

D - S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0538/P3dn  
MGG:kg:jf

*Sarah  
Shepard-Haney  
77472*

March 4, 1999

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OFFICE OF THE  
SECRETARY

22.06 (z)

1. The use of 'local official' in s. ~~22.05 (1m)~~ is quite vague. Do you want to define this term or use more specific language?

2. Assembly Amendment 8 to last session's bill deleted s. 22.08, which required that a person have a rehabilitation license to rehabilitate wild animals. However, the amendment did **not** delete s. 22.24, which establishes the rehabilitation license. Because of this, we have the anomaly that DNR issues licenses for which there is no real need. Persons without rehabilitation licenses will be able to rehabilitate wild animals without following s. 22.36 (3) or the DNR rules while those with licenses will have to follow s. 22.36 (3) and the rules. I have therefore added back s. 22.08 (1) and (3) in this draft, now numbered as s. 22.085 (1) and (2). OK?

*Okay*

3. Per DNR Attorney Mike Lutz's instructions, I have taken the last sentence in s. 22.24 (2) out of the engrossed bill **because that reference** is out of date. Do you want to put back in any of the language in s. 22.24 (2) that is found in the original bill but that was deleted in the engrossed bill?

*No*

4. I added the requirement that a person applying for a dog club training license must file a proper application and pay the applicable fee. I did this for consistency with other provisions in the draft. Also note that there is a dog club training license application fee under s. 22.31 (1) (f) 3.

*Okay*

5. I rewrote s. 22.38 (1) (b). Please review s. 22.38 (1) (b) and (2) in this draft. See p 53

6. I know that the language contained in s. 22.43 in the engrossed bill was probably necessary to gain support for the bill, but it causes problems. Under the language, a local unit of government may enact an ordinance that is directly in conflict with state law. Then the question arises as to which law prevails. Under the home rule doctrine, the state law would 'prevail only if the subject of the ordinance is of statewide importance. If it is considered a "local issue", the ordinance would prevail. To avoid such disputes and possible litigation, I have changed the language to only allow the local units of government to enact ordinances that are stricter than the state law. I know this may not comply with your intent, but this issue needs to be resolved in a manner that is different from the language found in the engrossed bill. Please call me to discuss this if you are not satisfied with what I have drafted.

*Okay*

7. Please review s. 29.506 (4) to ensure that it complies with your intent, i.e., the permit supersedes any restrictions under the rest of ch. 29 and under ch. 22. OK?

*?*

→ Also page 18, Delete lines 6-8  
→ The Mark P drafted revision to 951.09

okay

✓ 8. Since there is no longer a Class A deer farm license, I assume that nonnative deer that are not farm-raised deer come under the captive wild animal farm license. I, therefore, have put a cross-reference to s. 22.15 in s. 29.875 (1). OK?

□ 9. There were some changes in ch. 951, which is entitled Crimes Against Animals, last session **which** require some thought and review by DNR. Note-the creation of s. 951.015 (2) in this draft. Also, s. 951.15 was repealed last session except for the **first** subsection. Provisions similar to the repealed provisions were created in ss. 173.13, 173.22 and 173.23 (1m) and (4). I reviewed these and feel that what remains of s. 951.15 and these new provisions are somewhat covered in ss. 22.39 and 22.42 of the bill, which deal with humane treatment and care and disposal of wild animals. However, I do not think that this draft adequately deals with some of the due process safeguards that are contained in these provisions in ch. 173.

No  
See P 58  
22.42  
and P 79  
line 21-22

I also exempted wild animals that are subject to regulation under ch. 22 from ch. 173. I would like to discuss all of this with Mike Lutz. Please provide him with a copy of this draft and ask that he call me.

□ 10. I backed up the effective date and all of the other dates in the draft 2 years. Please review.

✓ 11. I rewrote s. 22.38 (4) (b). Please review.

okay

okay  
except for  
validation license

Mary Gibson-Glass  
Senior Legislative Attorney  
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**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1       **AN ACT** *to repeal* 29.024 (2r) (a) 17., 29.024 (2r) (a) 18., 29.024 (2r) (a) 19., 29.024  
2           (2r) (a) 20., 29.024 (2r) (a) 21., **29.321, 29.563 (9)** (intro.) and (a) (title), 29.563  
3           (9) (a) 2. to 10. and (b), **29.741 (1), 29.745, 29.853** (title), 29.853 (1), **29.853 (2),**  
4           29.853 (3), 29.853 (4m), 29.853 (5) (title), 29.855 (title), 29.855 (1), **29.855 (2),**  
5           29.855 (3), 29.855 (4) (title), 29.855 (5), 29.855 (6), **29.855 (7), 29.857, 29.861,**  
6           29.863, 29.865, 29.867, 29.869, **29.871, 29.873,** 29.877, 29.879 and 29.881; to  
7           renumber 23.51 (1), **29.563 (9)** (a) 1. and **29.741 (2); to renumber and amend**  
8           **29.334, 29.351, 29.354(2), 29.853(5), 29.855(4) and 951.015; to amend 20.370**  
9           **(1)** (mu), 20.370 (3) (mu), 23.09 (2) (f), 23.50 (1), 23.50 (3), **23.51 (5), 23.65 (1),**  
10           **25.29 (1)** (a), 25.29 (4m), 29.024 (1), **29.024 (2g)** (a) 2., 29.042 (1), 29.047 (2) (b),  
11           **29.191 (2)** (a) 3., 29.314 (5) (b) 3., 29.347 (2), 29.347 (6), 29.354 (1), 29.357 (5)  
12           (b), **29.361 (6), 29.364 (5), 29.506 (4), 29.541 (3), 29.614 (3), 29.875 (1), 29.885**  
13           (1) (f), 29.889 (1) (intro.), **29.921 (7), 29.927 (8), 29.931 (2)** (a), **29.969, 49.857 (1)**  
14           (d) 2., 59.25 (3) (f) 2., 59.40 (2) (m), **73.0301 (1) (d) 1., 167.31 (4)** (b), 814.60 (2)  
15           (e), 895.57 (3), 943.75 (3), **951.09, 951.18 (4)** (a) 2., 951.18 (4) (b) 1. and 973.05

1 (1); to **repeal and recreate** 29.741 (title); and to create chapter **22, 23.51** (Id),  
2 **23.51 (9m)**, 23.795 (3), **29.011 (3)**, 29.192 (6), **29.351 (2)**, 29.354 (2) (b), 29.354  
3 (5), **29.501 (9m)**, 29.539 (7), **173.29, 951.01** (lm) and 951.015 (2) of the statutes;  
4 **relating to:** the possession of wild animals, granting ~~rule-making~~ authority,  
5 making appropriations and providing penalties.

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

This is a preliminary **draft**. An analysis **will** be provided in a later version.

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

6 SECTION 1. 20.370 (1) (mu) of the statutes is amended to read:  
7 20.370 (1) (mu) *General program operations - state finds*. The amounts :in  
8 the schedule for general program operations that do not relate to the management  
9 and protection of the state's fishery resources under ss. 23.09 to **23.11, 27.01, 30.203**  
10 and 30.277, **subch. VI** of ch. 77 and chs. **22, 26, 28** and 29.

11 SECTION 2. 20.370 (3) (mu) of the statutes is amended to read:  
12 20.370 (3) (mu) *General program operations - state finds*. The amounts in  
13 the schedule for law enforcement operations under ss. 23.09 to 23.11 and 166.04 and  
14 chs. 22.29 and 30 and for review of environmental impact requirements under ss.  
15 **1.11** and 23.40.

16 SECTION 3. Chapter 22 of the statutes is created to read:

**CHAPTER 22**

**CAPTIVE WILDLIFE**

17  
18  
19 **22.01 Definitions.** In this chapter:

1 (1) "Animal" means any mammal or any bird, reptile, amphibian, mollusk,  
2 arthropod or egg thereof, except that "**animal**" does not include any mollusk,  
3 arthropod or egg thereof regulated under ch. 93 or 94.

4 (2) "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 (3) "Carcass" means the dead body of any wild animal including the head, hair,  
12 skin, plumage, skeleton; meat or any other part thereof.

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

16 (5) "Conservation warden" means a warden appointed under s. 23.10.

17 (6) "Department" means the department of natural resources. .

18 (7) "Domesticated animal" means farm-raised deer, a pet bird that is either a  
19 psittacine or a softbill and is not native, is not endangered or threatened and is not  
20 a migratory bird on the list in 50 CFR 10.13 that is promulgated under 16 USC 701  
21 to **715s** or an animal that is all of the following:

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

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

2           ( 8 ) “Dressed fur” has the meaning given in s. **29.501 (1)** (a).

3           (9) “Endangered or threatened species” means those species of wild animals  
4 that are indigenous to the United States or Canada and are identified on the **federal**  
5 list of endangered and threatened species or on the Wisconsin list of endangered **and**  
6 threatened species.

7           (10) “Environmentally injurious wild animal” means a species of wild **animal**  
8 that is not a native wild animal and that is capable of inflicting harm to the  
9 environment.

10          ( 11 ) “Exhibit” means to display for the purpose of public viewing, **regardless**  
11 of whether a fee is charged.

12          (12) “Farm-raised deer” has the meaning given in **95.001 (1)** (a).

13          (13) “Free-roaming” means not captive.

14          (14) “Fur-bearing wild animal” includes badger, beaver, bobcat, coyote, fisher,  
15 red fox, gray fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, skunk,  
16 weasel and wolf.

17          ( 16 ) “Harm to the environment” includes adversely affecting the natural  
18 population dynamics of wild animals or wild plants, adversely affecting the habitat at  
19 of wild animals or wild plants or displacing wild animals or wild plants from any part  
20 of their habitat.

21          (16) “Inherently dangerous wild animal” means a species of wild animal that  
22 is capable of inflicting severe bodily harm to a human.

23          (17) “**Introduce**” means to release for the purpose of allowing the animal to  
24 . establish a population in an area in the wild where that type of animal is not  
25 naturally present at the time the wild animal is released.’

1 (18) "License year" means the year during which a license is valid.

2 (19) "Native" means indigenous and occurring or having occurred naturally  
3 within the boundaries of this state.

4 (20) "Nonnative wild animal" means a wild animal that is not native.

5 (21) "Nonresident" means a person who is not a resident of this state.

6 (22) "**Person**" means any individual, partnership, **firm**, joint stock company,  
7 corporation, **association**, trust, estate or other legal entity.

8 (23) "Possess" means to own, Control, restrain, transport or keep.

9 (24) "Propagate" means to breed, encourage or facilitate for the purpose of  
10 generating offspring.

11 (25) "**Public zoo or aquarium**" means a zoo or aquarium that is operated by the  
12 state or by a city, village or county or that is an accredited member of the American  
13 Zoo and Aquarium Association.

14 (26) "Purchase" means to acquire through a sale or through an exchange for  
15 consideration.

16 (27) "Raw fur" has the meaning given in s. **29.501 (1) (e)**.

17 (28) "Sell" means to transfer or exchange for consideration.

18 (29) "State resident" has the meaning given "resident" in s. **27.01 (10) (a)**.

19 (30) "Stock" means to release for the purpose of increasing or maintaining a  
20 population of the animal.

21 (31) "Take" means to capture, but does not include killing.

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

24 (33) "Wild animal" means any animal of a wild nature that is normally found.  
25 in the wild and that is not a domesticated animal.

1 (34) "Wild amphibian" means a wild animal that is an amphibian.

2 (35) "Wild bird" means a wild animal that is a bird.

3 (36) "Wild reptile" means a wild animal that is a reptile.

4 22.02 Title to **wild animals**. (1) **TITLE VESTED** IN OWNER. Except as provided  
5 in sub. (3), legal title to a live captive wild animal or the carcass of a captive wild  
6 **animal** is vested in the person who owns the wild animal if the person is in  
7 compliance with this chapter and the rules promulgated under this chapter. A  
8 person holding legal title may transfer without consideration the live captive wild  
9 animal or the carcass of the captive wild animal to a person who is in compliance with  
10 this chapter and the rules promulgated under this chapter. A person holding legal  
11 title to a live captive wild animal may kill it, or have it killed, in a humane manner.

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

16 (3) **EXCEPTIONS**. Legal title to a live captive wild animal or the carcass of a  
17 captive wild animal that is possessed as authorized under a rehabilitation license or  
18 a scientific research license remains with the state. A person holding a rehabilitation  
19 license *or* a scientific research license may transfer *or* dispose of a live captive wild  
20 animal or the carcass of a captive wild animal only as specifically authorized by the  
21 department.

22 22.03 **Interagency cooperation**. The department of natural resources shall  
23 cooperate with the department of agriculture, trade and consumer protection with  
24 respect to any wild animal that is subject to regulation under this chapter and ch.  
25 **93, 94** or 95.

Good



1           **22.04 Possession of live wild animals. (1) RESTRICTIONS ON POSSESSION;**  
2           **GENERALLY.** (a) No person may possess any **live** wild animal unless the wild animal  
3           is legally obtained.

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

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

10           1. **To** restrain or transport the wild animal for medical treatment by a  
11           1 veterinarian or by a person holding a rehabilitation license.

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

14           3. **To** restrain or transport the wild animal for game censuses or surveys, or  
15           other purposes authorized by the department.

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

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

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

1 agriculture,' trade and consumer protection under s. 95.001 (2), or a reportable  
2 disease, as designated by the department of natural resources under s. 22.44 (2),  
3 during the time the wild animal is being temporarily possessed, the person  
4 possessing the wild animal shall have a valid interstate health certificate or a valid  
5 certificate of veterinary inspection issued by a veterinarian certifying that the wild  
6 animal is free of any such diseases before releasing it into the wild.

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

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

- 17 1. Arthropods.
- 18 2. Chipmunks.
- 19 3. Pocket gophers.
- 20 4. Mice.
- 21 5. M o l e s .
- 22 6. Mollusks.
- 23 7. Opossums.
- 24 8. Pigeons.
- 25 9. Porcupines.

- 1           10. Bats.
- 2           11. Shrews.
- 3           12. English sparrows.
- 4           13. Starlings.
- 5           14. Ground squirrels.
- 6           15. Red squirrels.
- 7           16. Voles.
- 8           17. Weasels.

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

- 12           1. Pheasants of the species *Phasianus colchicus* or *Syrnaticus reevesii*, chukar  
13 partridge or gray partridge that are possessed for use under a bird hunting preserve  
14 license, a dog training license, a hound training license, a dog club training license,  
15 a dog trial license or a hound trial license.
- 16           2. Nonnative wild animals of the family anatidae or of the family cervidae.
- 17           3. Nonnative wild animals that are inherently dangerous wild animals.

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

- 20           1. Veterinarians, for ~~the~~ purpose of providing medical treatment to wild  
21 animals.
- 22           2. Public zoos or aquariums.
- 23           3. Circuses and the Circus World Museum located in Baraboo, Wisconsin.
- 24           4. The department.

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

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

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

7 22.65 **Taking of wild animals.** (1) **PROHIBITION.** No person may take any wild  
8 animal from the wild except as authorized under a bird hunting preserve license, a  
9 wild fur farm license, a falconry license, a rehabilitation license or a scientik  
10 research license.

11 (2) **EXEMPTION FOR CERTAIN WILD ANIMALS.** A person is exempt from the  
12 requirement under sub. (1) if the wild animal that the person takes from the wild is  
13 a native wild animal that is exempt under s. 22.04 (4) (a).

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

16 1. Veterinarians, for the purpose of providing medical treatment to wild  
17 **animals.**

18 2. The department.

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

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

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

1           **22.06 Introduction, stocking and release of wild animals. (1)**

2           **PROHIBITION; PERSONS OTHER THAN THE DEPARTMENT.** (a) No person may introduce,  
3 stock or release into the wild, or import into this state to introduce, stock or release  
4 into the wild, any wild animal except as authorized under a bird hunting preserve  
5 license, a bird dog training license, a hound dog training license, a dog club training  
6 license, a bird dog trial license, a hound dog trial license, a falconry license, a stocking  
7 license, a rehabilitation license or a scientific research license.

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

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

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

18           1. If a wild animal has been exposed to or infected with any contagious or  
19 infectious disease, as defined under rules promulgated by the department of  
20 agriculture, trade and consumer protection under s. 95.001 (2), or a reportable  
21 disease, as designated by the department of natural resources under s. 22.44 (2), the  
22 person introducing, stocking or releasing the wild animal shall hold a valid  
23 interstate health certificate or a valid certificate of veterinary inspection issued by  
24 a veterinarian certifying that the wild animal is free of any such diseases before the  
25 introducing, stocking or release.

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

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

7           b. That, within 30 days before the introducing, stocking or release, comply with  
8 any rules promulgated by the department under s. 22.44 (3).

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

12           (2) **REPORTS.** At the request of a <sup>municipality</sup> ~~local official~~ in an area in which wild animals  
13 are introduced, stocked or released under sub. (1), the department shall require a  
14 person who introduced, stocked or released those wild animals to report to the **local**  
15 official the number and type of wild animals introduced, stocked or released and the  
16 location at which the animals were introduced, stocked or released.

17           (3) **BY THE DEPARTMENT.** The department may import into this state to  
18 introduce, stock or release into the wild, may introduce, stock or release into the wild,  
19 or may authorize introducing, stocking or releasing into the wild, a wild animal  
20 without holding a license as required under sub. (1) (a).

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

23           **22.07 Exhibition of live wild animals.** (1) **PROHIBITION.** (a) No person may  
24 exhibit any captive live native wild animal or any captive live nonnative wild animal  
25 of the family ursidae or cervidae except as authorized under a captive wild animal

1 farm license, a deer farm license, a falconry license, a rehabilitation license, a  
2 nonprofit educational exhibiting license, a nonresident temporary exhibiting license  
3 or a captive wild animal auction and market license.

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

8 (2) **EXEMPTION FOR CERTAIN WILD ANIMALS** A person is exempt from the  
9 requirements under sub. (1) if the wild animal that the person exhibits is a wild  
10 animal that is exempt under s. 22.04 (4) (a) or (b).

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

13 (a) Public zoos or aquariums.

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

15 (c) The department.

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

18 **22.08 Propagation of wild animals. (1) PROHIBITION.** No person may  
19 propagate any native wild animal or any nonnative wild animal of the family ursidae  
20 or cervidae except as authorized **under** a captive wild animal farm -license, a deer  
21 farm license, a bird hunting preserve license, a wild fur farm license, a nonprofit  
22 educational exhibiting license, a scientific research license or a falconry 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 propagates is a wild  
25 animal that is exempt under s. 22.04 (4) (a) or (b).

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 propagating of environmentally injurious wild animals.

8 22.085 **Rehabilitation of wild animals.** (1) **PROHIBITION.** No person may  
9 rehabilitate any wild animal except as authorized under a rehabilitation license.

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

12 22.09 **Hunting of captive wild animals.** (1) **PROHIBITION; GENERALLY.** No  
13 person may hunt a captive wild animal except as authorized under s. 22.39 (5) and  
14 under a deer farm license, a bird hunting preserve license, a bird dog training license,  
15 a hound dog training license, a dog club training license, a bird dog trial license or  
16 a hound dog trial license.

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

21 22.10 **Selling and purchasing of live wild animals.** (1) **SELLING.** Except  
22 as authorized under a captive wild animal farm license, a bird hunting preserve  
23 license, a deer farm license, a captive wild animal auction and market license!, a  
24 falconry license, a wild fur farm license or a nonprofit educational exhibiting license,  
25 no person may sell or offer to sell any of the following:

Good.



1 (a) Any live native wild animal that is not exempt from the licensing  
2 requirement under s. 22.04 (4) (a).

3 (b) Any live nonnative wild animal that is **not** exempt from the licensing  
4 requirement under s. 22.04 (4) (b).

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

11 1. Any live native wild animal that is not exempt from the licensing  
12 requirement under s. 22.04 (4) (a).

13 2. Any live nonnative wild animal that is not exempt from the licensing  
14 requirement under s. 22.04 (4) (b).

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

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

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

23 (a) Public zoos or aquariums.

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

25 (c) The department.

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

3           **(b)** The selling and purchasing of native wild reptiles -and native wild  
4 amphibians is subject to s. 22.12 and not to this section.

5           **(c)** The sale of whit&ailed deer is subject to s. 22.13 and not to this section.

6           **22.11 Inherently dangerous and environmentally injurious wild**

7 **animals. (1) INHERENTLY DANGEROUS WILD ANIMALS.** (a) The department shall  
8 designate by rule cougars and members of the family ursidae as inherently  
9 dangerous wild animals and may designate by rule other types of wild animals to be  
10 inherently dangerous wild animals.

11           **(2) ENVIRONMENTALLY INJURIOUS WILD ANIMALS.** (a) The department may  
12 designate by rule the species **of wild** animals that are environmentally injurious wild  
13 animals.

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

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

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

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

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

*can have**not used  
down  
in state*

1           **22.12 Possession and sale of native wild reptiles and wild amphibians.**

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

5           (2) **POSSESSION OF MORE THAN 5 ALLOWED.** (a) A person may take from the wild  
6 or possess more than 5 leopard frogs, 5 mud puppies, 5 tiger **salamanders**, <sup>or</sup> ~~5 snapping~~

7 ~~turtles or 5 painted turtles~~ if so authorized by the department under a Class A  
8 5 Bullfrogs from out of state ~~origin~~  
captive wild animal farm license.

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

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

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

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

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

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

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

9 (b) <sup>Bullfrogs of out of state origin</sup> ~~Snapping turtles, painted turtles,~~ leopard frogs, mud puppies and tiger  
10 salamanders that are sold under the authorization of a Class A captive wild animal  
11 farm license.

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

14 (a) Public zoos or aquariums.

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

16 (c) The department.

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

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

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

24 **22.13 Sale and purchase of white-tailed deer for venison. (1)**

25 REQUIREMENTS FOR LIVE DEER. (a) No person may sell a live white-tailed deer to be

1 ~~processed~~ for venison meat or products except as authorized under a deer farm  
2 license. No person may sell a live white-tailed deer to be processed for venison meat  
3 or products without ~~first attaching a deer farm shipping tag to the body.~~

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

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

8 2. The person holds a whit&ailed deer venison sales license.

9 3. The deer originated from a deer farm and has a deer farm shipping tag  
10 ~~attached to its body.~~

11 (2) **REQUIREMENTS FOR CARCASSES.** No person. may sell venison meat or process  
12 venison products from captive white-tailed 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 deer farm.

17 (d) Each individual package of white-tailed deer venison that the person  
18 processes and sells contains the license number of the deer farm from which the  
19 white-tailed deer originated and the label clearly states that the venison is from' a  
20 licensed deer farm.

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

24 (a) An establish~~ment~~ licensed under s. 97.42 or for which inspection is granted  
25 under 9 CFR part 304.

*Accompany  
the shipment  
but for each  
deer*

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

2 **22.14 Carcasses of captive wild animals. (1) RESTRICTIONS ON SALES AND**

3 **PURCHASES.** (a) No person may sell the carcass of any captive wild animal unless the  
4 seller provides to the purchaser written proof of origin.

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

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

10 (d) No person may preserve and mount a carcass of a captive wild animal for  
11 consideration unless that person holds a valid taxidermist permit issued under s.  
12 29.506.

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

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

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

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

3 (b) Subsection (1) (a) and (b) does not apply to whit-e-tailed deer that is to be  
4 processed into venison.

5 (c) The selling, purchasing *or* possessing of carcasses of endangered or  
6 threatened species is subject to s. 29.604 and not to this section.

7 **22.15 Captive wild animal farm licenses. (1) ISSUANCE.** (a) The  
8 department shall issue a Class A captive wild animal farm license to operate a  
9 captive wild animal farm that grosses \$10,000 or more in annual sales to any  
10 qualified person who files a proper application for the license and who **pays** the  
11 applicable fee.

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

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

20 1. Leopard frogs.

21 2. Mud puppies.

22 3. Tiger salamanders.

23 ~~4. Snapping turtles.~~

24 ~~5. Painted turtles.~~

4. Bullfrogs from out of state.

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

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

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

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

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

15 (b) For the first year that a person is issued a captive wild animal farm license;  
16 the person shall be issued a Class B captive wild animal farm license, unless the  
17 person operated a game bird and animal farm licensed under s. 29.867, 1997 stats.,  
18 or a deer farm licensed under s. 29.871, 1997 stats., on the effective date of this  
19 paragraph . . . . [revisor inserts date], that grossed \$10,000 or more in annual sales.

*or unless  
the person elects  
to be initially  
licensed as a  
class A.*

20 (4) **CONTROL OF WILD ANIMALS** (a) A person holding a captive wild animal farm  
21 license shall control the wild animals at all times in the manner required by the  
22 department and shall keep the wild animals at the locations specified on the  
23 application for the license.

24 (b) If any member of the family **ursidae**, felidae, cervidae or canidae escapes  
25 from its enclosure or fenced area on a captive wild animal farm, the person holding



1 the captive wild animal farm license shall notify the department within 24 hours  
2 after the escape.

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

6 **22.16 Deer farm license. (1) ISSUANCE.** The department shall issue a deer  
7 farm license to any qualified person who files a proper application for the license and  
8 who pays the applicable fee. The applicant shall specify the locations of the  
9 enclosures for the deer on the application.

10 (2) **AUTHORIZATION. (a)** A deer farm license authorizes the holder of the license  
11 to do any of the following:

12 1. Possess, propagate, purchase, sell and exhibit live captive white-tailed deer.

13 2. Sell or offer ~~to sell~~ the opportunity ~~to~~ hunt live white-tailed deer within the  
14 boundaries of the deer farm.

15 (b) A person holding a deer farm license shall <sup>complete</sup> ~~attach~~ a deer shipping tag ~~to any~~  
16 ~~live white-tailed deer before~~ <sup>a live white-tailed</sup> selling ~~the deer~~ to be processed for venison.

17 (3) **EXEMPTION FROM HUNTING RESTRICTIONS.** A person hunting white-tailed deer  
18 on a deer farm is exempt from having any hunting approval issued under ch. 29 and  
19 is exempt from any closed season restrictions, bag limits or other conditions or  
20 restrictions established by the department under s. 29.014 (1).

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

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

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

7 22.17 **White-tailed deer venison sales license. (1) APPLICATION:** The  
8 department shall issue a white-tailed deer venison sales license to any qualified  
9 person who files a proper application for the license and who pays the applicable fee.

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

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

16 22.18 **Wild fur farm license. (1) ISSUANCE.** The department shall issue a wild  
17 fur farm license to any qualified person who files a proper application and who pays  
18 the applicable fee.

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

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

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

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

3           (b) Section 29.501 shall apply to the possession and selling of the raw furs and  
4 dressed furs of the fur-bearing wild animals specified in par. (a) 1.

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

7           ( 3 ) **ELIGIBLE LAND.** (a) Except as provided in par. (b), a wild fur farm licensed  
8 under this section shall be in a single parcel and may not exceed 640 acres.

9           (b) Upon the request of the applicant for a license under this section, the  
10 department shall issue a single license for a wild fur farm that does not meet all of  
11 the requirements of par. (a) if the wild fur farm is licensed as a fur animal farm under  
12 s. 29.869, 1997 stats., on the effective date of this paragraph . . . . [revisor inserts date].

13           ( 4 ) **EXEMPTION FROM TRAPPING RESTRICTIONS.** Except as provided in sub. (2) (c),  
14 a person trapping fur-bearing wild animals on a wild fur farm is exempt from having  
15 any trapping approval issued under ch. 29 and is exempt from any closed season  
16 restrictions, bag limits or other conditions or restrictions established by the  
17 department under s. 29.014 (1) or 29.192.

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

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

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

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

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

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

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

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

14           **1.** Pheasants of the species *Phasianus colchicus* or the species **Syrmaticus**  
15 *reevesii*.

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

17           **3.** Gray partridge.

18           **4.** Chukar partridge.

19           **5.** Red-legged partridge.

20           **6.** Mallard ducks that are bred in captivity.

21           **7.** Wild turkeys, if the wild turkeys are located outside a wild turkey hunting  
22 zone established under s. 29.164.

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

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

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

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

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

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

24           **(b)** Except as provided in par. **(c)**, a person hunting or taking wild birds on a bird  
25 hunting preserve that have been stocked on the preserve is exempt from any closed

1 season restrictions, bag limits or other conditions or restrictions established by the  
2 department under s. 29.014 (1) or 29.192.

3 (c) A person hunting mallard ducks shall comply with rules promulgated by the  
4 department under ss. 29.014 and 29.192 governing the hunting of waterfowl.

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

8 **22.20 Dog training licenses. (1) BIRD DOG TRAINING LICENSE.** (a) The  
9 department shall issue a bird dog training license to any qualified individual who is  
10 at least 12 years of age who files a proper application and who pays the applicable  
11 fee.

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

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

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

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

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

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

9           2. Live captive raccoon.

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

11          (3) **DOG CLUB TRAINING LICENSE.** (a) The department may issue a dog club  
1 2 training license to an organization that meets the conditions established by the  
13 department by rule for dog club training licenses that files a proper application and  
14 that pays the applicable fee.

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

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

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

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

3 **22.21 Dog trial licenses. (1) BIRD DOG TRIAL LICENSE. (a)** The department  
4 shall issue a bird dog trial license to any qualified person who files a proper  
5 application and who pays the applicable fee.

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

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

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

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

21 **22.22 Falconry license. (1) ISSUANCE.** (a) The department shall issue a  
22 falconry license to any qualified individual who is at least 18 years of age, who **has**  
23 a federal falconry license, who files a proper application **and who** pays the applicable  
24 fee.



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

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

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

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

10 (b) Hunt small game of the type authorized for hunters holding small game  
11 hunting licenses under s. 29.161 by engaging in falconry.

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

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

17 (a) Propagate and purchase raptors,

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

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

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

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

24 22.23 **Stocking license. (1) ISSUANCE.** The department may issue stocking  
25 licenses. If the department issues stocking licenses, it shall issue a stocking license

1 to any qualified person who files a proper application and who pays the applicable  
2 fee.

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

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

9 **22.24 Rehabilitation license. (1) ISSUANCE.** The department shall issue a  
10 rehabilitation license to any qualified individual who is at least 18 years of age, who  
11 meets the qualifications under rules promulgated under sub. (2) and who files a  
12 proper application.

13 (2) **QUALIFICATIONS; RULES.** The department shall promulgate rules to establish  
14 the qualifications required to obtain a rehabilitation license, the types of activities  
15 authorized by a rehabilitation license and the standards, limitations and  
16 requirements for rehabilitation licenses.

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

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

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

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.

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.** 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

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. 22.39.

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.

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 **22.29 Validation licenses.** (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. 29.863, 1997 stats., s. 29.865,  
22 1997 stats., s. 29.867, 1997 stats., s. **29.869, 1997** stats., s. 29.871, 1997 stats., or s.  
23 **29.877, 1997** s t a t s . , o n - , . *effective date* in this section change a 11/3/00  
to "effective date".

24 2. The licenses available under ss. 22.15 to 22.28 do not permit the continuation  
25 of an activity that was allowed under the license or permit under s. 29.863, 1997

1 stats., s. 29.865, 1997 stats., s. 29.867, 1997 stats., s. 29.869, 1997 stats., s. 29.871,  
2 1997 stats., or s. 29.877, 1997 stats., on March 1, 2000, at the location where the  
3 activity is being conducted on March 1, 2000.

4 3. The person obtains licenses under this chapter for any activity that was  
5 allowed under the license or permit under s. 29.863; 1997 stats., s. 29.865, 1997  
6 stats., s. 29.867, 1997 stats., s. **29.869, 1997** stats., s. 29.871 or 29.877, 1997 stats.,  
7 on March 1, 2000, and for which a license under ss. 22.15 to 22.28 is available.

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

10 1. The person had a license or permit under s. **29.863, 1997** stats., s. 29.865,  
11 1997 stats., s. 29.867, 1997 stats., s. **29.869, 1997** stats., s. 29.871, 1997 stats., or s.  
12 29.877, 1997 stats., on March 1, 2000.

13 2. The person obtained a license under ss. 22.15 to 22.28 for an activity that was  
14 allowed under the license or permit under s. 29.863, 1997 stats., s. 29.865, 1997  
15 stats., s. **29.867, 1997** stats., s. 29.869, 1997 stats., 29.871, 1997 stats., or s. 29.877,  
16 1997 stats., on March 1, 2000.

17 3. The rules applicable to licenses available under ss. 22.15 to 22.28 are  
18 modified so as not to permit the continuation of an activity that was allowed under  
19 the license or permit under s. 29.863, 1997 stats., s. 29.865, 1997 stats., s. 29.867,  
20 1997 stats., s. **29.869, 1997** stats., s. **29.871, 1997** stats., or s. **29.877, 1997** stats., on  
21 March 1, 2000, at the location where the activity was conducted on March 1, 2000.

22 (2) APPLICATION. (a) **Initial validation license.** An eligible person may apply  
23 for an initial validation license no later than December 31, 2001.

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

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

10           **(4) AUTHORIZATION; LIMITATIONS.** (a) Except as provided in pars. (c) and (d) and  
11 sub. **(5)**, a validation license authorizes the continuation of all activities that the  
12 holder of the validation license was authorized to conduct on March 1, 2000, under  
13 a license or permit issued, under s. 29.863, 1997 stats., s. 29.865, 1997 stats., s.  
14 29.867, 1997 stats., s. 29.869, 1997 stats., s. 29.871, 1997 stats., or s. **29.877, 1997**  
15 stats., if the holder was actually engaged in those activities on March 1, 2000.

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

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

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

22           **(5) CONDITIONS.** (a) The department shall impose all of the conditions,  
23 restrictions and regulations on the validation license that were applicable to the  
24 same activity under s. 29.863, 1997 stats., s. 29.865, 1997 stats., s. 29.867, 1997



1 stats., s. **29.869, 1997** stats., s. **29.871, 1997** stats., or s. **29.877, 1997** stats., and under  
2 any rules promulgated under those sections that were in effect on March 1, 2000.

3 (b) A validation license is subject to ss. **22.09, 22.11, 22.30, 22.33, 22.34, 22.35,**  
4 **22.36, 22.37, 22.38, 22.39, 22.40, 22.41, 22.42, 22.43, 22.44, 22.45** and 22.46.

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

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

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

10 2. Meets the requirements of this section.

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

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

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

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

19 **22.30 Endangered and threatened species.** No person may take from the  
20 wild, introduce, stock, release into the wild, exhibit, propagate, rehabilitate, hunt,  
21 sell, purchase, transfer or engage in any other activity related to a live wild animal  
22 that is a threatened or endangered species unless the person is in compliance with  
23 this chapter and s. 29.604.

24 **22.31 License and tag fees. (1) FEES.** The following fees shall be paid to the  
25 department for the issuance or renewal of licenses:

1 (a) *Captive wild animal farm licenses.* 1. The fee for an initial Class A captive  
2 wild animal farm license is \$200 and the fee for an initial Class B captive wild  
3 animal farm license is \$50. The department shall waive the fee for an initial license  
4 under this subdivision for an individual who is under 14 years of age ~~if the~~ individual  
5 is a member of a 4-H club or a sporting club.

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

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

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

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

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

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

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

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

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

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

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

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

23 (h) *Falconry licenses.* 1. The fee for a falconry license issued to a resident of  
24 this state under s. 22.22 (1) (a) is \$75.

1           2. The fee for a falconry license issued to a nonresident under s. 22.22 (1) (a)  
2 is \$100.

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

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

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

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

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

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

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

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

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

18           (b) **To** a business or other operation that was licensed for certain activities as  
19 one legal entity with one set of records under one license under s. **29.865, 1997** stats.,  
20 s. **29.867, 1997** stats., s. **29.869, 1997** stats., s. **29.871, 1997** stats., or s. **29.873, 1997**  
21 stats., and that were on noncontiguous land, the department shall continue to issue  
22 one license under this chapter for that activity to the business or operation if there  
23 is one license that authorizes all of those activities. The department shall continue  
24 **to issue the one license until** the person holding that one license ceases to be issued

1 a license for the activity or until the person holding the one license issued ceases to  
2 have a controlling interest in that business or operation.

3 (c) A person applying for 2 or more licenses under this- section that are  
4 necessary to engage in a single business or other operation shall pay a total fee that  
5 equals the fee for the required license with the highest fee that is required, plus 50%  
6 of the fee for each additional required license.

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

9 **22.32 Licenses; effective periods. (1) CAPTIVE WILD ANIMAL FARM LICENSE.**

10 A captive wild animal farm license is valid from the date of issuance until the  
11 following December 31.

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

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

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

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

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

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

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

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

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

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

8           (b) A falconry license issued to a nonresident is valid from the date of issuance  
9 until the following December 31.

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

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

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

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

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

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

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

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

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

7 (c) If a subsequent validation license is combined with an initial validation  
8 license under s. 22.29 (3), the effective period under par. (a) shall apply.

9 **22.33 Licenses; applications; renewals, terminations. (1) APPLICATION.**  
10 **The** application for a license under this chapter shall be on a form provided by the  
11 department or in a format approved by the department, and shall request the  
12 information required by the department. The department may not issue a license  
13 unless the applicant provides the information required.

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

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

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

22 (b) A person may apply for a renewal of a license issued under this chapter not  
23 more than 45 days after the license's expiration date if the application is  
24 accompanied by the late fee specified under s. 22.31 (2), in addition to the regular  
25 license fee.

1 (c) This subsection does not apply to validation licenses issued under s. 22.29.

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

5 (5) **EXPIRATION OF LICENSE.** A person holding a license issued under this section  
6 that expires or is revoked or suspended shall remove or cause to be removed from the  
7 land subject to the license any signs indicating that the land was so licensed within  
8 45 days after the expiration, revocation or suspension.

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

11 **22.34 Denial and revocation of approvals based on child support**  
12 **delinquency.** (1) **SOCIAL SECURITY NUMBERS REQUIRED.** The department shall  
13 require an applicant who is an individual to provide his or her social security number  
14 as a condition of applying for, or applying to renew, any license issued under this  
15 chapter.

16 (2) **DISCLOSURE OF SOCIAL SECURITY NUMBERS.** The department of natural  
17 resources may not disclose any social security numbers received undersub. (1) to any  
18 person except to the department of workforce development for the sole purpose of  
19 administering s. 49.22.

20 (3) **DENIAL OF APPROVALS.** (a) As provided in the memorandum of understanding  
21 required under s. 49.857 (2), the department shall deny an application to issue or  
22 renew, suspend if already issued or otherwise withhold or restrict an approval  
23 specified in sub. (1) if the applicant for or the holder of the approval is delinquent in  
24 making court-ordered payments of child or family support, maintenance, birth  
25 expenses, medical expenses or other expenses related to the support of a child or

1 former spouse or **if the** applicant or holder fails to comply with a subpoena or warrant  
2 issued by the department of workforce development or a county child support agency  
3 under s. 59.53 (5) and relating to paternity or child support proceedings..

4 (b) As provided in the memorandum of understanding required under s. 49.857  
5 **(2)**, the department shall deny an **application** to issue or renew an approval specified  
6 **in** sub. (1) if the applicant for or the holder of the approval fails to provide his or her  
7 social security number as require&under sub. **(1)**.

8 **22.36 Denial and revocation of approvals based on tax delinquency. (1)**

9 SOCIAL **SECURITY** AND IDENTIFICATION NUMBERS REQUIRED. The department shall  
10 require an applicant who is an individual to provide his or her social security number  
11 and an applicant who is not an individual to provide the applicant's federal **employer**  
12 identification number as a condition of applying for, or applying to renew, any oft he  
13 **following** approvals:

14 (a) A captive wild animal farm license issued under s. 22.15.

15 (b) A deer farm license issued under s. 22.16.

16 (c) A white-tailed deer venison sales license issued under s. 22.17.

17 (d) A wild fur farm license issued under s. 22.18.

18 (e) A bird hunting preserve license issued under s. 22.19.

19 **(f)** A dog training license issued under s. 22.20 (1) or (2).

20 (g) A dog trial license issued under s. 22.21.

21 (h) A falconry license issued under s. 22.22.

22 (i) A stocking license issued under s. 22.23.

23 **(j)** A rehabilitation license issued under s. 22.24.

24 (k) A scientific research license issued under s. 22.25.

25 (L) A captive wild animal auction and market license issued under s. 22.118.



1 (m) A validation license issued under s. 22.29.

2 (2) **DISCLOSURE OF NUMBERS.** The department of natural resources may not  
3 disclose any information received under sub. (1) to any person except to the  
4 department of revenue for the sole purpose of making certifications required under  
5 s. 73.0301.

6 (3) **DENIAL AND REVOCATION.** The department shall deny an application to issue  
7 or renew, or shall revoke if already issued, an approval specified in sub. (1) if the  
8 applicant for or the holder of the approval fails to provide the information required  
9 under sub. (1) or if the department of revenue certifies that the applicant or approval  
10 holder is liable for delinquent taxes under s. 73.0301.

11 22.36 **Record-keeping and reporting requirements. (1) CAPTIVE WILD**  
12 **ANIMAL FARM LICENSES, DEER FARM LICENSES, BIRD HUNTING PRESERVE LICENSES, FALCONRY**  
13 **LICENSES, NONPROFIT EDUCATIONAL EXHIBITING LICENSES AND CAPTIVE WILD ANIMAL**  
14 **AUCTION AND MARKET LICENSES.** (a) *Records; generally.* Each person holding a captive  
15 wild animal farm license, a deer farm license, a bird hunting preserve license, a  
16 falconry license, a nonprofit educational exhibiting license or a captive wild animal  
17 auction and market license shall keep a correct and complete record of all of the  
18 following information:

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

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

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

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

3           **(b) Records; additional requirements; exemptions.** 1. A person **holding** a **bird**  
4 **\*hunting preserve license** is exempt from keeping the records **required** under par. (a)

5           1. a. for those wild birds that are killed on the land subject to the license.

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

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

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

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

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

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

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

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

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

2 (4) **DOG TRAINING AND TRIAL LICENSES.** Each person holding a bird dog training  
3 license, a hound dog training license, a dog club training license, a bird dog trial  
4 license or a hound dog trial license shall keep a receipt of the purchase of each wild  
5 animal purchased under the authority of the license and a correct and complete  
6 record of any testing for disease on these wild animals that is required under rules  
7 promulgated under s. 22.44 (3).

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

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

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

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

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

19 (b) The date of acquisition.

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

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

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

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

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

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

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

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

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

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

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

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

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

9           (b) The person holding the license shall submit the annual report under par.

10 (a) within **30** days after the last day of the license year that the report covers.

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

14           **22.37 Inspections. (1) DEPARTMENTAL AUTHORITY.** For purposes of enforcing  
15 this chapter and the rules promulgated under this chapter with respect to a person  
16 who is required to have a license or maintain records under this chapter, a  
17 conservation warden or representative of the department, upon presenting his or her  
18 credentials to that person, may do any of the following:

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

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

23           (c) Gain access to and inspect any records required to be kept under s. 22.36.

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

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

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

5 (a) Normal business hours.

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

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

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

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

16 (5) **TAXIDERMISTS.** For an inspection of a taxidermist's place of business, this  
17 section does not apply and the department shall conduct the inspection as authorized  
18 under s. 29.506 (7).

19 22.38 **Entry requirements; interstate health certificates. (1)**  
20 **CONDITIONS.** Except as provided in sub. (4), a person may ship or transport a live wild  
21 animal into this state if the person complies with all of the following requirements:

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

1 (b) For wild animals to be exhibited as authorized under a nonresident  
2 temporary exhibiting license, the person holding the license complies with any  
3 applicable rules promulgated by the department of agriculture; trade-and consumer  
4 protection.

5 (2) **OTHER REQUIREMENTS.** (a) In addition to the requirements under sub. (1)  
6 (a) and (b), the ~~department~~<sup>or DATCP</sup> may require that the wild animal be accompanied by a  
7 valid interstate health certificate or a valid certificate of veterinary inspection issued  
8 by a veterinarian, which is filed with the chief livestock health official<sup>s in Wisc and</sup> in the state,  
9 province or country of origin in accordance with the laws of that jurisdiction.

10 (b) If the department requires a certificate under par. (a) and if the wild animal  
11 is a wild bird, the department shall accept a certification under the national poultry  
12 improvement plan under 9 CFR part 145 in lieu of the certificate.

13 (3) **CERTIFICATES.** Interstate health certificates or certificates of veterinary  
14 inspection are valid only **if they** are issued within 30 days before entry into this state  
15 and only if they certify that all of the rules promulgated under s. 22.44 (3) have been  
16 met. *and show results of any health testing required* <sup>under s. 22.44(3)</sup>

17 (4) **EXEMPTIONS FROM STATE ENTRY REQUIREMENTS** (a) Subsections (1) and (2) do  
18 not apply to a person shipping or transporting a live wild animal into this state if the  
19 wild animal will be sent directly to slaughter at an establishment licensed under s.  
20 97.42 or for which inspection is granted under 9 CFR part 304 and if the wild animal  
21 is accompanied by a bill of lading that contains all of the following information:

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

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

3           4. The destination for slaughter.

4           **(b)** Subsections (1) and (2) do not apply to a person shipping or transporting a  
5 live wild animal into this state for medical treatment if the wild animal is sent  
6 **directly** to a veterinarian or to a person holding a rehabilitation license for medical  
7 treatment.

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

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

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

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

18           **22.39 Humane care and housing. (1) COMPLIANCE WITH RULES.** No license  
19 may be issued under this chapter unless the department determines that the  
20 applicant will comply with all of the rules promulgated under subs. (2) and (3).

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

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

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

*Need a cross reference to 173 that we may*



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

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

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

10 (4) **ORDERS.** (a) ~~The department~~ The department may issue an order requiring any person  
11 holding a license under this chapter to comply with the rules promulgated under sub.  
12 (2).

13 (b) Any person who fails to comply with an order issued under par. (a) within  
14 10 days after its issuance will be subject to penalties provided in s. 22.45.

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

22 **22.40 Prohibited activities; trespassing. (1) DISEASED WILD ANIMALS.** (a)  
23 No person may sell, lease, transfer, move from one location to another, release or  
24 dispose of any wild animal if any of the following applies:

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

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

4           3. The person knows that the wild animal has been exposed to or has been  
5 infected with a contagious or infectious disease as defined under rules promulgated  
6 **by** the department of agriculture, trade and consumer protection under s. **95.001 (2)**,  
7 or. a reportable disease as designated by the department of natural resources under  
8 s. 22.44 (2).

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

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

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

15           **(e)** No veterinarian may fail to report a contagious or infectious disease, as  
16 defined under rules promulgated by the department of agriculture, trade and  
17 consumer protection under s. **95.001 (2)**, or a reportable disease, as designated by the  
18 'department of natural resources under s. 22.44 **(2)**, in a wild animal.

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

22           (b) No person may cause or permit the commingling of wild animals with  
23 domesticated animals, except as authorized by the department.

24           (3) **TAKING OF WILD ANIMALS.** A person who hunts, traps, kills or takes a wild  
25 animal subject to this chapter on land subject to a license issued under this chapter

1 without the permission of the license holder or of the holder's employe or agent is  
2 liable to the license holder for any damage that the person causes to any wild animal  
3 that is subject to this chapter or to any property or land that is subject to the license.

4 **22.41 Quarantines.** (1) **SUMMARY ACTION.** (a) The department of natural  
5 resources or the department of agriculture, trade and consumer protection may  
6 summarily issue a quarantine order to control contagious, infectious or  
7 communicable diseases, to protect the health of wild animals and domesticated  
8 animals in this state and to control the possessing of wild animals in this state.

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

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

15 (a) By personal service.

16 (b) By registered mail.

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

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

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

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

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

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

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

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

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

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

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

13 22.42 **Disposal and removal of wild animals. (1) DISPOSITION.** The  
14 department may seize, dispose of or order the disposal of any of the following:

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

18 *Quarantined* (b) Any dead, dying or sick wild animal that has been **exposed** to or is known  
19 to be infected with a contagious or infectious disease as defined in the rules  
20 promulgated by the department of agriculture, trade and consumer protection under  
21 s. 95.001 (2), with a reportable disease as designated by the department of natural  
22 resources under s. 22.44 (2) or with a disease or parasite that has pathological  
23 significance to humans or to any animals.

24 (c) Any wild animal that has escaped and that has not been returned to its  
25 owner or other person authorized to possess the wild animal. The department may

*Feed a general cross reference in 22.42 to 173.22 and 23 and 24  
and 25 to give same procedural protection.*

1 not dispose of the-wild animal until 72 hours have elapsed after the escape unless  
2 the department determines that the wild animal poses a risk to public safety or to  
3 the health of other animals.

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

5 (2) **ENTRY VIOLATIONS.** The department shall notify the owner of a wild animal  
6 that has entered this state in violation of s. 22.38 or that is in violation of a  
7 quarantine order issued under s. 22.41 that the owner has an opportunity to comply  
8 with s. 22.38 or the quarantine order issued under s. 22.41 within a given number  
9 of days as specified by the department in the notice. If the owner fails to comply  
10 within the specified number of days, the department may seize and dispose of the  
11 wild animal or order the disposal of the wild animal or its removal from this state.

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

for 173

15 22.43 Local ordinances. A city, village, town or county may enact and enforce  
16 an ordinance that prohibits the possession or selling of live wild animals and that is  
17 at least as strict as this chapter and any rules promulgated under this chapter.

18 **22.44 Rules by the department.** ( 1 ) **DOMESTICATED ANIMALS** The  
19 department shall promulgate rules specifying which animals are domesticated  
20 animals for purposes of s. 22.01 (7) (b).

21 (2) **REPORTABLE DISEASES.** The department may promulgate rules listing  
22 reportable diseases for purposes of this chapter.

23 (3) **INTRODUCTION REQUIREMENTS,** (a) The department may promulgate rules to  
24 establish the following:

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

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

5           **(b)** The requirements under par. (a) may include mandatory testing of the  
6 **animals** for disease.

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

10          **22.45 Penalties; revocations. (1) DEFINITION.** In this section, "violation of  
11 this chapter" means a violation of this chapter or any rule promulgated under this  
12 chapter.

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

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

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

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

1           **(d) Taking of bear and deer.** For taking bear or deer from the wild in violation  
2 of s. 22.05, or a rule promulgate thereunder, a person shall be fined not less than  
3 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

4           **(e) Diseased and environmentally injurious wild animals.** For a violation of s.  
5 **22.11 (2) (b) or (c) or 22.40 (1) or a** quarantine order issued under s. 22.41, a person  
6 shall be fined not less than \$500 nor more than \$5,000 or imprisoned for not more  
7 than 6 months or both.

8           **(f) Selling or purchasing venison from white-tailed deer.** For violation of s.  
9 22.13 (1) or (2) or rules promulgated thereunder, a person shall be fined not less than  
10 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

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

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

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

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

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

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

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

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

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

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

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

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

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



1           (8) **PARTIES TO A VIOLATION.** (a) Whoever is concerned in the commission of a  
2 violation of this chapter is a principal and may be charged with and convicted of the  
3 violation of this chapter although he or she did not directly commit it and although  
4 the person who directly committed it has not been convicted of the violation of this  
5 chapter.

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

8           1. Directly commits the violation of this chapter.

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

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

12           **22.46 Natural resources assessments and restitution payments. (1)**

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

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

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

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

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

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

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

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** restitution payment prescribed in this subsection. If the deposit  
19 is forfeited, the amount of the natural resources restitution payment shall be  
20 transmitted to the state treasurer under par. (d). If the deposit is returned, the  
21 natural resources restitution payment shall also be returned.

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

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

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

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

7 23.09 (2) (f) ~~Propagation, game and of fish.~~ Subject to s. 95.60, capture,  
8 propagate, transport, sell or exchange any species of ~~game or~~ fish needed for stocking  
9 or restocking any ~~lands or~~ waters of the state.

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

11 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit  
12 court to recover forfeitures, penalty assessments, jail assessments, applicable  
13 weapons assessments, applicable environmental assessments, applicable wild  
14 animal protection assessments, applicable natural resources assessments,  
15 applicable fishing shelter removal assessments, applicable snowmobile registration  
16 restitution payments and applicable natural resources restitution payments for  
17 violations of ss. 77.09, 134.60, 167.10 (3), 167.31 (2), 231.48 (2) to (5), 283.33, 285.57  
18 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch.  
19 77, this chapter and chs. 22 and 26 to 31 and of ch. 350, and any administrative rules  
20 promulgated thereunder, violations of ch. 951 if the animal involved is a captive wild  
21 animal, violations of rules of the Kickapoo reserve management board under s. 41.41  
22 (7) (k) or violations of local ordinances enacted by any local authority in accordance  
23 with s. 23.33 (11) (am) or 30.77.

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

1           23.50 (3) All actions in municipal court to recover forfeitures, **penalty**  
2 assessments and jail assessments for violations of local ordinances enacted by any  
3 local authority in accordance with s. 23.33 (11) (am) or 30.77 -shall utilize the  
4 procedure in ch. 800. The actions shall be brought before the municipal court having  
5 jurisdiction. Provisions relating to citations, arrests, questioning, releases,  
6 searches, deposits and stipulations of no contest in ss. **23.51 (1) (1m)**, (3) and (8),  
7 23.53, 23.54, 23.56 to 23.64, 23.66 and 23.67 shall apply to violations of such  
8 ordinances.

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

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

11          23.51 (1d) "Captive" has the meaning given in s. **22.01 (2)**.

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

13          **23.51 (5)** "Natural resources restitution payment" means the payment imposed  
14 under s. 22.46 (2) or 29.989.

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

16          **23.51 (9m)** "Wild animal" has the meaning given in s. **22.01 (33)**.

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

18          23.65 (1) When it appears to the district attorney that a violation of s. 134.60,  
19 281.43 (2) to (5), **283.33, 285.57 (2)**, 285.59 (2), (3) (c) and (4), **287.07, 287.08, 287.81**  
20 or 299.64 (2), this chapter or ch. **22, 26, 27, 28, 29, 30, 31** or 350, or any administrative  
21 rule promulgated pursuant thereto, or a violation of ch. 951, if the animal involved  
22 is a captive wild animal, has been committed the district attorney may proceed by  
23 , complaint and summons.

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

1           23.795 (3) In lieu of an order of imprisonment under sub. (1) (a) for a violation  
2 of ch. 22, the court may revoke or suspend any privilege or license granted under ch.  
3 22 as provided in s. 22.45 (5).

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

5           25.29 (1) (a) Except as provided in s. 25.295, all moneys accruing to the state  
6 for or in behalf of the department under chs. **22, 26, 27, 28, 29** and 350, subchs. I and  
7 **VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50 to 30.55, 70.58**  
8 **and 71.10 (5)**, including grants received from the federal government or any of its  
9 agencies except as otherwise provided by law.

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

11          25.29 **(4m)** Notwithstanding sub. **(3)**, no moneys that accrue to the state for or  
12 in behalf of the department under ch. 22 or 29 may be expended or paid for the  
13 enforcement of the treaty-based, off-reservation rights to fish held by members of  
14 federally recognized American Indian tribes or bands domiciled in Wisconsin.

15          **SECTION 15.** **29.011 (3)** of the statutes is created to read:

16          29.011 (3) This section does not apply to wild animals that are subject to  
17 regulation under ch. 22.

18          **SECTION 16.** 29.024 (1) of the statutes is amended to read:

19          29.024 (1) **APPROVALS** REQUIRED. Except as specifically provided in ch. 22 or this  
20 chapter, no person may hunt or trap in this state, fish in the waters of this state or  
21 engage in any of the activities regulated under this chapter unless the appropriate  
22 approval is issued to the person. A person shall carry the required approval with him  
23 or her at all times while hunting, trapping or fishing or engaged in regulated  
24 activities unless otherwise required by this chapter or unless otherwise authorized

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

3 SECTION 17. 29.024 (2g) (a) 2. of the statutes is amended to read:

4 29.024 (2g) (a) 2. Any permit issued under s. ~~29.38, 29.521, 29.525, 29.53 or~~  
5 ~~29.578~~ 29.537, 29.733, 29.735 or 29.736.

6 SECTION 18. 29.024 (2r) (a) 17. of the statutes is repealed.

7 SECTION 19. 29.024 (2r) (a) 18. of the statutes is repealed.

8 SECTION 20. 29.024 (2r) (a) 19. of the statutes is repealed.

9 SECTION 21. 29.024 (2r) (a) 20. of the statutes is repealed.

10 SECTION 22. 29.024 (2r) (a) 21. of the statutes is repealed.

11 SECTION 23. 29.042 (1) of the statutes is amended to read:

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

18 SECTION 24. 29.047 (2) (b) of the statutes is amended to read:

19 29.047 (2) (b) The possession, transportation, delivery or receipt of farm-raised  
20 deer ~~or~~, farm-raised fish ~~regild animals that are subject to~~ litation under ch. 22.

21 SECTION 25. 29.191 (2) (a) 3. of the statutes is amended to read:

22 29.191 (2) (a) 3. Any person hunting pheasant under s. 29.195 ~~or on premises~~  
23 ~~licensed under s. 29.865~~ is exempt from the requirements under subd. 1.

24 SECTION 26. 29.192 (6) of the statutes is created to read:

1           29.192 (6) The department shall permit the hunting of farm-raised deer on the  
2 premises on which farm-raised deer are kept by persons registered under s. 95.55.  
3 The department shall determine the requirements and conditions for hunting  
4 farm-raised deer under this subsection, and shall determine the provisions of this  
5 chapter that are applicable to hunting farm-raised deer under this subsection. The  
6 department shall cooperate with the department of agriculture, trade and consumer  
7 protection with respect to the hunting of farm-raised deer.

8           **SECTION 27.** 29.314 (5) (b) 3. of the statutes is amended to read:

9           29.314 (5) (b) 3. **To** a person who possesses a flashlight or who uses a flashlight  
10 ~~while if the person is on~~ foot and training a dog to track or hunt raccoons, foxes or  
11 other unprotected wild animals ~~and if the raccoons, foxes or other unprotected wild~~  
12 ~~animals are not subject to regulation~~ er ch. 22.

13           **SECTION 28.** 29.321 of the statutes is repealed.

14           **SECTION 29.** 29.334 of the statutes is renumbered 29.334 (1) and amended to  
15 read:

16           29.334 (1) A person who hunts or traps any game animal, game bird or  
17 ~~fur-bearing~~ animal shall kill ~~the animal it~~ when it is taken and make it part of the  
18 daily bag or shall release ~~the animal it~~ unless ~~authorized under s. 29.857, 29.863,~~  
19 ~~28.867, 29.869, 29.871 or 29.877~~ the person has the authority to possess it under ch.  
20 22..

21           **SECTION 30.** 29.347 (2) of the statutes is amended to read:

22           **29.347 (2) DEER TAGS.** Except as provided under sub. (5) and s. 29.324 (3), any  
23 person who kills a deer shall immediately attach to the ear or antler of the deer a  
24 current validated deer carcass tag which is authorized for use on the type of deer  
25 killed. Except as provided under sub. (2m) ~~or s. 29.871 (7), (8) or (14)~~, no person may

1 possess, control, store or transport a deer carcass unless it is tagged as required  
 2 under this subsection. The carcass tag may not be removed before registration. The  
 3 removal of a carcass tag from a deer before registration renders the deer untagged.

4 **SECTION 31.** 29.347 (6) of the statutes is amended to read:

5 29.347 (6) ~~FARM-RAISED DEER~~ DEER. This section does not apply to farm-raised  
 6 deer or deer that are subject to regulation under ch. 22.

7 **SECTION 32.** 29.351 of the statutes is renumbered 29.351 (1), and **29.351 (1) (c)**,  
 8 as renumbered, is amended to read:

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

16 **SECTION 33.** ~~29.351 (2)~~ of the statutes is created to read:

17 29.351 (2) Subsection (1) does not apply to the skins of fur-bearing animals  
 18 that are subject to regulation under ch. 22.

19 **SECTION 34.** 29.354 (1) of the statutes is amended to read:

20 **29.354 (1) APPROVAL NECESSARY.** No person & & d  
 21 ~~hunting license, sports license, conservation patron license, taxidermist permit or~~  
 22 ~~scientific collector permit and who is carrying this approval on his or her person~~ may  
 23 possess or have under his or her control any game bird, or game animal or the carcass  
 24 of any game bird or game animal unless the person is rehabilitating the game bird



1 ~~or game animal or unless the person has a valid hunting: license, sports license,~~  
2 ~~conservation patron license, taxidermist permit or scientific collector permit.~~

3 SECTION 35. 29.354 (2) of the statutes is renumbered- 29.354 (2) (a) and  
4 amended to read:

5 29.354 (2) (a) ~~No person, except a~~ Except as provided in par. (b), no person who  
6 ~~has a valid scientific collector permit,~~ may take, needlessly destroy or possess or have  
7 under his or her control the nest or eggs of any wild bird for which a closed season  
8 is prescribed under this chapter.

9 SECTION 36. 29.354 (2) (b) of the statutes is created to read:

10 29.354 (2) (b) A person who has a valid scientific collector permit may take or  
11 possess or have under his or her control the nest of a wild bird and may destroy the  
12 nest if necessary for a scientific purpose.

13 SECTION 37. 29.354 (5) of the statutes is created to read:

14 29.354 (5) **CAPTIVE WILD ANIMALS.** This section does not apply to wild animals  
15 that are subject to regulation under ch. 22.

16 SECTION 38. 29.357 (5) (b) of the statutes is amended to read:

17 29.357 (5) (b) Subsections (1) to . (4) do not apply to the possession,  
18 transportation, delivery or receipt of farm-raised deer ~~or,~~ farm-raised fish or wild  
19 animals that are subject to regulation under ch. 22.

20 SECTION 39. **29.361 (6)** of the statutes is amended to read:

21 **29.361 (6)** This section does not apply to the transportation of farm-raised deer  
22 or deer that are subject to regulation under ch. 22.

23 SECTION 40. 29.364 (5) of the statutes is amended to read:

24 29.364 (S) **EXEMPTION; TAXIDERMISTS.** Subsections (1) to (3) do not apply to a  
25 person who has a valid taxidermist permit and ~~who~~ is transporting, in connection

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

3 SECTION 41. 29.501 (9m) of the statutes is created to read:

4 29.501 (9m) This section applies to raw furs and dressed furs from fur-bearing  
5 animals that are subject to regulation under ch. 22.

6 SECTION 42. 29.506 (4) of the statutes is amended to read:

7 29.506 (4) . **AUTHORIZATION.** Subject to this section, a taxidermist permit  
8 authorizes the permit holder to possess and transport ~~wild animals or~~ carcasses of  
9 wild animals in connection with his or her business. This authority supersedes, to  
10 the extent permitted under this section, restrictions on the possession and  
11 transportation of ~~wild animals and~~ carcasses of wild animals established under ~~ch.~~  
12 ~~22 and this chapter.~~ permit entitles the permit holder to the same  
13 privileges as a Class A fur dealer's license.

14 SECTION 43. 29.539 (7) of the statutes is created to read:

15 29.539 (7) This section does not apply to the carcass of a wild animal ~~that~~ is  
16 subject to regulation under ch. 22.

17 SECTION 44. 29.541 (3) of the statutes is amended to read:

18 29.541 (3) EXEMPTION. This section does not apply to the meat from  
19 farm-raised deer or ~~from~~ farm-raised fish gr to meat that is subject to regulation  
20 under s. 22.13 or 22.14.

21 SECTION 45. 29.563 (9) (intro.) and (a) (title) of the statutes are repealed.

22 SECTION 46. 29.563 (9) (a) 1. of the statutes is renumbered 29.563 (7) (c) fin.

23 SECTION 47. 29.563 (9) (a) 2. to 10. and (b) of the statutes are repealed.

24 SECTION 46. 29.614 (3) of the statutes is amended to read:

1           29.614 (3) A scientific collector permit authorizes the permittee to collect or  
2 salvage, for scientific purposes only, ~~the eggs, nest and live fish and the nests and~~  
3 carcasses of any wild animals specified in the permit subject to the conditions and  
4 limitations specified in the permit and the rules of the department. The permittee  
5 may use the specimens for the scientific purposes for which collected or salvaged and  
6 may transport them or cause them to be transported by common carrier. Possession  
7 of these specimens may not be transferred to any other person, except that these  
8 specimens may be exchanged for other specimens for scientific purposes. A scientific  
9 collector permit may authorize the use of net guns and tranquilizer guns for activities  
10 related to the purposes for which the permit is issued. Any person who is convicted  
11 of violating this chapter shall forfeit the person's permit and the permit is thereby  
12 revoked, in addition to all other penalties. Any person so convicted is not eligible for  
13 a permit under this section for one year following the conviction.

14           **SECTION 49.** 29.741 (title) of the statutes is repealed and recreated to read:

15           **29.741 (title) Food in the wild for game birds.**

16           **SECTION 50.** **29.741 (1)** of the statutes is repealed.

17           **SECTION 51.** **29.741 (2)** of the statutes is renumbered 29.741.

18           **SECTION 52.** 29.745 of the statutes is repealed.

19           **SECTION 53.** 29.853 (title) of the statutes is repealed.

20           **SECTION 54.** 29.853 (1) of the statutes is repealed.

21           **SECTION 55.** 29.853 (2) of the statutes is repealed.

22           **SECTION 56.** 29.853 (3) of the statutes is repealed.

23           **SECTION 57.** 29.853 (4m) of the statutes is repealed.

24           **SECTION 58.** 29.853 (5) (title) of the statutes is repealed.

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

29.334 (2) A person who violates ~~this section~~ sub. (1) shall forfeit not less than \$100 nor more than \$1,060.

SECTION 66. 29.855 (title) of the statutes is repealed.

SECTION 61. 29.855 (1) of the statutes is repealed.

SECTION 62. 29.855 (2) of the statutes is repealed.

SECTION 63. 29.855 (3) of the statutes is repealed.

SECTION 64. 29.855 (4) (title) of the statutes is repealed.

SECTION 65. 29.855 (4) of the statutes is renumbered 22.04 (2) (e) and amended

to read:

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

SECTION 66. 29855 (5) of the statutes is repealed.

SECTION 67. 29.855 (6) of the statutes is repealed.

SECTION 68. 29.855 (7) of the statutes is repealed.

SECTION 69. 29.857 of the statutes is repealed.

SECTION 70. 29.861 of the statutes is repealed.

*non vets*

*"operator" must be licensed + skunk under their license*

*(vets)*

*may operate + person who brings it must be licensed*

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1           **SECTION 71.** 29.863 of the statutes is repealed.

2           **SECTION 72.** 29.865 of the statutes is repealed.

3           **SECTION 73.** 29.867 of the statutes is repealed.

4           **SECTION 74.** 29.869 of the statutes is repealed.

5           **SECTION 76.** 29.871 of the statutes is repealed.

6           **SECTION 76.** 29.873 of the statutes is repealed.

7           **SECTION 77.** 29.875 (1) of the statutes is amended to read:

8           29.875 (1) The department may seize and dispose of or may authorize the  
9 disposal of any deer that has escaped from land licensed under s. ~~29.867 or 29.871~~  
10 22.15 or 22.16 or owned by a person registered under s. 95.55 if the escaped deer has  
11 traveled more than 3 miles from the land or ~~if the~~ licensee or person has not had the  
12 deer returned to the land within 72 hours of the discovery of the escape.

13           **SECTION 78.** 29.877 of the statutes is repealed.

14           **SECTION 79.** 29.879 of the statutes is repealed.

15           **SECTION 80.** 29.881 of the statutes is repealed.

16           **SECTION 81.** 29.885 (1) (f) of the statutes is amended to read:

17           29.885 (1) (f) Notwithstanding s. ~~29.01 (14)~~ 29.001 (90), "wild animal" means  
18 any undomesticated mammal or bird, but does not include farm-raised deer ~~or,~~  
19 farm-raised fish ~~or wild animals that are subject to regulation under ch. 22.~~

20           **SECTION 82.** 29.889 (1) (intro.) of the statutes is amended to read:

21           29.889 (1) **DEFINITION.** (intro.) In this section, "wildlife damage" means damage  
22 caused by any of the following ~~noncaptive~~ wild animals that are not subject to  
23 regulation under ch. 22:

24           **SECTION 83.** 29.921 (7) of the statutes is amended to read:

1           **29.921 (7) Dogs INJURING WILDLIFE.** A warden may kill a dog found running,  
2           injuring, causing injury to, or hilling, any deer, other than farm-raised deer ~~gr-deer~~  
3           subject to regulation under ch. 22, or destroying game birds, their eggs or nests, if  
4           immediate action is necessary to protect the deer or game birds, their nests or eggs,  
5           from injury or death.

6           **SECTION 84.** 29.927 (8) of the statutes is amended to read:

7           29.927 (8) Any dog found running deer, except farm-raised deer ~~or deer subject~~  
8           to regulation under ch. 22, at any time, or used in violation of this chapter.

9           **SECTION 85. 29.931 (2)** (a) of the statutes is amended to read:

10          **29.931 (2)** (a) The department and its wardens shall seize and hold, subject to  
11          the order of the court for the county in which the alleged offense was committed, any  
12          vehicle, boat or object declared by this chapter to be a public nuisance, or which they  
13          have probable cause to believe is being used in violation of this chapter or s. 167.31,  
14          **287.81, 940.24, 941.20, 948.60, 948.605** or 948.61, ~~is being used in the commission~~  
15          of a crime involving an animal normally found in the wild in violation of s. 951.09 or  
16          is being used in the commission of a crime relating to a submerged cultural resource  
17          in violation of s. 44.47. If it is proven that the vehicle, boat or object is a **public**  
18          nuisance or that within 6 months previous to the seizure the vehicle, boat or object  
19          was used in violation of this chapter or s. 167.31, **287.81, 940.24, 941.20, 948.60,**  
20          **948.605** or 948.61, ~~was used in the commission of a crime involving an animal~~  
21          normally found in the wild in violation of s. 951.09 or was used in the commission of  
22          a crime relating to a submerged cultural resource in violation of s. 44.47, it shall be  
23          , confiscated if the court directs in its order for judgment.

24          **SECTION 86.** 29.969 of the statutes is amended to read:

1           29.969 **Larceny of** game. A person who, without permission of the owner,  
2 disturbs or appropriates any wild animal or its carcass that has been lawfully  
3 reduced to possession by another shall forfeit not less than **\$1,000** nor more than  
4 \$2,000. This section does not apply to farm-raised deer ~~or~~, farm-raised fish or wild  
5 animals that are subject regulation under ch. 22.

6           **SECTION 87.** 49.857 (1) (d) 2. of the statutes is amended to read:

7           49.857 (1) (d) 2. An approval specified in s. ~~29.09 (11m)~~ 22.34 or 29.024 (2g).

8           **SECTION 88.** 59.25 (3) (f) 2. of the statutes is amended to read:

9           59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be  
10 deposited in the state treasury, the amounts required by s. 165.87 for the penalty  
11 assessment surcharge, the amounts required by ~~s.~~ 165.755 for the crime laboratories  
12 and drug law enforcement assessment, the amounts required by s. **167.31 (5)** for the  
13 ~~weapons~~ assessment, the amounts required by s. 973.045 for the crime victim and  
14 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the  
15 delinquency victim and witness assistance surcharge, the amounts required by s.  
16 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by  
17 s. 961.41 (5) for the drug abuse program -improvement surcharge, the amounts  
18 authorized by s. 971.37 (**1m**) (c) 1. or required by s. 973.055 (1) for the domestic abuse  
19 assessment, the amounts required by s. 253.06 (**4**) (**c**) for the enforcement assessment  
20 under the supplemental food program for women, infants and children, the amounts  
21 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing  
22 improvement assessment, the amounts required by s. 346.655 (**2**) (a) and (b) for the  
23 driver improvement surcharge, the amounts required by ~~s.~~ 102.85 (4) for the  
24 uninsured employer assessment, the amounts required by s. 299.93 for the  
25 environmental assessment, the amounts required by s. 29.983 for the wild animal

1 protection assessment, the amounts required by ~~s. ss. 22.46 (1) and~~ 29.987 for the  
2 natural resources assessment surcharge, the **amounts** required by s., 29.985 for the  
3 fishing shelter removal assessment, the amounts required by s. 350.115 for the  
4 snowmobile registration restitution payment and the amounts required by ~~s. ss.~~  
5 22.46 (2) and 29.989 for natural resources restitution payments, transmit to the **state**  
6 treasurer a statement of all moneys required by law to be paid on the actions entered  
7 during the preceding month on or before the first day of the next succeeding month,  
8 certified by the county treasurer's personal signature **affixed** or attached thereto,  
9 and at the same time pay to the state treasurer the amount thereof.

10 **SECTION 89.** 59.40 (2) (m) of the statutes is amended to read:

11 59.40 (2) (m) Pay monthly to the treasurer for the **use** of the state the state's  
12 percentage of the fees required to be paid on each civil action, criminal action and  
13 special proceeding filed during the preceding month and pay monthly to the  
14 treasurer for the use of the state the percentage of court imposed fines and **forfeitures**  
15 required by law to be deposited in the state treasury, the amounts required by s.  
16 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s.  
17 165.755 for the crime laboratories and drug law enforcement assessment, ~~the~~  
18 amounts required by s. **167.31 (5)** for the weapons assessment, the amounts **required**  
19 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts  
20 required by s. 938.34 (**8d**) for the delinquency victim and witness assistance  
21 surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis  
22 surcharge, the amounts required by s. 961.41 (5) for the drug abuse program  
23 improvement surcharge, the amounts authorized by s. 971.37 (lm) (c) 1. or required  
24 by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by  
25 s. 253.06 (4) (c) for the enforcement assessment under the supplemental **food**



1 program for women, infants and children, the amounts required by ss. 346.177,  
2 346.495 and 346.65 (~~4r~~) for the railroad crossing improvement assessment, the  
3 amounts required by s. 346.655 for the driver improvement surcharge; the amounts  
4 required by s. 102.85 (4) for the uninsured employer assessment, the amounts  
5 required by s. 299.93 for the environmental assessment, the amounts required under  
6 s. 29.983 for the wild animal protection assessment, the amounts required under ~~s.~~  
7 ss. 22.46 (1) (d) and 29.987 (1) (d) for the natural resources assessment surcharge,  
8 the amounts required by s. 29.985 for the fishing shelter removal assessment, the  
9 amounts required by s. 350.115 for the snowmobile registration restitution payment  
10 and the amounts required under ~~s. ss. 22.46 (2) (d) and~~ 29.989 (1) (d) for the natural  
11 resources restitution payments. The payments shall be made by the 15th day of the  
12 month following receipt thereof.

13 SECTION 90. 73.0301 (1) (d) 1. of the statutes is amended to read:

14 73.0301 (1) (d) 1. An approval specified in s. ~~29.09 (11r)~~ 22.35 or 29.024 (2r).

15 SECTION 91. 167.31 (4) (b) of the statutes is amended to read:

16 167.31 (4) (b) Subsections (2) (a), (b) and (c) and (3) (a) and (b) do not apply to  
17 the holder of ascientific research license under s. 22.25 or a scientific collector permit  
18 under s. 29.614 who is using a net gun or tranquilizer gun in an activity related to .  
19 the purpose for which the license or permit was issued.

20 SECTION 92. 173.29 of the statutes is created to read:

21 **173.29 Captive wild animals exempted.** This chapter does not apply to  
22 captive wild animals that are subject to regulation under ch. 22.

23 SECTION 93. 814.60 (2) (e) of the statutes is amended to read:

24 814.60 (2) (e) Natural resources restitution payment imposed by s. 22.46 (2) (d)  
25 or 29.989.

It would be  
better to keep  
humane  
officers too  
involved too

1           **SECTION 94.** 895.57 (3) of the statutes is amended to read:

2           895.57 (3) Subsection (2) does not apply to any humane **officer**, local health  
3 officer, peace officer, employe of the department of natural resources while on any  
4 land licensed under s. ~~29.865, 29.867, 29.869 or 29.871~~ 22.15, 22.16, 22.17, 22.18 or  
5 22.19 or designated as a wildlife refuge under s. 29.621 (1) or employe of the  
6 department of agriculture, trade and consumer protection if the **officer's** or employe's  
7 acts are in good faith and in an apparently authorized and reasonable fulfillment of  
8 his *or* her duties.

9           **SECTION 95.** 943.75 (3) of the statutes is amended to read:

10           943.75 (3) Subsection (2) does not apply to any humane **officer**, local health  
11 **officer**, peace officer, employe of the department of natural resources while on any  
12 land licensed under s. ~~29.865, 29.867, 29.869 or 29.871~~ 22.15, 22.16, 22.17, 22.18 **or**  
13 22.19 or designated as a wildlife refuge under s. 29.621 (1) or employe of the  
14 department of agriculture, trade and consumer protection **if the** officer's or employe's  
15 acts are in good faith and in an apparently authorized and reasonable fulfillment of  
16 his or her duties. This subsection does not limit any other person from claiming the  
17 defense of privilege under s. 939.45 (3).

18           **SECTION 96.** 951.01 (1m) of the statutes is created to read:

19           951.01 **(1m)** "Conservation warden" means a warden appointed under s. **23.10.**

20           **SECTION 97.** 951.015 of the statutes is renumbered 951.015 (1) and amended  
21 to read:

22           951.015 (1) This chapter may not be interpreted as controverting any law  
23 regulating wild animals that are subject to regulation under ch. 22, the taking of e  
24 ~~wild animal~~ wild animals, as defined in s. 29.001 (90), ~~the trapping of animals, the~~

1 ~~use of live animals in dog trials or in the training of hunting dogs~~ or the slaughter  
2 of animals by persons acting under state or federal law.

3 SECTION 98. 951.015 (2) of the statutes is created to read:

4 951.015 (2) For purposes of enforcing this chapter as to wild animals subject  
5 to regulation under ch. 22, a conservation warden has the same powers and duties  
6 that a law enforcement officer has under this chapter.

7 SECTION 99. 951.09 of the statutes is amended to read:

8 951.99 **Shooting at caged or staked** animals. No person may instigate,  
9 promote, aid or abet as a principal; agent, employe, participant or spectator, or  
10 participate in the earnings from, or intentionally maintain or allow any place to be  
11 used for the shooting, killing or wounding with a firearm or any deadly weapon, any  
12 animal, except for farm-raised deer, as defined in s. 95.001 (1)(a), that is tied, staked  
13 out, caged or otherwise intentionally confined in a man-made enclosure, regardless  
14 of size. Nothing in this section prohibits the shooting of any wild game in its wild  
15 state or the shooting of ~~game birds and waterfowl at~~ ~~game farms or licensed~~  
16 ~~shooting preserves~~ captive wild birds or captive white-tailed deer that is authorized  
17 under s. 22.09 (2).

18 SECTION 100. 951.18 (4) (a) 2. of the statutes, as affected by 1997 Wisconsin Act  
19 192, is amended to read:

20 951.18 (4) (a) 2. A sentencing court shall require a criminal violator to pay  
21 restitution to a person, including any local humane officer or society or county or  
22 municipal pound or a law enforcement officer gr conservation warden, for any  
23 pecuniary loss suffered by the person as a result of the crime, including expenses in  
2 4 keeping any animal that is involved in the crime. This requirement applies  
25 regardless of whether the criminal violator is placed on probation under s. 973.09.

1 If restitution is ordered, the court shall consider the financial resources and future  
2 ability of the criminal violator to pay and shall determine the method of payment.  
3 Upon the application of any interested party, the court shall schedule and hold an  
4 evidentiary hearing to determine the value of any pecuniary loss under this  
5 **paragraph.**

6 **SECTION 101.** 951.18 (4) (b) 1. of the statutes, as **affected** by 1997 Wisconsin Act  
7 192, is amended to read:

8 951.18 (4) (b) 1. A sentencing court may order that an animal be delivered to  
9 the local humane **officer** or society or the county or municipal pound or to a law  
10 enforcement offker if a person commits a crime under this chapter, the person is the  
11 owner of the animal that is involved in the crime and the court considers the order  
12 to be reasonable and appropriate. A sentencing court may order that an animal be  
13 delivered to the department of natural resources, if the animal is a wild animal that  
14 is subject to regulation under ch. 22 and the court considers the order to be  
15 reasonable and appropriate. The society, pound ~~or~~ officer or department of natural  
16 resources shall release the animal to a person other than the owner or dispose of he  
17 animal in a proper and humane manner. **If the** animal is a dog, the release or disposal  
18 shall be in accordance with s. 173.23 (1m), except that the fees under s. 173.23 **(1m)**  
19 (a) 4. do not apply if the expenses are covered under s. 173.24. If the animal is not  
20 a dog, the society, pound or offker may charge a fee for the release of the **animal.**

21 **SECTION 102.** 973.05 (1) of the statutes is amended to read:

22 973.05 **(1)** When a defendant is sentenced to pay a fine, the court may grant  
23 permission for the payment of the fine, of the penalty assessment imposed by s.  
24 **165.87**, the jail assessment imposed by s. 302.46 **(1)**, the crime victim and witness  
25 assistance surcharge under s. 973.045, the crime laboratories and drug law

1 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid  
2 analysis surcharge under s. 973.046, any applicable drug abuse program  
3 improvement surcharge imposed by s. 961.41 (5), any applicable domestic abuse  
4 assessment imposed by s. 971.37 (lm) (c) 1. or 973.055, any applicable driver  
5 improvement surcharge imposed by s. 346.655, any applicable enforcement  
6 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed  
7 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),  
8 any applicable environmental assessment imposed by s. 299.93, any applicable wild  
9 animal protection assessment imposed by s. 29.983, any applicable natural resources  
10 assessment imposed by s. 22.46 (1) or 29.987 and any applicable natural resources  
11 restitution payment imposed by s. 22.46 (2) or 29.989 to be made within a period not  
12 to exceed 60 days. If no such permission is embodied in the sentence, the fine, the  
13 penalty assessment, the jail assessment, the crime victim and witness assistance  
14 surcharge, the crime laboratories and drug law enforcement assessment, any  
15 applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse  
16 program improvement surcharge, any applicable domestic abuse assessment, any  
17 applicable driver improvement surcharge, any applicable enforcement assessment,  
18 any applicable weapons assessment, any applicable uninsured employer  
19 assessment, any applicable environmental assessment, any applicable wild animal  
20 protection assessment, any applicable natural resources assessment and any  
21 applicable natural resources restitution payment shall be payable immediately.

22 **SECTION 103. Effective dates.** This act takes effect on January 1, 2001, except  
23 as follows:

