

**BILL****SECTION 3**

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

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

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

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

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

10          (d) That the public is protected from injury by the wild animals.

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

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

20          ~~**22.40 Prohibited activities; trespassing.**~~ **(1) DISEASED WILD ANIMALS.** (a)  
21 No person may sell, lease, transfer, move from one location to another, release, or  
22 dispose of any wild animal if any of the following applies:

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

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

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

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

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

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

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

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

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

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

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1 causes to any wild animal that is subject to regulation under this chapter or to any  
2 property or land that is subject to the license.

3 **22.41 Quarantines. (1) SUMMARY ACTION.** (a) The department may  
4 summarily issue a quarantine order to control contagious, infectious, or  
5 communicable diseases, to protect the health of wild animals and domesticated  
6 animals in this state, and to control the possessing of wild animals in this state.

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

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

12 (a) By personal service.

13 (b) By registered mail.

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

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

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

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

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

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

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

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

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

2 (5) DURATION OF ORDER. A quarantine order shall remain in effect until a  
3 written notice of release is issued by the department or until a decision releasing the  
4 order is rendered under sub. (6).

5 (6) REVIEW OF ORDER. Any person affected by a quarantine order shall be  
6 granted a hearing by the department to determine whether the order shall remain  
7 in effect if the person requests the hearing within 30 days after the date of service  
8 of the order. The hearing shall be treated as a contested case if the requirements of  
9 s. 227.42 (1) are met.

10 **22.42 Taking custody of captive wild animals. (1) INTAKE OF WILD ANIMALS.**

11 A conservation warden may take into custody a wild animal that is subject to  
12 regulation under this chapter on behalf of the department if the conservation warden  
13 has reasonable grounds to believe that the wild animal is one of the following:

14 (a) An abandoned or stray captive wild animal.

15 (b) An unwanted captive wild animal delivered to the conservation warden.

16 (c) A wild animal possessed, taken, introduced, stocked, released, exhibited,  
17 propagated, rehabilitated, hunted, sold, or purchased in violation of this chapter, any  
18 rule promulgated under this chapter, or any ordinance enacted under s. 22.43.

19 (d) A captive wild animal that is not confined as required by a quarantine order  
20 ~~under s. 22.41~~ <sup>under 95</sup> or any rule or ordinance relating to the control of any animal disease.

21 (e) A captive wild animal that has caused damage to persons or property.

22 (f) A participant in an animal fight intentionally instigated by any person.

23 (g) A captive wild animal that has been mistreated in violation of this chapter,  
24 any rule promulgated under this chapter, or ch. 951.

25 (h) A captive wild animal delivered by a veterinarian under s. 173.13 (2).

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1 (i) A captive wild animal that is dead, dying, or sick and that has been exposed  
2 to, or is known to be infected with, a contagious or infectious disease as defined in  
3 the rules promulgated by the department of agriculture, trade and consumer  
4 protection under s. 95.001 (2), ~~with a reportable disease as designated by the~~  
5 ~~department of natural resources under s. 22.44 (2)~~, or with a disease or parasite that  
6 has pathological significance to humans or to any animals.

7 (j) A captive wild animal that has escaped and has not been returned to its  
8 owner or another person who is authorized to possess the animal.

9 (k) A wild animal that is being housed or held in violation of s. 22.39.

10 ~~(l) A wild animal that has entered the state in violation of s. 22.38.~~

11 **(2) TRANSFER OF WILD ANIMALS.** (a) A conservation warden shall accept into  
12 custody any wild animal that is delivered by a law enforcement officer or humane  
13 officer.

14 (b) A conservation warden and the department shall comply with the  
15 applicable procedures under ss. 29.931, 29.934, and 968.20 as they relate to seized  
16 and confiscated wild animals, carcasses, vehicles, boats, or other objects or property.

17 **22.43 Local ordinances.** A municipality or county may enact and enforce an  
18 ordinance that prohibits the possession or selling of live wild animals.

19 **22.44 Rules by the department.** **(1) DOMESTICATED ANIMALS.** The  
20 department shall promulgate rules specifying which animals are domesticated  
21 animals for purposes of s. 22.01 (7) (b). The rules shall specify that fur-bearing  
22 animals to which s. 29.873 applies are domesticated animals.

23 **(2) REPORTABLE DISEASES.** The department may promulgate rules listing  
24 reportable diseases for purposes of this chapter and the rules promulgated under this  
25 chapter.

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

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

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

7           (b) The requirements under par. (a) may include mandatory testing of the  
8 animals for disease. *as authorized under Chapter 95.*

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

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

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

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

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

23           (c) *Possession, sale, release, and descenting of live skunks.* For possessing,  
24 selling, purchasing, descenting, introducing, stocking, or releasing into the wild a  
25 live skunk in violation of this chapter, a person shall forfeit not less than \$100 nor

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1 more than \$1,000. This penalty shall apply in lieu of the penalties under pars. (a)  
2 and (b).

3 (d) *Taking of bear and deer.* For taking bear or deer from the wild in violation  
4 of s. 22.05, or a rule promulgated thereunder, a person shall be fined not less than  
5 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

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

10 (f) ~~*Selling or purchasing venison from white-tailed deer.*~~ For a violation of s.  
11 22.13 (1) or (2) or rules promulgated thereunder, a person shall be fined not less than  
12 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

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

17 (3) PENALTY; VIOLATION OF ORDER. Any person who fails to comply with an order  
18 issued under s. 22.39 (4) within 10 days after its issuance is subject to a forfeiture  
19 of not more than \$200.

20 (4) DIMINISHED PENALTIES. No penalty imposed under sub. (2) shall be held to  
21 be diminished because the violation for which it is imposed falls also within the scope  
22 of a more general prohibition.

23 (5) PENALTIES; REPEATERS. If a person is convicted of any violation of this chapter  
24 and it is alleged in the indictment, information, or complaint, and proved or admitted  
25 at trial or ascertained by the court after conviction that the person was previously

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1 convicted within a period of 5 years for a violation of this chapter, the person shall  
2 be subject to all of the following in addition to the penalty for the current violation:

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

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

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

12 (7) REVOCATIONS BY THE DEPARTMENT. In addition to revocations under subs. (5)  
13 (b) and (6), the department may revoke any license *or certificate* to which any of the following  
14 applies:

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

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

19 (8) PROHIBITIONS DURING PERIODS OF SUSPENSION OR REVOCATION. (a) Any person  
20 who has had a license or privilege under this chapter revoked or suspended and who  
21 engages in the activity authorized by the license or in the privilege during the period  
22 of revocation or suspension is subject to the following penalties, in addition to any  
23 other penalty imposed for failure to have a license:

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

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

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

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

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

12           1. Directly commits the violation of this chapter.

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

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

16           **22.46 Natural resources assessments and restitution payments. (1)**

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

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

23           (c) If any deposit is made for an offense to which this subsection applies, the  
24 person making the deposit shall also deposit a sufficient amount to include the  
25 natural resources assessment prescribed in this subsection. If the deposit is

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1 forfeited, the amount of the natural resources assessment shall be transmitted to the  
2 state treasurer under par. (d). If the deposit is returned, the natural resources  
3 assessment shall also be returned.

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

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

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

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

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

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

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

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

10 23.09 (2) (f) *Propagation, ~~game and of fish.~~* Subject to s. 95.60, capture,  
11 propagate, transport, sell or exchange any species of ~~game or fish~~ needed for stocking  
12 or restocking any ~~lands or~~ waters of the state.

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

14 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit  
15 court to recover forfeitures, penalty assessments, jail assessments, applicable  
16 weapons assessments, applicable environmental assessments, applicable wild  
17 animal protection assessments, applicable natural resources assessments,  
18 applicable fishing shelter removal assessments, applicable snowmobile registration  
19 restitution payments and applicable natural resources restitution payments for  
20 violations of ss. 77.09, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57  
21 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch.  
22 77, this chapter and chs. 22 and 26 to 31 and of ch. 350, and any administrative rules  
23 promulgated thereunder, violations specified under s. 285.86, violations of ch. 951  
24 if the animal involved is a captive wild animal, violations of rules of the Kickapoo

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1 reserve management board under s. 41.41 (7) (k) or violations of local ordinances  
2 enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

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

4 23.50 (3) All actions in municipal court to recover forfeitures, penalty  
5 assessments and jail assessments for violations of local ordinances enacted by any  
6 local authority in accordance with s. 23.33 (11) (am) or 30.77 shall utilize the  
7 procedure in ch. 800. The actions shall be brought before the municipal court having  
8 jurisdiction. Provisions relating to citations, arrests, questioning, releases,  
9 searches, deposits and stipulations of no contest in ss. 23.51 (4) (1m), (3) and (8),  
10 23.53, 23.54, 23.56 to 23.64, 23.66 and 23.67 shall apply to violations of such  
11 ordinances.

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

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

14 23.51 (1d) "Captive" has the meaning given in s. 22.01 (2).

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

16 23.51 (5) "Natural resources restitution payment" means the payment imposed  
17 under s. 22.46 (2) or 29.989.

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

19 23.51 (9m) "Wild animal" has the meaning given in s. 22.01 (37).

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

21 23.65 (1) When it appears to the district attorney that a violation of s. 134.60,  
22 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81  
23 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative  
24 rule promulgated pursuant thereto, or a violation specified under s. 285.86, or a

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1 violation of ch. 951, if the animal involved is a captive wild animal, has been  
2 committed the district attorney may proceed by complaint and summons.

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

4 23.795 (3) In lieu of an order of imprisonment under sub. (1) (a) for a violation  
5 of ch. 22, the court may revoke or suspend any privilege or license granted under ch.  
6 22 as provided in s. 22.45 (6).

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

8 25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing  
9 to the state for or in behalf of the department under chs. 22, 26, 27, 28, 29 and 350,  
10 subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50  
11 to 30.55, 70.58, 71.10 (5) and 71.30 (10), including grants received from the federal  
12 government or any of its agencies except as otherwise provided by law.

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

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

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

19 29.011 (3) This section does not apply to wild animals that are subject to  
20 regulation under ch. 22.

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

22 29.024 (1) APPROVALS REQUIRED. Except as specifically provided in ch. 22 or this  
23 chapter, no person may hunt or trap in this state, fish in the waters of this state or  
24 engage in any of the activities regulated under this chapter unless the appropriate  
25 approval is issued to the person. A person shall carry the required approval with him

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1 or her at all times while hunting, trapping or fishing or engaged in regulated  
2 activities unless otherwise required by this chapter or unless otherwise authorized  
3 or required by the department. A person shall exhibit the approval to the  
4 department or its wardens on demand.

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

6 29.024 (2g) (a) 2. Any permit issued under s. 29.537, 29.733, 29.735, or 29.736  
7 ~~or 29.871.~~

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

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

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

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

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

13 **SECTION 23.** 29.024 (2r) (am) of the statutes is amended to read:

14 29.024 (2r) (am) *Social security and identification numbers exceptions.* If an  
15 applicant who is an individual does not have a social security number, the applicant,  
16 as a condition of applying for, or applying to renew, any of the approvals specified in  
17 par. (a) 1. to ~~21.~~ 16., shall submit a statement made or subscribed under oath or  
18 affirmation to the department that the applicant does not have a social security  
19 number. The form of the statement shall be prescribed by the department of  
20 workforce development. An approval issued by the department of natural resources  
21 in reliance on a false statement submitted by an applicant under this paragraph is  
22 invalid.

23 **SECTION 24.** 29.038 (5) of the statutes is created to read:

24 29.038 (5) This section does not apply to wild animals that are subject to  
25 regulation under ch. 22.

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1           **SECTION 25.** 29.042 (1) of the statutes is amended to read:

2           29.042 (1) Beginning on January 1, 1998, the department may not enter into  
3 any agreement to make payments to persons holding approvals issued under s.  
4 29.501, 29.503, 29.506, 29.509, 29.512, 29.514, 29.519, 29.523, 29.526, 29.529,  
5 29.531, 29.533, 29.537, 29.607, 29.611, or 29.614, ~~29.865, 29.867, 29.869, 29.871 or~~  
6 ~~29.877~~ in exchange for the retirement of the approval or for the temporary or  
7 permanent cessation of any activity authorized under the approval.

8           **SECTION 26.** 29.047 (2) (b) of the statutes is amended to read:

9           29.047 (2) (b) The possession, transportation, delivery or receipt of farm-raised  
10 deer ~~or~~ farm-raised fish, or wild animals that are subject to regulation under ch. 22.

11           **SECTION 27.** 29.191 (2) (a) 3. of the statutes is amended to read:

12           29.191 (2) (a) 3. Any person hunting pheasant under s. 29.195 ~~or on premises~~  
13 ~~licensed under s. 29.865~~ is exempt from the requirements under subd. 1.

14           **SECTION 28.** 29.192 (6) of the statutes is created to read:

15           29.192 (6) The department of natural resources shall permit the hunting of  
16 farm-raised deer on the premises on which farm-raised deer are kept by persons  
17 registered under s. 95.55. The department of natural resources shall determine the  
18 requirements and conditions for hunting farm-raised deer under this subsection,  
19 and shall determine the provisions of this chapter that are applicable to hunting  
20 farm-raised deer under this subsection. The department of natural resources shall  
21 cooperate with the department of agriculture, trade and consumer protection with  
22 respect to the hunting of farm-raised deer.

23           **SECTION 29.** 29.314 (5) (b) 3. of the statutes is amended to read:

24           29.314 (5) (b) 3. To a person who possesses a flashlight or who uses a flashlight  
25 ~~while~~ if the person is on foot and training a dog to track or hunt raccoons, foxes, or

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1 other unprotected wild animals and if the raccoons, foxes, or other unprotected wild  
2 animals are not subject to regulation under ch. 22.

3 SECTION 30. 29.319 (1) (intro) of the statutes is amended to read:

4 29.319 (1) (intro.) ~~In regulating~~ The department may regulate falconry and the  
5 taking of raptors for use in falconry. In so doing, the department may do any of the  
6 following:

7 SECTION 31. 29.321 of the statutes is repealed.

8 SECTION 32. 29.334 of the statutes is renumbered 29.334 (1) and amended to  
9 read:

10 29.334 (1) A person who hunts or traps any game animal, game bird, or  
11 fur-bearing animal shall kill ~~the animal it~~ when it is taken and make it part of the  
12 daily bag or shall release ~~the animal it~~ unless authorized under ~~s. 29.857, 29.863,~~  
13 ~~29.867, 29.869, 29.871 or 29.877~~ the person has the authority to possess it under ch.  
14 22.

15 SECTION 33. 29.347 (2) of the statutes is amended to read:

16 29.347 (2) DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any  
17 person who kills a deer shall immediately attach to the ear or antler of the deer a  
18 current validated deer carcass tag which is authorized for use on the type of deer  
19 killed. Except as provided under sub. (2m) ~~or s. 29.871 (7), (8) or (14) or s. 29.89 (6),~~  
20 no person may possess, control, store or transport a deer carcass unless it is tagged  
21 as required under this subsection. The carcass tag may not be removed before  
22 registration. The removal of a carcass tag from a deer before registration renders the  
23 deer untagged.

24 SECTION 34. 29.347 (6) of the statutes is amended to read:

**BILL****SECTION 34**

1           29.347 (6) ~~FARM-RAISED-DEER DEER~~. This section does not apply to farm-raised  
2 deer ~~or deer that are subject to regulation under ch. 22.~~

3           **SECTION 35.** 29.351 of the statutes is renumbered 29.351 (1), and 29.351 (1) (c),  
4 as renumbered, is amended to read:

5           29.351 (1) (c) Possess the raw skin of any muskrat, mink, otter, fisher or pine  
6 marten at any time unless the person is the holder of a valid scientific collector  
7 permit, fur dealer license, trapping license or resident conservation patron license.  
8 No license is required for a person breeding, raising and producing domestic  
9 fur-bearing animals in captivity, as defined in s. ~~29.873~~ 29.627, or for a person  
10 authorized to take muskrats on a cranberry marsh under a permit issued to the  
11 person by the department.

12           **SECTION 36.** 29.351 (2) of the statutes is created to read:

13           29.351 (2) Subsection (1) does not apply to the skins of fur-bearing animals  
14 that are subject to regulation under ch. 22.

15           **SECTION 37.** 29.354 (1) of the statutes is amended to read:

16           29.354 (1) **APPROVAL NECESSARY.** No person, ~~except a person who has a valid~~  
17 ~~hunting license, sports license, conservation patron license, taxidermist permit or~~  
18 ~~scientific collector permit and who is carrying this approval on his or her person,~~ may  
19 possess or have under his or her control any game bird, or game animal or the carcass  
20 of any game bird or game animal unless the person is rehabilitating the game bird  
21 or game animal or unless the person has a valid hunting license, sports license,  
22 conservation patron license, taxidermist permit, or scientific collector permit.

23           **SECTION 38.** 29.354 (2) of the statutes is renumbered 29.354 (2) (a) and  
24 amended to read:

**BILL**

1           29.354 (2) (a) ~~No person, except a~~ Except as provided in par. (b), no person who  
2 ~~has a valid scientific collector permit,~~ may take, needlessly destroy or possess or have  
3 under his or her control the nest or eggs of any wild bird for which a closed season  
4 is prescribed under this chapter.

5           **SECTION 39.** 29.354 (2) (b) of the statutes is created to read:

6           29.354 (2) (b) A person who has a valid scientific collector permit may take or  
7 possess or have under his or her control the nest of a wild bird and may destroy the  
8 nest if necessary for a scientific purpose.

9           **SECTION 40.** 29.354 (5) of the statutes is created to read:

10          29.354 (5) CAPTIVE WILD ANIMALS. This section does not apply to wild animals  
11 that are subject to regulation under ch. 22.

12          **SECTION 41.** 29.357 (5) (b) of the statutes is amended to read:

13          29.357 (5) (b) Subsections (1) to (4) do not apply to the possession,  
14 transportation, delivery or receipt of farm-raised deer ~~or, farm-raised fish, or wild~~  
15 animals that are subject to regulation under ch. 22.

16          **SECTION 42.** 29.361 (6) of the statutes is amended to read:

17          29.361 (6) This section does not apply to the transportation of farm-raised deer  
18 ~~or deer that are subject to regulation under ch. 22.~~

19          **SECTION 43.** 29.364 (5) of the statutes is amended to read:

20          29.364 (5) EXEMPTION; TAXIDERMISTS. Subsections (1) to (3) do not apply to a  
21 person who has a valid taxidermist permit and who is transporting, in connection  
22 with his or her business, the carcass of a game bird ~~in connection with his or her~~  
23 business or the carcass of a wild bird that is subject to regulation under ch. 22.

24          **SECTION 44.** 29.501 (9m) of the statutes is created to read:

**BILL****SECTION 44**

1           29.501 (9m) This section applies to the raw furs and dressed furs of fur-bearing  
2 animals that are subject to regulation under ch. 22.

3           **SECTION 45.** 29.506 (4) of the statutes is amended to read:

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

11           **SECTION 46.** 29.539 (7) of the statutes is created to read:

12           29.539 (7) This section does not apply to the carcass of a wild animal that is  
13 subject to regulation under ch. 22.

14           **SECTION 47.** 29.541 (3) of the statutes is amended to read:

15           29.541 (3) EXEMPTION. This section does not apply to the meat from  
16 farm-raised deer or ~~from farm-raised fish or to meat that is subject to regulation~~  
17 under s. 22.13 or 22.14.

18           **SECTION 48.** 29.563 (9) (intro.) and (a) (title) of the statutes are repealed.

19           **SECTION 49.** 29.563 (9) (a) 1. of the statutes is renumbered 29.563 (7) (c) 5m.

20           **SECTION 50.** 29.563 (9) (a) 2. to 10. and (b) of the statutes are repealed.

21           **SECTION 51.** 29.563 (9) (c) of the statutes is repealed.

22           **SECTION 52.** 29.614 (3) of the statutes is amended to read:

23           29.614 (3) A scientific collector permit authorizes the permittee to collect or  
24 salvage, for scientific purposes only, ~~the eggs, nest and~~ live fish and the nests and  
25 carcasses of any wild animals specified in the permit subject to the conditions and

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

11 **SECTION 53.** 29.741 (title) of the statutes is repealed and recreated to read:

12 **29.741 (title) Food in the wild for game birds.**

13 **SECTION 54.** 29.741 (1) of the statutes is repealed.

14 **SECTION 55.** 29.741 (2) of the statutes is renumbered 29.741.

15 **SECTION 56.** 29.745 of the statutes is repealed.

16 **SECTION 57.** 29.853 (title) of the statutes is repealed.

17 **SECTION 58.** 29.853 (1) of the statutes is repealed.

18 **SECTION 59.** 29.853 (2) of the statutes is repealed.

19 **SECTION 60.** 29.853 (3) of the statutes is repealed.

20 **SECTION 61.** 29.853 (4m) of the statutes is repealed.

21 **SECTION 62.** 29.853 (5) (title) of the statutes is repealed.

22 **SECTION 63.** 29.853 (5) of the statutes is renumbered 29.334 (2) and amended

23 to read:

24 29.334 (2) A person who violates ~~this section~~ sub. (1) shall forfeit not less than  
25 \$100 nor more than \$1,000.

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

2           **SECTION 65.** 29.855 (1) of the statutes is repealed.

3           **SECTION 66.** 29.855 (2) of the statutes is repealed.

4           **SECTION 67.** 29.855 (3) of the statutes is repealed.

5           **SECTION 68.** 29.855 (4) (title) of the statutes is repealed.

6           **SECTION 69.** 29.855 (4) of the statutes is renumbered 22.04 (2) (e) and amended  
7 to read:

8           22.04 (2) (e) No person may operate on a live wild skunk to remove its scent  
9 glands unless the person ~~who possesses~~ holds a Class A or Class B captive wild  
10 animal farm license or unless the person is a veterinarian and the person bringing  
11 the skunk is authorized under s. 29.857 or 29.869 to the veterinarian holds such a  
12 license. A veterinarian to whom a person brings a live wild skunk for removal of its  
13 scent glands ~~or for other treatment~~ shall verify whether the person holds a Class A  
14 or Class B captive wild animal farm license. If the person does not hold such a license,  
15 the veterinarian shall notify that person that possession of a live skunk is illegal and  
16 shall notify the department.

17           **SECTION 70.** 29.855 (5) of the statutes is repealed.

18           **SECTION 71.** 29.855 (6) of the statutes is repealed.

19           **SECTION 72.** 29.855 (7) of the statutes is repealed.

20           **SECTION 73.** 29.857 of the statutes is repealed.

21           **SECTION 74.** 29.861 of the statutes is repealed.

22           **SECTION 75.** 29.863 of the statutes is repealed.

23           **SECTION 76.** 29.865 of the statutes is repealed.

24           **SECTION 77.** 29.867 of the statutes is repealed.

25           **SECTION 78.** 29.869 of the statutes is repealed.

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1           **SECTION 79.** 29.871 of the statutes is repealed.

2           **SECTION 80.** 29.873 of the statutes is renumbered 29.627.

3           **SECTION 81.** 29.875 (1) of the statutes is amended to read:

4           29.875 (1) The department may seize and dispose of or may authorize the  
5 disposal of any deer that has escaped from land ~~licensed under s. 29.867 or 29.871~~  
6 ~~22.15 or 22.16~~ or owned by a person registered under s. 95.55 if the escaped deer has  
7 traveled more than 3 miles from the land or if the licensee or person has not had the  
8 deer returned to the land within 72 hours of the discovery of the escape.

9           **SECTION 82.** 29.877 of the statutes is repealed.

10          **SECTION 83.** 29.879 of the statutes is repealed.

11          **SECTION 84.** 29.881 of the statutes is repealed.

12          **SECTION 85.** 29.885 (1) (f) of the statutes is amended to read:

13          29.885 (1) (f) Notwithstanding s. 29.001 (90), “wild animal” means any  
14 undomesticated mammal or bird, but does not include farm-raised deer ~~or~~  
15 farm-raised fish, or wild animals that are subject to regulation under ch. 22.

16          **SECTION 86.** 29.889 (1) (intro.) of the statutes is amended to read:

17          29.889 (1) DEFINITION. (intro.) In this section, “wildlife damage” means damage  
18 caused by any of the following ~~noncaptive~~ wild animals that are not subject to  
19 regulation under ch. 22:

20          **SECTION 87.** 29.921 (7) of the statutes is amended to read:

21          29.921 (7) DOGS INJURING WILDLIFE. A warden may kill a dog found running,  
22 injuring, causing injury to, or killing, any deer, other than farm-raised deer ~~or deer~~  
23 ~~subject to regulation under ch. 22,~~ or destroying game birds, their eggs or nests, if  
24 immediate action is necessary to protect the deer or game birds, their nests or eggs,  
25 from injury or death.

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1           **SECTION 88.** 29.927 (8) of the statutes is amended to read:

2           29.927 (8) Any dog found running deer, except farm-raised deer ~~or deer subject~~  
3 ~~to regulation under ch. 22,~~ at any time, or used in violation of this chapter.

4           **SECTION 89.** 29.931 (1) of the statutes is amended to read:

5           29.931 (1) SEIZURE AND CONFISCATION OF WILD ANIMALS OR PLANTS. The  
6 department and its wardens shall seize and confiscate any wild animal, carcass or  
7 plant caught, killed, taken, had in possession or under control, sold or transported  
8 in violation of ch. 22 or this chapter ~~and the~~. The officer may, with or without  
9 warrant, open, enter and examine all buildings, camps, boats on inland or outlying  
10 waters, vehicles, valises, packages and other places where the officer has probable  
11 cause to believe that wild animals, carcasses or plants, taken or held in violation of  
12 this chapter, are to be found.

13           **SECTION 90.** 29.931 (2) (a) of the statutes is amended to read:

14           29.931 (2) (a) The department and its wardens shall seize and hold, subject to  
15 the order of the court for the county in which the alleged offense was committed, any  
16 vehicle, boat or object declared by this chapter to be a public nuisance, or which they  
17 have probable cause to believe is being used in violation of ch. 22 or this chapter or  
18 s. 167.31, 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, is being used in the  
19 commission of a crime involving an animal normally found in the wild in violation  
20 of s. 951.09, or is being used in the commission of a crime relating to a submerged  
21 cultural resource in violation of s. 44.47. If it is proven that the vehicle, boat or object  
22 is a public nuisance or that within 6 months previous to the seizure the vehicle, boat  
23 or object was used in violation of ch. 22 or this chapter or s. 167.31, 287.81, 940.24,  
24 941.20, 948.60, 948.605 or 948.61, was used in the commission of a crime involving  
25 an animal normally found in the wild in violation of s. 951.09, or was used in the

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1 commission of a crime relating to a submerged cultural resource in violation of s.  
2 44.47, it shall be confiscated if the court directs in its order for judgment.

3 **SECTION 91.** 29.931 (4) of the statutes is created to read:

4 29.931 (4) ORDINANCE VIOLATIONS. For purposes of this section a violation of ch.  
5 22 includes a violation of an ordinance enacted under s. 22.43.

6 **SECTION 92.** 29.934 (2) of the statutes is amended to read:

7 29.934 (2) On any sales under this section of wild animals or carcasses, the  
8 department or the agent selling them shall issue to each purchaser a certificate, on  
9 forms prepared and furnished by the department, covering the sales. The wild  
10 animals or carcasses subject to regulation under this chapter that are so purchased  
11 shall be consumed or otherwise disposed of by the purchaser within a period to be set  
12 by the department, but may not be resold or exchanged, in whole or in part, to any  
13 other person, except as provided in sub. (3).

14 **SECTION 93.** 29.969 of the statutes is amended to read:

15 **29.969 Larceny of game.** A person who, without permission of the owner,  
16 disturbs or appropriates any wild animal or its carcass that has been lawfully  
17 reduced to possession by another shall forfeit not less than \$1,000 nor more than  
18 \$2,000. This section does not apply to farm-raised deer ~~or~~, farm-raised fish, or wild  
19 animals that are subject to regulation under ch. 22.

20 **SECTION 94.** 49.857 (1) (d) 2. of the statutes is amended to read:

21 49.857 (1) (d) 2. An approval specified in s.29.024 (2g) or a license issued under  
22 ch. 22.

23 **SECTION 95.** 59.25 (3) (f) 2. of the statutes is amended to read:

24 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be  
25 deposited in the state treasury, the amounts required by s. 757.05 for the penalty

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1 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories  
2 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the  
3 weapons assessment, the amounts required by s. 973.045 for the crime victim and  
4 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the  
5 delinquency victim and witness assistance surcharge, the amounts required by s.  
6 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by  
7 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts  
8 required by s. 100.261 for the consumer information assessment, the amounts  
9 authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse  
10 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment  
11 under the supplemental food program for women, infants and children, the amounts  
12 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing  
13 improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the  
14 driver improvement surcharge, the amounts required by s. 102.85 (4) for the  
15 uninsured employer assessment, the amounts required by s. 299.93 for the  
16 environmental assessment, the amounts required by s. 29.983 for the wild animal  
17 protection assessment, the amounts required by ~~s.~~ ss. 22.46 (1) and 29.987 for the  
18 natural resources assessment surcharge, the amounts required by s. 29.985 for the  
19 fishing shelter removal assessment, the amounts required by s. 350.115 for the  
20 snowmobile registration restitution payment and the amounts required by ~~s.~~ ss.  
21 22.46 (2) and 29.989 for natural resources restitution payments, transmit to the state  
22 treasurer a statement of all moneys required by law to be paid on the actions entered  
23 during the preceding month on or before the first day of the next succeeding month,  
24 certified by the county treasurer's personal signature affixed or attached thereto,  
25 and at the same time pay to the state treasurer the amount thereof.

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1           **SECTION 96.** 59.40 (2) (m) of the statutes is amended to read:

2           59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's  
3 percentage of the fees required to be paid on each civil action, criminal action and  
4 special proceeding filed during the preceding month and pay monthly to the  
5 treasurer for the use of the state the percentage of court imposed fines and forfeitures  
6 required by law to be deposited in the state treasury, the amounts required by s.  
7 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for  
8 the crime laboratories and drug law enforcement assessment, the amounts required  
9 by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for  
10 the crime victim and witness assistance surcharge, the amounts required by s.  
11 938.34 (8d) for the delinquency victim and witness assistance surcharge, the  
12 amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the  
13 amounts required by s. 961.41 (5) for the drug abuse program improvement  
14 surcharge, the amounts required by s. 100.261 for the consumer information  
15 assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055  
16 for the domestic abuse assessment surcharge, the amounts required by s. 253.06 (4)  
17 (c) for the enforcement assessment under the supplemental food program for women,  
18 infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r)  
19 for the railroad crossing improvement assessment, the amounts required by s.  
20 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4)  
21 for the uninsured employer assessment, the amounts required by s. 299.93 for the  
22 environmental assessment, the amounts required under s. 29.983 for the wild  
23 animal protection assessment, the amounts required under s. ss. 22.46 (1) (d) and  
24 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required  
25 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.

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1 350.115 for the snowmobile registration restitution payment and the amounts  
2 required under ~~s.~~ ss. 22.46 (2) (d) and 29.989 (1) (d) for the natural resources  
3 restitution payments. The payments shall be made by the 15th day of the month  
4 following receipt thereof.

5 **SECTION 97.** 73.0301 (1) (d) 1. of the statutes is amended to read:

6 73.0301 (1) (d) 1. An approval specified in s. 29.024 (2r) or a license specified  
7 in s. 22.35.

8 **SECTION 98.** 93.07 (10) (b) of the statutes is amended to read:

9 93.07 (10) (b) To protect the health of domestic animals <sup>farm raised deer</sup> ~~of~~ and wild animals  
10 subject to regulation under ch. 22 that are located in the state; to determine and  
11 employ the most efficient and practical means for the prevention, suppression,  
12 control and eradication of communicable diseases among domestic animals <sup>farm raised deer</sup> ~~and~~ wild  
13 animals subject to regulation under ch. 22, and for these purposes it may establish,  
14 maintain, enforce and regulate such quarantine and such other measures relating  
15 to the importation, movement and care of animals and their products, the  
16 disinfection of suspected localities and articles, and the disposition of animals, as the  
17 department may deem necessary. The definition of "communicable disease" in s.  
18 990.01 (5g) does not apply to this paragraph.

19 **SECTION 99.** 95.23 (5) of the statutes is created to read:

20 95.23 (5) This section applies to wild animals that are subject to regulation  
21 under ch. 22.

22 **SECTION 100.** 167.31 (4) (b) of the statutes is amended to read:

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

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1 under s. 29.614 who is using a net gun or tranquilizer gun in an activity related to  
2 the purpose for which the license or permit was issued.

3 **SECTION 101.** 814.60 (2) (e) of the statutes is amended to read:

4 814.60 (2) (e) Natural resources restitution payment imposed by s. 22.46 (2) or  
5 29.989.

6 **SECTION 102.** 895.57 (3) of the statutes is amended to read:

7 895.57 (3) Subsection (2) does not apply to any humane officer, local health  
8 officer, peace officer, employee of the department of natural resources while on any  
9 land licensed under s. ~~29.865, 29.867, 29.869 or 29.871~~ 22.15, ~~22.16, 22.17,~~ 22.18 or  
10 22.19 <sup>registered under 95.55</sup> or designated as a wildlife refuge under s. 29.621 (1) or employee of the  
11 department of agriculture, trade and consumer protection if the officer's or  
12 employee's acts are in good faith and in an apparently authorized and reasonable  
13 fulfillment of his or her duties.

14 **SECTION 103.** 943.75 (3) of the statutes is amended to read:

15 943.75 (3) Subsections (2) and (2m) do not apply to any humane officer, local  
16 health officer, peace officer, employee of the department of natural resources while  
17 on any land licensed under s. ~~29.865, 29.867, 29.869 or 29.871~~ 22.15, ~~22.16, 22.17,~~  
18 22.18 or 22.19 <sup>registered under 95.55</sup> or designated as a wildlife refuge under s. 29.621 (1) or employee of  
19 the department of agriculture, trade and consumer protection if the officer's or  
20 employee's acts are in good faith and in an apparently authorized and reasonable  
21 fulfillment of his or her duties. This subsection does not limit any other person from  
22 claiming the defense of privilege under s. 939.45 (3).

23 **SECTION 104.** 951.01 (1m) of the statutes is created to read:

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

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1           **SECTION 105.** 951.015 of the statutes is renumbered 951.015 (1) and amended  
2 to read:

3           951.015 (1) This chapter may not be interpreted as controverting any law  
4 regulating wild animals that are subject to regulation under ch. 22, the taking of a  
5 ~~wild animal~~ wild animals, as defined in s. 29.001 (90), ~~the trapping of animals, the~~  
6 ~~use of live animals in dog trials or in the training of hunting dogs~~ or the slaughter  
7 of animals by persons acting under state or federal law.

8           **SECTION 106.** 951.015 (2) of the statutes is created to read:

9           951.015 (2) For purposes of enforcing this chapter as to wild animals subject  
10 to regulation under ch. 22, a conservation warden has the same powers and duties  
11 that a law enforcement officer has under this chapter.

12           **SECTION 107.** 951.09 of the statutes is renumbered 951.09 (1) and amended to  
13 read:

14           951.09 (1) No person may ~~instigate, promote, aid or abet as a principal, agent,~~  
15 ~~employee, participant or spectator, or participate in the earnings from, or~~  
16 ~~intentionally maintain or allow any place to be used for the shooting, killing or~~  
17 ~~wounding~~ shoot, kill, or wound with a firearm, or with any deadly weapon, any  
18 animal that is tied, staked out, caged or otherwise intentionally confined in a  
19 ~~man-made~~ an artificial enclosure, regardless of size. ~~Nothing in this section~~  
20 ~~prohibits the shooting of any wild game in its wild state or the shooting of game birds~~  
21 ~~and waterfowl at licensed game farms or licensed shooting preserves.~~

22           **SECTION 108.** 951.09 (2) of the statutes is created to read:

23           951.09 (2) (a) Whoever is concerned in the commission of a violation of this  
24 section is a principal and may be charged with and convicted of the violation although

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1 he or she did not directly commit it and although the person who directly committed  
2 it has not been convicted of the violation.

3 (b) A person is concerned in the commission of a violation of this section under  
4 par. (a) if the person does any of the following:

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

7 2. Participates in any earnings from the commission of the violation.

8 3. Intentionally maintains or allows any place to be used for the commission  
9 of the violation.

10 **SECTION 109.** 951.09 (3) of the statutes is created to read:

11 951.09 (3) This section does not apply to any of the following animals:

12 ~~(a) A white-tailed deer that is shot, killed, or wounded on a deer farm licensed~~  
13 ~~under s. 22.16.~~

14 (b) A captive wild bird that is shot, killed, or wounded on a bird hunting  
15 preserve licensed under s. 22.19.

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

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

19 **SECTION 110.** 951.18 (4) (a) 2. of the statutes 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 or conservation warden, for any  
23 pecuniary loss suffered by the person as a result of the crime, including expenses in  
24 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.

**BILL**

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 111.** 951.18 (4) (b) 1. of the statutes is amended to read:

7 951.18 (4) (b) 1. A sentencing court may order that an animal be delivered to  
8 the local humane officer or society or the county or municipal pound or to a law  
9 enforcement officer if a person commits a crime under this chapter, the person is the  
10 owner of the animal that is involved in the crime and the court considers the order  
11 to be reasonable and appropriate. A sentencing court may order that an animal be  
12 delivered to the department of natural resources, if the animal is a wild animal that  
13 is subject to regulation under ch. 22 and the court considers the order to be  
14 reasonable and appropriate. The society, pound or officer or department of natural  
15 resources shall release the animal to a person other than the owner or dispose of the  
16 animal in a proper and humane manner. If the animal is a dog, the release or disposal  
17 shall be in accordance with s. 173.23 (1m), except that the fees under s. 173.23 (1m)  
18 (a) 4. do not apply if the expenses are covered under s. 173.24. If the animal is not  
19 a dog, the society, pound or officer may charge a fee for the release of the animal.

20 **SECTION 112.** 973.05 (1) of the statutes is amended to read:

21 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant  
22 permission for the payment of the fine, of the penalty assessment imposed by s.  
23 757.07, the jail assessment imposed by s. 302.46 (1), the crime victim and witness  
24 assistance surcharge under s. 973.045, the crime laboratories and drug law  
25 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid

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1 analysis surcharge under s. 973.046, any applicable drug abuse program  
2 improvement surcharge imposed by s. 961.41 (5), any applicable consumer  
3 information assessment imposed by s. 100.261, any applicable domestic abuse  
4 assessment imposed by s. 971.37 (1m) (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 consumer information assessment,  
17 any applicable domestic abuse assessment, any applicable driver improvement  
18 surcharge, any applicable enforcement assessment, any applicable weapons  
19 assessment, any applicable uninsured employer assessment, any applicable  
20 environmental assessment, any applicable wild animal protection assessment, any  
21 applicable natural resources assessment and any applicable natural resources  
22 restitution payment shall be payable immediately.

23 **SECTION 113. Effective dates.** This act takes effect on January 1, 2003, except  
24 as follows:

