

D-N

Week
March 7

2001 BILL

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Refer

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), 29.563 (9) (c), 29.741 (1), 29.745, 29.853 (title), 29.853
4 (1), 29.853 (2), 29.853 (3), 29.853 (4m), 29.853 (5) (title), 29.855 (title), 29.855
5 (1), 29.855 (2), 29.855 (3), 29.855 (4) (title), 29.855 (5), 29.855 (6), 29.855 (7),
6 29.857, 29.861, 29.863, 29.865, 29.867, 29.869, 29.871, 29.877, 29.879 and
7 29.881; to renumber 23.51 (1), 29.563 (9) (a) 1., 29.741 (2) and 29.873; to
8 renumber and amend 29.334, 29.351, 29.354 (2), 29.853 (5), 29.855 (4),
9 951.015 and 951.09; to amend 20.370 (1) (mu), 20.370 (3) (mu), 23.09 (2) (f),
10 23.50 (1), 23.50 (3), 23.51 (5), 23.65 (1), 25.29 (1) (a), 25.29 (4m), 29.024 (1),
11 29.024 (2g) (a) 2., 29.024 (2r) (am), 29.042 (1), 29.047 (2) (b), 29.191 (2) (a) 3.,
12 29.314 (5) (b) 3., 29.319 (1) (intro.), 29.347 (2), 29.347 (6), 29.354 (1), 29.357 (5)
13 (b), 29.361 (6), 29.364 (5), 29.506 (4), 29.541 (3), 29.614 (3), 29.875 (1), 29.885
14 (1) (f), 29.889 (1) (intro.), 29.921 (7), 29.927 (8), 29.931 (1), 29.931 (2) (a), 29.934

BILL*animal health, animal markets,*

1 (2), 29.969, 49.857 (1) (d) 2., 59.25 (3) (f) 2., 59.40 (2) (m), 73.0301 (1) (d) 1., 93.07
 2 (10) (b), 167.31 (4) (b), 814.60 (2) (e), 895.57 (3), 943.75 (3), 951.18 (4) (a) 2.,
 3 951.18 (4) (b) 1. and 973.05 (1); **to repeal and recreate** 29.741 (title); and **to**
 4 **create** chapter 22, 23.51 (1d), 23.51 (9m), 23.795 (3), 29.011 (3), 29.038 (5),
 5 29.192 (6), 29.351 (2), 29.354 (2) (b), 29.354 (5), 29.501 (9m), 29.539 (7), 29.931
 6 (4), 95.23 (5), 951.01 (1m), 951.015 (2), 951.09 (2) and 951.09 (3) of the statutes;
 7 **relating to:** the possession of wild animals, ~~enforcement of certain laws~~
 8 ~~relating to mistreatment of wild animals, hunting of farm-raised deer, granting~~
 9 rule-making authority, making appropriations, and providing penalties.

Analysis by the Legislative Reference Bureau~~LICENSING~~

This bill creates a new regulatory structure under the department of natural resources (DNR) for captive wildlife. Current law authorizes DNR to issue licenses to persons possessing captive wildlife. These licenses include deer farm licenses for white-tailed deer and certain types of nonnative deer, game bird, and animal farm licenses, pheasant and quail farm licenses, and fur animal farm licenses (game farm licenses). Under current law, wild animals that are not game animals or birds or wild fur-bearing animals are exempt from any licensing requirements for simple possession. Current law requires a license issued by DNR for exhibiting any wild animal unless the wild animal is being exhibited by a zoo, a circus, the state, or an educational institution. Current law requires a game farm license or other permit issued by DNR to propagate wild animals. Finally, current law requires a game farm license to sell wild animals.

This bill eliminates all of the current licenses and creates numerous types of licenses which include the following:

1. Class A and Class B captive wild animal farm licenses which authorize the possessing, propagating, killing, exhibiting, purchasing, and selling of live captive wild animals, including nonnative deer other than deer of the genus *dama*, *rangifer*, or *cervus* (farm-raised deer), which are regulated by the department of agriculture, trade and consumer protection (DATCP).

2. A deer farm license which authorizes the possession, propagation, purchase, sale, and exhibition of live white-tailed deer and the selling of the opportunity to hunt these deer.

3. A wild fur farm license which authorizes the possession, propagation, trapping, and sale of certain fur-bearing animals, including beaver, coyote, mink, otter, muskrat, and raccoon.

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4. Class A and Class B bird hunting preserve licenses which authorize the possessing, stocking, propagating, releasing, selling, purchasing, capturing, and hunting of live pheasants, quail, partridge, mallard ducks, and wild turkeys.

5. Dog training licenses which authorize the purchase, possession, release, and hunting of captive wild animals for training hunting dogs.

6. Dog trial licenses which authorize the purchase, possession, release, and hunting use of captive wild animals for competitive field events.

7. A rehabilitation license which authorizes the possession and rehabilitation of live wild animals.

8. A scientific research license which authorizes the taking from the wild, possessing, killing, and propagating of wild animals for research purposes.

9. An exhibiting license which authorizes nonresidents and certain nonprofit organizations to possess and exhibit live wild animals.

10. A captive wild animal auction and market license which authorizes the possessing, exhibiting, and conducting of auctions and markets to sell live wild animals.

11. An initial validation license for which a person is eligible if the person holds a wildlife exhibit or game farm license at the time that this bill becomes law. This validation license authorizes the person to continue an activity that was authorized under the original wildlife exhibit or game farm license but that is no longer allowed under the provisions created in this bill.

12. A subsequent validation license for which a person is eligible if the person held a wildlife exhibit or game farm license at the time that this bill became law and if the person holds any necessary license under the provisions created in this bill. This validation license authorizes the person to continue an activity that was authorized under the original wildlife exhibit or game farm license and under the license needed under this bill's provisions but that is subsequently no longer allowed due to the promulgation of rules by DNR under DNR's authority to impose additional requirements on holders of these licenses.

Public zoos and aquariums and circuses are exempt from most of these licensing requirements.

TYPES OF WILD ANIMALS SUBJECT TO LICENSING REQUIREMENTS

Under current law, all wild animals, including fish and insects, are subject to regulation as wildlife. This bill excludes fish entirely from the regulatory structure created in this bill, and the importing of fish for stocking and the stocking of fish are not affected by this bill. The bill also excludes domesticated animals. The bill defines "domesticated animals" to include certain types of pet birds, farm-raised deer, animals that are members of a species of wild animal but that are distinguishable from the wild members of the species due to long association with humans. The bill also requires DNR to promulgate a list of all other domesticated wild animals. DNR must include fur-bearing animals bred and raised in captivity on this list.

Under this bill, most native wild animals are subject to licensing requirements except for common species such as ground squirrels, mice, opossum, porcupines, pigeons, and sparrows. Most types of wild animals that are not native to this state are exempt from the licensing requirements except for the following: certain

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nonnative deer, certain nonnative wild birds, endangered or threatened species that are native to other parts of the United States, or Canada, nonnative inherently dangerous wild animals such as nonnative bear, and nonnative wild animals that pose a threat to the environment (environmentally injurious wild animals). Endangered or threatened species that are native to this state, the rest of the United States, or Canada are subject to regulation both under this bill and under the other state laws covering endangered or threatened species.

The bill imposes specific regulatory schemes on native reptiles and amphibians and white-tailed deer raised for venison. The bill also imposes some tagging, record-keeping, and labeling requirements for the sale and purchase of venison from white-tailed deer and of other wild animal parts except for dressed and raw furs.

The bill authorizes DNR to promulgate rules to designate species of wild animals as environmentally injurious or inherently dangerous wild animals and imposes additional restrictions on the possession of these animals. DNR must designate cougars and all species of bear as inherently dangerous under these rules.

HUNTING AND KILLING CAPTIVE WILD ANIMALS

Current law prohibits any person from killing or wounding with a deadly weapon any animal, wild or domesticated, that is intentionally confined. Confinement under current law includes being tied, staked out, or held captive in an enclosure, regardless of size. Current law provides an exception to this prohibition for game farms licensed by DNR. The bill provides an additional exception for deer farms and bird hunting preserves licensed under provisions created in this bill. The bill also specifically exempts animals that are killed or wounded in accordance with normally accepted animal husbandry practices.

Under current law, a conservation warden may not enforce the prohibition forbidding the killing or wounding of a confined animal with a deadly weapon and other provisions dealing with the treatment of captive animals. This bill specifically authorizes conservation wardens to enforce these provisions.

This bill also specifically prohibits hunting captive wild animals except under the authority of a deer farm license, a bird hunting preserve license or a dog training or trial license. The bill prohibits selling or purchasing the opportunity to hunt any captive wild animal except as authorized under a deer farm or a bird hunting preserve license.

The bill also requires DNR to allow hunting of farm-raised deer on farms that are registered with DNR. DNR may impose conditions on the hunting, and must determine which hunting laws apply to the hunting, of farm-raised deer on these farms.

INTRODUCTION AND STOCKING OF WILD ANIMALS

Under current law, no person may import into this state a wild animal for stocking or releasing into the wild, or stock or release a wild animal, unless the person has a permit issued by DNR. Under the bill, a person may import and stock or release a wild animal if the person has a stocking permit issued by DNR or another type of license which authorizes the stocking or release. These licenses include bird hunting preserve licenses and dog training and trial licenses. In addition, DNR must determine that the wild animal is not environmentally injurious and is not

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detrimental to the state's natural resources. There are also special requirements if the wild animal has been exposed to, or infected with, any contagious disease. At the request of any city, village, or town (municipality) in an area in which wild animals are stocked or released, the person stocking or releasing the animals must report to the municipality the type, number, and location of the wild animals involved.

**LICENSE FEES AND REQUIREMENTS, EFFECTIVE PERIODS,
AND RECORD-KEEPING REQUIREMENTS**

The bill sets specific fees for the licenses created under the bill except that there is no fee for a rehabilitation license or either type of validation license.

Under the bill, periods of validity for the different types of licenses range from 30 days to five years, with the most common period of validity being from the date of issuance until the following December 31. Under current law, the most common period of validity for game farm licenses is from the date of issuance until the following December 31.

The bill requires DNR to provide any necessary tags for free or at cost.

Under current law, DNR must require a person who is applying for any type of fish or game approval to provide DNR with his or her social security number. These approvals include recreational hunting and fishing licenses as well as all other fish and game licenses such as game farm licenses and fish dealer and taxidermist permits. DNR must deny the application if the person refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) and to the department of revenue (DOR) so that DWD and DOR may determine whether the person is delinquent in child support or in payment of certain state taxes. These provisions apply to the licenses created in this bill.

Under current law, there are various record-keeping requirements for operators of game farms and wildlife exhibits. This bill authorizes DNR to establish record-keeping requirements by rule. This bill also imposes specific record-keeping requirements for most types of licenses. These specific provisions generally require such information as the date of the acquisition or transfer of a captive wild animal, the name and address of the person from whom or to whom the animal was transferred and information concerning the death or escape of captive wild animals. The bill requires that the records for inherently dangerous wild animals, environmentally injurious wild animals, and certain families of wild animals, such as deer, bear, and wild cats, be provided to DNR within seven days after the transaction. The bill also requires license holders to file annual reports with DNR summarizing the number of wild animals acquired, the number transferred or released, the number currently kept, and the number that died, were killed, or escaped.

ANIMAL HEALTH AND TREATMENT

The bill imposes requirements on transporting wild animals into this state. With limited exceptions, a person bringing a wild animal into this state must have documentation to show that he or she is in legal possession of the wild animal and must have a valid interstate health certificate or a valid certificate of veterinary inspection for the wild animal. A person is exempt from these requirements if the

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wild animal is being brought directly into this state for rehabilitation or for slaughter at an establishment licensed by DATCP.

The bill requires DNR to promulgate rules to ensure that wild animals receive humane treatment and adequate housing, care, and food and that the wild animals are held under sanitary conditions. No person may receive a license unless DNR determines that the person will comply with all of these rules.

The bill gives DNR specific authority to issue quarantine orders. The bill establishes a procedure for issuing these orders.

The bill gives DATCP general authority to protect the health of captive wild animals.

TAKING WILD ANIMALS INTO CUSTODY

This bill authorizes a conservation warden to take custody of a captive wild animal, on behalf of DNR, for various reasons. These reasons include the following:

1. The wild animal is a stray or is abandoned or unwanted.
2. The wild animal is possessed, stocked, exhibited, propagated, rehabilitated, hunted, sold, or purchased in violation of state laws or local ordinances regulating captive wildlife.
3. The wild animal is not confined as required by quarantine order or has been exposed to certain diseases.
4. The wild animal has caused damage to persons or property.
5. The wild animal is being housed or held in an inhumane manner.

The procedures under current fish and game law for the seizure and disposal of wild animals found in the wild apply to the taking into custody of captive wild animals.

LOCAL REGULATION

Under the bill, a municipality or county may enact and enforce ordinances prohibiting the possession or sale of live wild animals.

ENFORCEMENT AND PENALTIES

The bill gives DNR the specific authority to enter and inspect land, vehicles, and buildings for the purpose of enforcement, to inspect wild animals that are to be stocked or released into the wild, and to have access to the records that must be kept by license holders. The bill limits this authority to normal business hours and other hours when the license holder is conducting business, unless the inspection is necessary for public health, safety, or welfare. Current law authorizes DNR inspections of the area subject to the license at any time. The bill also gives DATCP general authority to conduct inspections to enforce laws related to the health of captive wild animals. No limit is imposed on the hours when DATCP may conduct these inspections.

The bill imposes a general forfeiture for unlawfully possessing a wild animal and imposes increased penalties for specific activities such as illegally selling or purchasing wild animals, illegally taking live bear or deer from the wild, and violating the provisions relating to diseased or environmentally injurious wild animals. The bill imposes increased penalties for repeat violations and contains provisions for the revocation of licenses by DNR and by the courts.

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The bill also requires DNR to cooperate with DATCP with respect to the laws governing captive wild animals and other animals regulated by DATCP.

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

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

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

2 20.370 (1) (mu) *General program operations — state funds.* The amounts in
3 the schedule for general program operations that do not relate to the management
4 and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203
5 and 30.277, subch. VI of ch. 77 and chs. 22, 26, 28 and 29 and for transfers to the
6 appropriation account under s. 20.285 (1) (kf).

Plain

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

8 20.370 (3) (mu) *General program operations — state funds.* The amounts in
9 the schedule for law enforcement operations under ss. 23.09 to 23.11 and 166.04 and
10 chs. 22, 29 and 30 and for review of environmental impact requirements under ss.
11 1.11 and 23.40.

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

CHAPTER 22

CAPTIVE WILDLIFE

Handwritten notes and signatures in the right margin.

15 **22.01 Definitions.** In this chapter:

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

19 (2) "Captive" means any of the following:

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

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1 list of endangered and threatened species or on the Wisconsin list of endangered and
2 threatened species.

3 (10) "Environmentally injurious wild animal" means a species of wild animal
4 that is not a native wild animal and that is capable of inflicting harm to the
5 environment.

6 (11) "Exhibit" means to display for the purpose of public viewing, regardless
7 of whether a fee is charged.

8 (12) "Farm-raised deer" has the meaning given in 95.001 (1) ^(ag) ~~(a)~~.

9 (13) "Free-roaming" means not captive.

10 (14) "Fur-bearing wild animal" includes badger, beaver, bobcat, coyote, fisher,
11 red fox, gray fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, skunk,
12 weasel, and wolf.

13 (15) "Harm to the environment" includes adversely affecting the natural
14 population dynamics of wild animals or wild plants, adversely affecting the habitat
15 of wild animals or wild plants, or displacing wild animals or wild plants from any part
16 of their habitat.

17 (16) "Humane officer" means an officer appointed under s. 173.03.

18 (17) "Inherently dangerous wild animal" means a species of wild animal that
19 is capable of inflicting severe ^{physical} ~~bodily~~ harm to a human ^{or to a domestic animal}.

20 (18) "Introduce" means to release for the purpose of allowing the animal to
21 establish a population in an area in the wild where that type of animal is not
22 naturally present at the time the wild animal is released.

23 (19) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c) and
24 does not include a conservation warden.

25 (20) "License year" means the year during which a license is valid.

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1 (21) “Municipality” means a city, village, or town.

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

4 (23) “Nonnative wild animal” means a wild animal that is not native.

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

6 (25) “Person” means any individual, partnership, firm, joint stock company,
7 corporation, association, trust, estate, or other legal entity.

8 (26) “Possess” means to own, control, restrain, transport, or keep.

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

11 (28) “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 (29) “Purchase” means to acquire through a sale or through an exchange for
15 consideration.

16 (30) “Raw fur” has the meaning given in s. 29.501 (1) (e).

17 (30m) “Rehabilitate” means to provide care or treatment to an orphaned, sick,
18 or injured wild animal for the purpose of releasing it back into the wild.

19 (31) “Sell” means to transfer or exchange for consideration.

20 (32) “State resident” has the meaning given “resident” in s. 27.01 (10) (a).

21 (33) “Stock” means to release for the purpose of increasing or maintaining a
22 population of the animal.

23 (34) “Take” means to capture, but does not include killing.

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

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

2 (37) "Wild animal" means any animal of a wild nature that is normally found
3 in the wild and that is not a ^{domestic} domesticated animal.

4 (38) "Wild bird" means a wild animal that is a bird.

5 (39) "Wild reptile" means a wild animal that is a reptile.

*Material from
p. 62, lines 19-22*

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

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

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

24 **22.03 Interagency cooperation.** The department of natural resources shall
25 cooperate *with each other* with the department of agriculture, trade and consumer ~~protection~~ *protection*

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1 respect to any wild animal that is subject to regulation under this chapter and ch.
2 93, 94, or 95.

3 **22.04 Possession of live wild animals. (1) RESTRICTIONS ON POSSESSION. (a)**

4 No person may possess any live wild animal unless the wild animal is legally
5 obtained.

6 (b) No person may possess any live wild animal unless the person holds a
7 license or other approval to possess the wild animal as required under this chapter
8 or under s. 29.319 and the person is otherwise in compliance with this chapter and
9 the rules promulgated under this chapter.

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

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

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

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

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

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

(d) If a live wild animal has been exposed to or infected with any contagious or infectious disease, as defined under rules promulgated by the department of agriculture, trade and consumer protection under s. 95.001 (2) ^{ST&T} for a reportable disease, as designated by the department of natural resources under s. 22.44 (2),

during the time the wild animal is being temporarily possessed, the person possessing the wild animal shall ^{files with the department of agriculture,} have a valid interstate health certificate or a valid ^{made} certificate of veterinary inspection issued by a veterinarian ^{that certifies} certifying that the wild ^{and} animal is free of any such diseases before releasing it into the wild. ^{consumer protection}

^{ensure} (3) WILD ANIMALS UNDER ANOTHER JURISDICTION. A live wild animal possessed ^{that a veterinarian} by a nonresident under the legal authority of another state, province, or country may be possessed in this state by the nonresident for not more than 60 days from the date the wild animal enters the state if ~~the wild animal is accompanied by~~ ^{apply} all of the following:

(a) ^{The nonresident ensures that a veterinarian files} A valid interstate health certificate ^{for the wild animal} or a valid certificate of veterinary inspection ^{with the department of agriculture, trade and} issued by a veterinarian ^{consumer protection}

^{The nonresident holds} (b) Every license or other approval that is required by the other state, province, ^{lower case} or country.

(4) EXEMPTION FOR CERTAIN WILD ANIMALS. (a) A person is exempt from holding a license or other approval as required under this chapter to possess live native wild animals if the wild animals are not endangered or threatened species and are any of the following:

- 1. Arthropods.

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

17 (b) A person is exempt from holding a license or other approval as required
18 under this chapter to possess live nonnative wild animals that are not endangered
19 or threatened species, except for any of the following:

20 1. Pheasants of the species *Phasianus colchicus* or *Syrnaticus reevesii*, chukar
21 partridge, ~~gray~~ ^{or red-legged partridge} partridge that are possessed for use under a bird hunting preserve
22 license, a dog training license, a hound training license, a dog club training license,
23 a dog trial license, or a hound trial license.

24 2. Nonnative wild animals of the family anatidae ~~or of the family cervidae~~.

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

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is exempt

1 (5) EXEMPTION FOR CERTAIN PERSONS AND INSTITUTIONS. (a) Each of the following
2 from holding a license or other approval as required under this chapter:

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

5 2. Public zoos or aquariums.

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

7 4. The department.

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

10 (6) INAPPLICABILITY TO CERTAIN WILD ANIMALS. (a) This section does not authorize
11 the possession of environmentally ~~injuries~~ ^{harmful} wild animals.

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

14 **22.05 Taking of wild animals.** (1) REQUIREMENT. No person may take any
15 wild animal from the wild except as authorized under a bird hunting preserve
16 license, a wild fur farm license, a rehabilitation license, or a scientific research
17 license or under s. 29.319. *No person may take any wild animal from the wild except as authorized under a bird hunting preserve license, a wild fur farm license, a rehabilitation license, or a scientific research license or under s. 29.319.*

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

21 (3) EXEMPTION FOR CERTAIN PERSONS AND INSTITUTIONS. (a) Each of the following
22 is exempt from the requirement under sub. (1):

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

25 2. The department.

5. The persons who are in compliance with s. 95.68.

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SECTION 3

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

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

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

7 **22.06 Introduction, stocking, and release of wild animals. (1)**

8 **REQUIREMENT; PERSONS OTHER THAN THE DEPARTMENT.** (a) No person may introduce,
9 stock, or release into the wild, or import into this state to introduce, stock, or release
10 into the wild, any wild animal except as authorized under a bird hunting preserve
11 license, a bird dog training license, a hound dog training license, a dog club training
12 license, a bird dog trial license, a hound dog trial license, a stocking license, a
13 rehabilitation license, or a scientific research license or under s. 29.319. *into the wild*

14 (b) No person may introduce, stock, or release into the wild, or import into this
15 state for introducing, stocking, or releasing into the wild, any wild animal unless the
16 department has given its authorization under par. (c) and the person has complied
17 with the requirements under par. (d). *Not*

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

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

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

BILL

ensure that a veterinarian files

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1 agriculture, trade and consumer protection under s. 95.001 (2) ~~for a reportable~~
 2 ~~disease, as designated by the department of natural resources under s. 22.44 (2), the~~
 3 person introducing, stocking, or releasing the wild animal shall ~~hold~~ a valid
 4 interstate health certificate or a valid certificate of veterinary inspection issued by
 5 ~~a veterinarian~~ *with the department of agriculture, trade and consumer protection* certifying that the wild animal is free of any such diseases before the
 6 introducing, stocking, or release.

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

capture

11 a. The wild birds originate from a flock of a person participating in the national
 12 12 poultry improvement plan under 9 CFR part 145 and any other ~~wild birds~~ with which
 13 they have had contact originate from such a flock.

14 b. Within 30 days before the introducing, stocking, or release, the wild birds
 15 meet the requirements of any rules promulgated by the department under s. ~~22.44~~

*Sub. (3m) ✓
(18)*

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

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

← material from P. 63, lines 1-8 ✓

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(3m)

SECTION 3

1 (4) EXEMPTION. Subsections (1) to ~~(3)~~ do not apply to wild animals that are
2 released into the wild after being accidentally trapped or confined. ✓

3 **22.07 Exhibition of live wild animals. (1) REQUIREMENT.** (a) No person
4 may exhibit any captive live native wild animal or any captive live nonnative wild
5 animal of the family ursidae ~~or cervidae~~ ^{or cervidae} except as authorized under a captive wild
6 animal farm license, a deer farm license, a rehabilitation license, a nonprofit
7 educational exhibiting license, ^{or} a nonresident temporary exhibiting license, ~~or~~
8 ~~captive wild animal auction and market license~~ or under s. 29.319.

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

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

16 (3) EXEMPTION FOR CERTAIN INSTITUTIONS. Each of the following is exempt from
17 the requirements under sub. (1):

- 18 (a) Public zoos or aquariums.
- 19 (b) Circuses and the Circus World Museum located in Baraboo, Wisconsin.
- 20 (c) The department.

21 (4) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize
22 the exhibiting of ~~environmentally injurious~~ ^{harmful} wild animals.

23 **22.08 Propagation of wild animals. (1) REQUIREMENT.** No person may
24 propagate any native wild animal or any nonnative wild animal of the family ursidae
25 ~~or cervidae~~ except as authorized under a captive wild animal farm license, ~~a deer~~

9 (d) a person who is compliance with s. 95.48. ✓

BILL

1 ~~farm license~~ a bird hunting preserve license, a wild fur farm license, a nonprofit
2 educational exhibiting license, or a scientific research license.

3 (2) EXEMPTION FOR CERTAIN WILD ANIMALS. A person is exempt from the
4 requirement under sub. (1) if the wild animal that the person propagates is a wild
5 animal that is exempt under s. 22.04 (4) (a) or (b).

6 (3) EXEMPTION FOR CERTAIN INSTITUTIONS. Each of the following is exempt from
7 the requirement under sub. (1):

8 (a) Public zoos or aquariums.

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

10 (c) The department.

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

13 **22.085 Rehabilitation of wild animals.** (1) REQUIREMENT. No person may
14 rehabilitate any wild animal ^{of white-tailed deer or all} except as authorized under a rehabilitation license.

15 (2) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize
16 the rehabilitation of ~~environmentally injurious~~ wild animals.

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

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

harmful

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SECTION 3

Sale and purchase (CS)
SALE

1 **22.10 Selling and purchasing** of live wild animals. (1) ~~SELLING~~. Except
2 as authorized *under s. 29.319* under a captive wild animal farm license, a bird hunting preserve
3 license, ~~a deer farm license,~~ a captive wild animal auction and market license, a wild
4 fur farm license, or a nonprofit educational exhibiting license or under s. 29.319, no
5 person may sell or offer to sell any of the following: *license issued under S. 29.319*

*DATCF
11/3/01*

6 (a) Any live native wild animal that is not exempt under s. 22.04 (4) (a).

7 (b) Any live nonnative wild animal that is not exempt under s. 22.04 (4) (b).

8 **(2) PURCHASING** (CS) (a) Except as provided under par. (b) and except as authorized
9 under a captive wild animal farm license, a bird hunting preserve license, ~~a deer farm~~
10 ~~license,~~ a bird dog training license, a hound dog training license, a dog club training
11 license, a bird dog trial license, a hound dog trial license, a nonprofit educational
12 exhibiting license, or a stocking license or under s. 29.319, no person may purchase
13 or offer to purchase any of the following:

14 1. Any live native wild animal that is not exempt under s. 22.04 (4) (a).

15 2. Any live nonnative wild animal that is not exempt under s. 22.04 (4) (b).

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

19 **(3) AUCTIONS AND MARKETS.** No person may conduct an auction or market to sell
20 live wild animals except as authorized under a captive wild animal auction and
21 ~~market license~~ *an* *issued under S. 95.68*

*DATCF
11/3/01*

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

24 (a) Public zoos or aquariums.

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

BILL

family

of agriculture, trade and consumer protection, and the department of health and ~~social~~ services

1 (c) The department.

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

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

6 (c) ~~The sale of white-tailed deer to be processed for venison meat or products~~
7 ~~is subject to s. 22.13 and not to this section.~~ *wild animals* ^(B)

8 **22.11 Inherently dangerous and ~~environmentally injurious~~ *harmful* wild**

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

13 (2) ~~ENVIRONMENTALLY INJURIOUS~~ *HARMFUL* WILD ANIMALS. (a) ~~The department may~~
14 ~~designate by rule the species of wild animals that are environmentally injurious wild~~
15 ~~animals.~~ *harmful*

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

19 (c) No person may introduce, stock, or release, or import into this state to
20 introduce, stock, or release, any ~~environmentally injurious~~ *harmful* wild animal unless
21 specifically authorized to do so by the department under s. 22.06 (1) (c).

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

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

†(a) A person who is in compliance with s. 95.68.

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and purchase (B)

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

2 **22.12 Sale of native wild reptiles and wild amphibians. (1) POSSESSION;**
3 GENERAL. No person may take from the wild or possess live native wild reptiles or live
4 native wild amphibians unless the person is authorized to do so under rules
5 promulgated by the department or unless sub. (3) applies.

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

9 (4) RESTRICTIONS ON SALES AND PURCHASES. Unless authorized to do so under
10 rules promulgated by the department, no person may sell or purchase live native
11 wild reptiles or live native wild amphibians except for the following:

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

15 (b) Leopard frogs, mud puppies, and tiger salamanders that are sold or
16 purchased under the authorization of a Class A captive wild animal farm license.

17 (c) Native reptiles or amphibians that are legally taken or reared outside this
18 state and that are sold to educational institutions under the authorization of a Class
19 A captive wild animal farm license.

20 (5) EXEMPTION FOR CERTAIN INSTITUTIONS. Each of the following is exempt from
21 the requirements under subs. (1) and (4):

22 (a) Public zoos or aquariums.

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

24 (c) The department.

¶ (d) A person who is in compliance with 5.95.680 ✓

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1 (6) EXEMPTION FOR VETERINARIANS. (a) Veterinarians are exempt from the
2 requirement under sub. (1) for the purpose of providing medical treatment to native
3 wild reptiles and native wild amphibians.

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

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

8 **22.13 Sale and purchase of white-tailed deer for venison. (1)**

9 REQUIREMENTS FOR LIVE DEER. (a) No person may sell a live white-tailed deer to be
10 processed for venison meat or products except as authorized under a deer farm
11 license. No person may sell a live white-tailed deer to be processed for venison meat
12 or products without providing a deer farm shipping tag that will accompany the deer.

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

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

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

18 3. The deer originated from a deer farm and has an accompanying deer farm
19 shipping tag attached to its body.

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

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

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

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

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1 (d) Each individual package of white-tailed deer venison that the person
2 processes and sells clearly states that the venison is from a licensed deer farm.

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

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

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

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

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

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

17 (d) No person may preserve and mount a carcass of a captive wild animal for
18 consideration unless that person holds a valid taxidermist permit issued under s.
19 29.506.

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

24 (b).

BILL

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

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

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

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

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

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

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

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

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

4 (b) A captive wild animal farm license authorizes the killing of captive wild
5 animals only by the holder of the license or an employee of the holder of the license.

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

9 1. Native wild animals.

10 2. ~~Nonnative wild animals of the family cervidae.~~

11 3. Inherently dangerous wild animals.

12 4. Endangered or threatened species.

13 (b) For the first year that a person is issued a captive wild animal farm license,
14 the person shall be issued a Class B captive wild animal farm license, unless one of
15 the following applies:

16 1. The person operated a game bird and animal farm licensed under s. 29.867,
17 1999 stats., ^{STET} ~~of a deer farm licensed under s. 29.871, 1999 stats.,~~ on the effective date
18 of this subdivision ... [revisor inserts date], that grossed \$10,000 or more in annual
19 sales.

20 2. The person elects to be issued a Class A captive wild animal farm license.

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

BILL

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

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

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

12 (2) AUTHORIZATION. (a) A deer farm license authorizes the holder of the license
13 to do any of the following:

14 1. Possess, propagate, purchase, sell, hunt, and exhibit live captive
15 white-tailed deer.

16 2. Sell or offer to sell the opportunity to hunt live white-tailed deer within the
17 boundaries of the deer farm.

18 (b) A person holding a deer farm license shall provide a deer shipping tag that
19 will accompany each live white-tailed deer that the person sells to be processed for
20 venison.

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

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

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

7 (5) FREE-ROAMING DEER. A person applying for a deer farm license shall make
8 a reasonable effort to drive free-roaming white-tailed deer from land subject to the
9 license that will be enclosed before the land is enclosed. A person holding a deer farm
10 license shall pay the department \$250 for each white-tailed deer remaining within
11 the boundaries.

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

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

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

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

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

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

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

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

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

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

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

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

19 (b) Upon the request of the applicant for a license under this section, the
20 department shall issue a single license for a wild fur farm that does not meet all of
21 the requirements of par. (a) if the wild fur farm is licensed as a fur animal farm under
22 s. 29.869, 1999 stats., on the effective date of this paragraph [revisor inserts date].

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

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

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

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

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

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

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

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

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

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

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

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

25 3. Gray partridge.

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1 4. Chukar partridge.

2 5. Red-legged partridge.

3 6. Mallard ducks that are bred in captivity.

4 7. Wild turkeys, if the wild turkeys are located outside a wild turkey hunting
5 zone established under s. 29.164.

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

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

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

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

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

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

3 **(4m) RESTRICTIONS ON HEN PHEASANTS.** A person holding a Class B bird hunting
4 preserve license may not allow the hunting or taking of hen pheasants beginning on
5 December 15 of each year and ending on the following March 31 within the
6 boundaries of the licensed preserve if the preserve is located totally or partially
7 within a pheasant management zone, as established by the department, for purposes
8 of s. 29.191.

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

12 (b) Except as provided in par. (c), a person hunting or taking wild birds on a bird
13 hunting preserve that have been stocked on the preserve is exempt from any closed
14 season restrictions, bag limits, or other conditions or restrictions established by the
15 department under s. 29.014 (1) or 29.192.

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

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

21 **22.20 Dog training licenses. (1) BIRD DOG TRAINING LICENSE.** (a) The
22 department shall issue a bird dog training license to any individual who is at least
23 12 years of age who files a proper application and who pays the applicable fee.

24 (b) Except as provided in par. (c), a bird dog training license authorizes the
25 holder of the license to purchase, possess, release into the wild, and hunt any of the

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1 live captive wild birds specified in s. 22.19 (2) (b) 1. to 6. solely for the purposes of
2 training a dog to retrieve, point, flush, and track game.

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

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

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

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

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

20 2. Live captive raccoon.

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

22 (3) DOG CLUB TRAINING LICENSE. (a) The department may issue a dog club
23 training license to an organization that meets the conditions established by the
24 department by rule for dog club training licenses, that files a proper application and
25 that pays the applicable fee.

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

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

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

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

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

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

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

23 (b) A hound dog trial license authorizes the holder of the license to purchase,
24 possess, release into the wild, and hunt live captive raccoon, live captive rabbit, and
25 live captive bear of the species *Ursus americanus* for any organized competitive field

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1 event that involves sporting dog breeds and that is sanctioned, licensed, or
2 recognized by a local, state, regional, or national dog organization.

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

7 **22.23 Stocking license. (1) ISSUANCE.** The department may issue stocking
8 licenses. If the department issues stocking licenses, it shall issue a stocking license
9 to any person who files a proper application and who pays the applicable fee.

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

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

16 **22.24 Rehabilitation license. (1) ISSUANCE.** The department shall issue a
17 rehabilitation license to rehabilitate wild animals to any individual who is at least
18 18 years of age, who meets the qualifications under rules promulgated under sub. (2),
19 and who files a proper application.

20 (2) QUALIFICATIONS; RULES. The department shall promulgate rules to establish
21 the qualifications required to obtain a rehabilitation license, the types of activities
22 authorized by a rehabilitation license and the standards, limitations, and
23 requirements for rehabilitation licenses. The department may promulgate rules to
24 establish standards for exempting an individual from any of these rules or from any
25 provisions under this chapter.

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

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

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

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

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

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

21 reasonable.

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

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

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

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

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

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

20 (a) Possess and exhibit live wild animals.

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

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

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

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

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

12 (2) FEDERAL REQUIREMENT. An applicant for a nonresident temporary exhibiting
13 license shall hold any license or permit that may be required under 7 USC 2131 to
14 2159 at the time the department issues the applicant the license.

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

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

21 (b) Move live wild animals in mobile facilities that do not meet the rules for
22 housing under s. 22.39.

23 (4) RULES. The department may promulgate rules to establish additional
24 standards, limitations, and requirements for nonresident temporary exhibiting
25 licenses.

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

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

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

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

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

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

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

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

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

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

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