.

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

4 **29.41 (2)** Subsection (1) does not apply to the skins of fur-bearing animals that  
5 are subject to regulation under ch. 22.

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

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

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

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

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

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

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

23 **29.42 (5) CAPTIVE WILD ANIMALS.** This section does not apply to wild animals  
24 that are subject to regulation under ch. 22.

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

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

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

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

4           **SECTION 42.** 29.425 (4) of the statutes is renumbered 29.42 (lm) and amended  
5 to read:

6           29.42 **(1m) HUNTING AND TRAPPING.** A person who hunts or traps any game  
7 ~~animal, game bird or fur-bearing~~ animal shall kill ~~the animal it~~ when it is taken and  
8 make it part of the daily bag or shall release ~~the animal it~~ unless ~~authorized the~~  
9 ~~person has the authority to possess~~ under ~~s. 29.55, 29.572, 29.574, 29.575, 29.578 or~~  
10 ~~29.585 ch. 22.~~

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

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

14           29.42 (5) **PENALTY.** A person who violates ~~this section sub. (1m)~~ shall forfeit not  
15 less than \$100 nor more than \$1,000.

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

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

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

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

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

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

23           **[50; AA4-AB514; Page: 73, Line: 23]**

24           22.03 (2) (e) No person may operate on a live ~~wild~~ skunk to remove its scent  
25 glands unless the person holds a Class A or Class B captive wild animal farm license

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1 ~~or the person is a veterinarian and the person who possesses brings~~ the skunk is  
2 ~~authorized under s. 29.55 to the veterinarian who holds such a license.~~ A veterinarian  
3 to whom a person brings a live ~~wild~~ skunk for removal of its scent glands ~~or for other~~  
4 ~~treatment shall verify if the person holds a Class A or Class B captive wild animal~~  
5 ~~farm license. If the person does not hold such a license, the veterinarian shall~~ notify  
6 that person that possession of a live skunk is illegal and shall notify the department.

7 **[50;AA4-AB514;Page: 73, Line: 231**

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

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

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

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

12 29.43 **(5)** (b) Subsections (1) to (4) do not apply to the possession,  
13 transportation, delivery or receipt of farm-raised deer ~~or wild animals that are~~  
14 subject to regulation under ch. 22.

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

16 29.44 (3) Subsection (1) does not apply to the possession, transportation,  
17 delivery or receipt of farm-raised deer ~~or wild animals that are subject to regulation~~  
18 under ch. 22.

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

20 29.45 (6) This section does not apply to the transportation of farm-raised deer  
21 ~~or wild animals that are subject to regulation under ch. 22.~~

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

23 29.46 (5) **EXEMPTION; TAXIDERMISTS.** Subsections (1) to (3) do not apply to a  
24 person who is issued a valid taxidermist permit and who is transporting.&

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1 ~~connection with his or her business, the carcass of a game bird in connection with his~~  
2 ~~or her business or the carcass of a wild bird that is subject to regulation under ch. 22.~~

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

4 29.48 (7) This section does not apply to the carcass of a wild animal that is  
5 subject to regulation under ch. 22.

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

7 29.49 (3) **EXEMPTION.** This section does not apply to the meat from farm-raised  
8 deer ~~gr to meat that is subject to regulation under s. 22.13 or 22.14.~~

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

10 29.535 (title) **Introduction of wild animals fish.**

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

12 29.535 **(1)** (a) 1. Importing into the state any fish, ~~or~~ spawn ~~or any other wild~~  
13 ~~animal~~ for the purpose of introducing, stocking or planting that ~~fish, or~~ spawn ~~or wild~~  
14 ~~animal.~~

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

16 29.535 **(1)** (a) 2. Introducing, stocking or planting any fish, ~~or~~ spawn ~~or other~~  
17 ~~wild animal.~~

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

19 29.535 **(1)** (c) Permits for introducing, stocking or planting under par. (a) 2.  
20 shall be issued by the department only after investigation and inspection of the fish,  
21 ~~or~~ spawn ~~or other wild animals~~ as the department determines necessary.

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

23 29.535 **(1)** (g) The department may promulgate rules to establish additional  
24 requirements for the importation, introduction, stocking or planting of fish or spawn.

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



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1           29.535 (2) (a) Importing into the state any fish, spawn or any other wild animal  
2 for the purpose of introducing, stocking or planting that ~~fish, or spawn or wild~~  
3 ~~animal.~~

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

5           29.535 (2) (b) Introducing, stocking or planting any ~~fish, or~~ spawn ~~or other wild~~  
6 ~~animal.~~

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

8           29.54 (title) ~~State propagation of wild mammals and~~ Food in the wild  
9 for game birds.

10          **SECTION 66.** 29.54 (1) of the statutes is repealed.

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

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

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

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

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

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

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

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

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

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

21           29.583 (1) The department may seize and dispose of or may authorize the  
22 disposal of any deer that has escaped from land licensed under s. ~~29.574 or 29.578~~  
23 22.16 or owned by a person registered under s. 95.55 if the escaped deer has traveled  
24 more than 3 miles from the land or if the licensee or person has not had the deer  
25 returned to the land within 72 hours of the discovery of the escape.

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

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

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

4           29.59 (1) (f) Notwithstanding s. 29.01 (14), “wild animal” means any  
5 undomesticated mammal or bird, but does not include farm-raised deer or wild  
6 animals that are subject to regulation under ch. 22

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

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

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

13           **SECTION 64.** 29.645 of the statutes is amended to read:

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

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

20           29.65 (1) (intro.) The department may bring a civil action in the name of the  
21 state for the recovery of damages against any person ~~unlawfully~~ killing, wounding,  
22 catching, taking, trapping, or ~~having unlawfully in possession~~ possessing in  
23 violation of this chapter or of any rule promulgated under this chapter any of the  
24 following named protected wild animals, birds, or fish, or any part of an animal, bird

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1 or fish, and the sum assessed for damages for each wild animal, bird, or fish shall be  
2 not less than the amount stated in this section:

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

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

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

## ASSEMBLY BILL 514

1           59.40 (2) **(m)** Pay monthly to the treasurer for the use of the state the state's  
2 percentage of the fees required to be paid on each civil action, criminal action and  
3 special proceeding filed during the preceding month and pay monthly to the  
4 treasurer for the use of the state the percentage of court imposed fines and forfeitures  
5 required by law to be deposited in the state treasury, the amounts required by s.  
6 165.87 (2) **(b)** for the penalty assessment surcharge, the amounts required by s.  
7 **167.31 (5)** for the weapons assessment, the amounts required by s. 973.045 for the  
8 crime victim and witness assistance surcharge, the amounts required by s. 973.046  
9 for the deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41  
10 (5) for the drug abuse program improvement surcharge, the amounts authorized by  
11 s. 971.37 (lm) (c) 1. or required by s. 973.055 for the domestic abuse assessment  
12 surcharge, the amounts required by s. 346.655 for the driver improvement  
13 surcharge, the amounts required by s. 102.85 (4) for the uninsured employer  
14 assessment, the amounts required by s. 299.93 for the environmental assessment,  
15 the amounts required under s. 29.9965 for the wild animal protection assessment,  
16 the amounts required under ~~s. ss. 22.43 (1) (d) and~~ 29.997 (1) (d) for the natural  
17 resources assessment surcharge, the amounts required by s. 29.9967 for the fishing  
18 shelter removal assessment, the amounts required by s. 350.115 for the snowmobile  
19 registration restitution payment and the amounts required under ~~s. ss. 22.43(2)(d)~~  
20 ~~and~~ 29.998 (1) (d) for the natural resources restitution payments. The payments  
21 shall be made by the 15th day of the month following receipt thereof.

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

23           167.31 (4) (b) Subsections (2) (a), **(b)** and (c) and (3) (a) and (b) do not apply to  
24 the holder of a scientific ~~collector permit~~ research license under s. ~~29.17~~ 22.25 who

1 is using a net gun or tranquilizer gun in an activity related to the purpose for which  
2 the permit was issued.

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

4 814.60 (2) (e) Natural resources restitution payment imposed by s. ~~22.43(2)(d)~~  
5 ~~or~~ 29.998.

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

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

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

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

23 SECTION 92. 951.01 (lm) of the statutes is created to read:

24 951.01 (1m) "Conservation warden" means a warden appointed under s. 23.10.

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

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1           **951.015 Construction and application.** This chapter shall not be  
 2 interpreted as controverting any law regulating ~~wild animals subject to regulation~~  
 3 ~~under ch. 22, the taking of game as defined in s. 29.01 (4) to (7) and (10), the trapping~~  
 4 ~~of wild animals under ch. 29, the use of live animals in dog trials or in the training~~  
 5 ~~of hunting dogs~~ or the slaughter of animals by persons acting under state or federal  
 6 law.

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

8           **951.09** <sup>CCC</sup> ~~(title)~~ <sup>CCC</sup> **Shooting at caged or staked** [94; AA-AB514; Page: 81, Line:  
 9 **5]** animals. No person may instigate, promote, aid or abet as a principal, agent,  
 10 employe, participant or spectator, or participate in the earnings from, or  
 11 intentionally maintain or allow any place to be used for the shooting, killing or  
 12 wounding with a firearm or any deadly weapon, any [94; AA-AB514; Page: 81,  
 13 **Line: 9]** animal [94; AA-AB514; Page: 81, Line: 9] except for farm-raised deer, as  
 14 defined in s. 95.001 (1)(a) [94; AA-AB514; Page: 81, Line: 9], that is tied, staked  
 15 out, caged or otherwise intentionally confined in a man-made enclosure, regardless  
 16 of [94; AA-A13514; Page: 81, Line: 11][94; AA-AB514; Page: 81, Line: 11][94;  
 17 AA-AJ3514; Page: 81, Line: 11]size. Nothing in this section prohibits the shooting  
 18 of any wild game in its wild state or the shooting of ~~game birds and waterfowl at~~  
 19 ~~licensed game farms or licensed shooting preserves~~ captive wild birds or captive  
 20 white-tam deer that is authorized under s. 22.09 (2). [94; AA-AB514; Page: 81,  
 21 Line: 111

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

23           951.15 **(5)** For purposes of enforcing this chapter as to wild animals subject to  
 24 regulation under ch. 22, a conservation warden has the same powers and duties that  
 25 a law enforcement officer has under this section.

CCC (2)

AA5

✓

✓

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1           **SECTION** 96.951.16 of the statutes is amended to read:

2           **951.16 Investigation of cruelty complaints.** A person may apply for a  
3 search warrant under **s. 968.12** if there is reason to believe that a violation of this  
4 chapter has taken place or is taking place. If the court is satisfied that probable cause  
5 exists, it shall issue a search warrant directing a law enforcement officer in the  
6 county to proceed immediately to the location of the alleged violation with a doctor  
7 of veterinary medicine, if the court determines that a veterinarian is necessary for  
8 purposes of the search, and directing the law enforcement officer to search the place  
9 designated in the warrant, retaining in his or her custody subject to the order of the  
10 court such property or things as are specified in the warrant, including any animal.  
11 ~~For purposes of enforcing this chapter as to a wild animal that is subject to regulation~~  
12 ~~under ch. 22, the warrant may direct a conservation warden to act as provided in this~~  
13 section. The warrant shall be executed and returned to the court which issued the  
14 warrant in accordance with ss. **968.15** and **968.17**. This section shall not **affect** other  
15 powers and duties of law enforcement officers ~~gr conservation wardens~~.

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

17           951.18 (4) (a) 2. **A** sentencing court shall require a criminal violator to pay  
18 restitution to a person, including any local humane society or county or municipal  
19 pound or a law enforcement officer ~~or conservation warden~~, for any pecuniary loss  
20 suffered by the person as a result of the crime, including expenses in keeping any  
21 animal that is involved in the crime. This requirement applies regardless of whether  
22 the criminal violator is placed on probation under s. 973.09. If restitution is ordered,  
23 the court shall consider the financial resources and future ability of the criminal  
24 violator to pay and shall determine the method of payment. Upon the application of

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1 any interested party, the court **shall** schedule and hold an evidentiary hearing to  
2 determine the value of any pecuniary loss under this paragraph.

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

4 951.18 (4) **(b)** 1. A sentencing court may order that an animal be delivered to  
5 the local humane society or the county or municipal pound or to a law enforcement  
6 officer if a person commits a crime under this chapter, the person is the owner of the  
7 animal that is involved in the crime and the court considers the order to be  
8 reasonable and appropriate. A sentencing court may order that an animal be  
9 delivered to the department of natural resources, if the animal is a wild animal  
10 subject to regulation under ch. 22 and the court considers the order to be reasonable  
11 and appropriate. The society, pound or officer **shall** release the animal to a person  
12 other than the owner or dispose of the animal in a proper and humane manner. If  
13 the animal is a dog, the release or disposal shall be in accordance with s. 174.046 **(8)**  
14 or **(9)**, except s. 174.046 (8) (a) does not apply and the fees under s. 174.046 (8) **(d)** do  
15 not apply if the expenses are covered under s. 951.17. If the animal is not a dog, the  
16 society, pound or officer may charge a fee for the release of the animal.

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

18 973.05 **(1)** When a defendant is sentenced to pay a fine, the court may grant  
19 permission for the payment of the fine, of the penalty assessment imposed by s.  
20 165.87, the jail assessment imposed by s. 302.46 **(1)**, the crime victim and witness  
21 assistance surcharge under s. 973.045, any applicable deoxyribonucleic acid analysis  
22 surcharge under s. 973.046, any applicable drug abuse program improvement  
23 surcharge imposed by s. 961.41 **(5)**, any applicable domestic abuse assessment  
24 imposed by s. 971.37 **(1m)** **(c)** 1. or 973.055, any applicable driver improvement  
25 surcharge imposed by s. 346.655, any applicable weapons assessment imposed by s.



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1 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4), any  
2 applicable environmental assessment imposed by s. 299.93, any applicable wild  
3 animal protection assessment imposed by s. 29.9965, any applicable natural  
4 resources assessment imposed by s. ~~22.43(1)(d) or~~ 29.997 and any applicable natural  
5 resources restitution payment imposed by s. ~~22.43(2)(d) or~~ 29.998 to be made within  
6 a period not to exceed 120 days. If no such permission is embodied in the sentence,  
7 the fine, the penalty assessment, the jail assessment, the crime victim and witness  
8 assistance surcharge, any applicable deoxyribonucleic acid analysis' surcharge, any  
9 applicable drug abuse program improvement surcharge, any applicable domestic  
10 abuse assessment, any applicable driver improvement surcharge, any applicable  
11 weapons assessment, any applicable uninsured employer assessment, any  
12 applicable environmental assessment, any applicable wild animal protection  
13 assessment, any applicable natural resources assessment and any applicable  
14 natural resources restitution payment shall be payable immediately.

15 **[100; AA4-AB514; Page: 64, Line: 6]**

16 **[100; AA4-AB514; Page: 64, Line: 61]**

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

19 (1) ~~The treatment~~ of section 22.285 of the statutes takes effect on the day after  
20 publication. **[100m; AA4-AB514; Page: 64, Line: 6]**

21 **(END)**

March 10, 1999

*Amend relative  
clause re: 95.09*

*MGB  
2*

Mary---

*1, 2000*

Here is my draft of a repeal and recreate of s. 95 1.09 to be added to LRB-0538 on captive animals. Scott in Rep. Johnsrud's office will call if there are other changes needed based on DNR review, and will let you know when he is ready to do the /1.

Here's the idea of my attached draft:

1. Keep the current statutory language but reorganize it so there's some hope of understanding it. That's the purpose of 95 1.09 (1) to (3) (a) in my draft. I think it could use some further editing, such as fewer "any's," but I'll leave that to you.

There is arguably a difference between my draft and the current statute, because the current statute doesn't have the direct prohibition "no person may shoot. . . ." However, I think that's what the current statute means with "no person may instigate.. .as a . . .participant.. . the shooting.. ."

I think the party-to-a-violation provisions of my (2) are necessary to make the statute readable, and it uses all the words of the current statute, and I think means exactly the same thing.

2. My (3) (b) and (c) are taken from the amendment. Your draft made farm-raised deer an exception to the definition of "animal." I think my version has the same effect by making farm-raised deer an exception to the whole section.

3. **MY** (3) (d) is new. This is intended to address a persistent question that was raised last session during debate on AB 514. Most often the question was raised by farmers who asked whether the current statute prohibited them from putting down an injured cow. I answered the question "no," because the overall purpose of the statute relates to commercial shooting, such as "turkey shoots" and shooting at caged animals, but with the muddled language in the statute, it was hard to be convincing with that answer. Even with the statutes clarified, there are some doubts, so I am

proposing the additional exception. The exception isn't limited to farm animals, so it would also permit someone to put down an injured pet or hunting dog, for example, as long as it was done humanely and in the conventional manner.

Mark Patrosky  
Legislative Council  
266-9280

SECTION 99. 95 1.09 of the statutes is repealed and recreated to read:

95 1.09 SHOOTING AT CAGED OR STAKED ANIMALS. (1) No person may shoot, kill or wound with a firearm or any deadly weapon any animal that is tied, staked out, caged or otherwise intentionally confined in an artificial enclosure, regardless of size.

(2) (a) Whoever is concerned in the commission of a violation of this section is a principal and may be charged with and convicted of the violation although he or she did not directly commit it and although the person who directly committed it has not been convicted of the violation.

(b) A person is concerned in the commission of the violation of this section if the person:

1. Instigates, promotes, aids or abets the violation as a principal, agent, employe, participant or spectator.

2. Participates in the earnings from the violation.

3. Intentionally maintains or allows any place to be used for the violation.

(3) This section does not apply to any of the following:

(a) The shooting of any wild game in its wild state.

(b) The shooting of captive wild birds or captive white-tailed deer that is authorized under s. 22.09 (2).

(c) Farm-raised deer, as defined in s. 95.001 (1) (a).

(d) Animals that are treated in accordance with normally acceptable husbandry practices.

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