

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

6           **(2) DISCLOSURE OF SOCIAL SECURITY NUMBERS.** The department of natural  
7 resources may not disclose any social security numbers received under sub. (1) to any  
8 person except to the department of workforce development for the sole purpose of  
9 administering s. 49.22.

10           **(3) DENIAL OF APPROVALS. (a)** As provided in the memorandum of understanding  
11 required under s. 49.857 (2), the department of natural resources shall deny an  
12 application to issue or renew, to suspend if already issued, or to otherwise withhold  
13 or restrict a license issued under this chapter if the applicant for or the holder of the  
14 license is delinquent in making court-ordered payments of child or family support,  
15 maintenance, birth expenses, medical expenses, or other expenses related to the  
16 support of a child or former spouse or if the applicant or holder fails to comply with  
17 a subpoena or warrant issued by the department of workforce development or a  
18 county child support agency under s. 59.53 (5) and relating to paternity or child  
19 support proceedings.

20           **(b)** As provided in the memorandum of understanding required under s. 49.857  
21 (2), the department of natural resources shall deny an application to issue or renew  
22 a license issued under this chapter if the applicant for or the holder of the license fails  
23 to provide his or her social security number as required under sub. (1).

24           **22.35 Denial and revocation of licenses based on tax delinquency. (1)**  
25 **SOCIAL SECURITY AND IDENTIFICATION NUMBERS REQUIRED.** The department shall

1 require an applicant who is an individual to provide his or her social security number  
2 and an applicant who is not an individual to provide the applicant's federal employer  
3 identification number as a condition of applying for, or applying to renew, any of the  
4 following licenses:

5 (a) A captive wild animal farm license.

6 ~~(b)~~ A wild fur farm license.

7 ~~(c)~~ A bird hunting preserve license.

8 (f) A dog training license.

9 (g) A dog trial license.

10 (i) A stocking license.

11 (j) A rehabilitation license.

12 (k) A scientific research license.

13 (m) A validation license.

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

18 (3) DENIAL AND REVOCATION. The department of natural resources shall deny  
19 an application to issue or renew, or shall revoke if already issued, a license specified  
20 in sub. (1) if the applicant for or the holder of the license fails to provide the  
21 information required under sub. (1) or if the department of revenue certifies that the  
22 applicant or license holder is liable for delinquent taxes under s. 73.0301.

23 **22.36 Record-keeping and reporting requirements.** (1) CAPTIVE WILD  
24 ANIMAL FARM LICENSES, BIRD HUNTING PRESERVE LICENSES, AND NONPROFIT EDUCATIONAL  
25 EXHIBITING LICENSES. (a) *Records; generally.* Each person holding a captive wild

1 animal farm license, a bird hunting preserve license, or a nonprofit educational  
2 exhibiting license shall keep a correct and complete record of all of the following  
3 information:

4 1. For each transaction in which live wild animals are purchased, sold,  
5 acquired, or transferred:

6 a. The complete name and address and the number of any license issued under  
7 this chapter of the person from whom the wild animals were purchased or acquired  
8 or of the person to whom the wild animals were sold or transferred.

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

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

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

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

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

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

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

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

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

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

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

8 (4) **DOG TRAINING AND TRIAL LICENSES.** Each person holding a bird dog training  
9 license, a hound dog training license, a dog club training license, a bird dog trial  
10 license, or a hound dog trial license shall keep a receipt of the purchase of each wild  
11 animal purchased under the authority of the license and a correct and complete  
12 record of any testing for disease on these wild animals that is required under rules  
13 promulgated under s. 22.06 (3m).

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

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

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

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

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

1 ~~inherently dangerous wild animals~~, harmful wild animals, or endangered or  
2 threatened species. The department shall determine the information to be kept in  
3 these records.

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

9 (b) In addition to the requirements under par. (a), the person holding a license  
10 subject to this section shall provide a copy of the record required under this section  
11 to the department on a quarterly basis, as determined by the department, if the  
12 transaction or activity involved any live wild animal of the family canidae, ursidae,  
13 mustelidae, or felidae, ~~any inherently dangerous wild animal~~, or any harmful wild  
14 animal.

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

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

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

24 2. The number of wild animals that the person holding the license has  
25 purchased or otherwise acquired during the reporting year.

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

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

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

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

10           **22.37 Inspections. (1) DEPARTMENTAL AUTHORITY.** For purposes of enforcing  
11 this chapter and the rules promulgated under this chapter with respect to a person  
12 who is required to have a license or maintain records under this chapter, a  
13 conservation warden or representative of the department, upon presenting his or her  
14 credentials to that person, may do any of the following:

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

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

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

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

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

1 (a) Normal business hours.

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

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

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

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

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

16 **22.39 Humane care and housing.** (1) COMPLIANCE WITH RULES. No license  
17 may be issued under this chapter unless the department determines that the  
18 applicant will comply with all of the rules promulgated under subs. (2) and (3).

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

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

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

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

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

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

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

10           **22.40 Trespassing.** A person who hunts, traps, kills, or takes a wild animal  
11 subject to regulation under this chapter on land subject to a license issued under this  
12 chapter without the permission of the license holder or of the holder's employee or  
13 agent is liable to the license holder for any damage that the person causes to any wild  
14 animal that is subject to regulation under this chapter or to any property or land that  
15 is subject to the license.

16           **22.42 Taking custody of captive wild animals. (1) INTAKE OF WILD ANIMALS.**  
17 A conservation warden may take into custody a wild animal that is subject to  
18 regulation under this chapter on behalf of the department if the conservation warden  
19 has reasonable grounds to believe that the wild animal is one of the following:

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

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

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



1 (d) A captive wild animal that is not confined as required by a quarantine under  
2 ~~ch. 93.07~~ <sup>S. 93.07(10)</sup> or any rule or ordinance relating to the control of any animal disease.

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

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

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

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

8 (i) A captive wild animal that is dead, dying, or sick and that has been exposed  
9 to, or is known to be infected with, a contagious or infectious disease as defined in  
10 the rules promulgated by the department of agriculture, trade and consumer  
11 protection under s. 95.001 (2) or with a disease or parasite that has pathological  
12 significance to humans or to any animals.

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

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

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

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

22 **22.43 Local ordinances.** A municipality or county may enact and enforce an  
23 ordinance that prohibits the possession or selling of live wild animals.

1           **22.45 Penalties; revocations. (1) DEFINITION.** In this section, “violation of  
2 this chapter” means a violation of this chapter or any rule promulgated under this  
3 chapter.

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

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

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

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

17           (d) *Taking of bear and deer.* For taking bear or deer from the wild in violation  
18 of s. 22.05, or a rule promulgated thereunder, a person shall be fined not less than  
19 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

20           (e) *Harmful wild animals.* For a violation of s. 22.11 (2) (b) or (c), a person shall  
21 be fined not less than \$500 nor more than \$5,000 or imprisoned for not more than  
22 6 months or both.

23           (g) *Obtaining license during period of revocation.* For obtaining any license  
24 under this chapter during the period of time when that license is revoked or

1 suspended by any court, a person shall be fined not more than \$200 or imprisoned  
2 for not more than 90 days or both.

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

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

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

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

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

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

23 (7) REVOCATIONS BY THE DEPARTMENT. In addition to revocations under subs. (5)  
24 (b) and (6), the department may revoke any license to which any of the following  
25 applies:

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

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

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

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

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

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

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

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

23 1. Directly commits the violation of this chapter.

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

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

3           **22.46 Natural resources assessments and restitution payments. (1)**  
4 NATURAL RESOURCES ASSESSMENTS. (a) If a court imposes a fine or forfeiture for a  
5 violation of this chapter or a rule promulgated under this chapter, the court shall  
6 impose a natural resources assessment equal to 75% of the amount of the fine or  
7 forfeiture.

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

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

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

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

23           **(2) NATURAL RESOURCES RESTITUTION PAYMENTS.** (a) If a court imposes a fine or  
24 forfeiture for a violation of this chapter for failure to obtain a license required under  
25 this chapter, the court shall impose a natural resources restitution payment equal

1 to the amount of the fee for the license that was required and should have been  
2 obtained.

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

6 (c) If any deposit is made for an offense to which this subsection applies, the  
7 person making the deposit shall also deposit a sufficient amount to include the  
8 natural resources restitution payment prescribed in this subsection. If the deposit  
9 is forfeited, the amount of the natural resources restitution payment shall be  
10 transmitted to the state treasurer under par. (d). If the deposit is returned, the  
11 natural resources restitution payment shall also be returned.

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

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

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

21 23.09 (2) (f) *Propagation, game and of fish.* Subject to s. 95.60, capture,  
22 propagate, transport, sell or exchange any species of ~~game or~~ fish needed for stocking  
23 or restocking any ~~lands or~~ waters of the state.

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

1           23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit  
2 court to recover forfeitures, penalty assessments, jail assessments, applicable  
3 weapons assessments, applicable environmental assessments, applicable wild  
4 animal protection assessments, applicable natural resources assessments,  
5 applicable fishing shelter removal assessments, applicable snowmobile registration  
6 restitution payments and applicable natural resources restitution payments for  
7 violations of ss. 77.09, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57  
8 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch.  
9 77, this chapter and chs. 22 and 26 to 31 and of ch. 350, and any administrative rules  
10 promulgated thereunder, violations specified under s. 285.86, violations of ch. 951  
11 if the animal involved is a captive wild animal, violations of rules of the Kickapoo  
12 reserve management board under s. 41.41 (7) (k) or violations of local ordinances  
13 enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

14           **SECTION 6.** 23.50<sup>✓</sup> (3) of the statutes is amended to read:

15           23.50 (3) All actions in municipal court to recover forfeitures, penalty  
16 assessments and jail assessments for violations of local ordinances enacted by any  
17 local authority in accordance with s. 23.33 (11) (am) or 30.77 shall utilize the  
18 procedure in ch. 800. The actions shall be brought before the municipal court having  
19 jurisdiction. Provisions relating to citations, arrests, questioning, releases,  
20 searches, deposits and stipulations of no contest in ss. 23.51 (~~1~~) (1m), (3) and (8),  
21 23.53, 23.54, 23.56 to 23.64, 23.66 and 23.67 shall apply to violations of such  
22 ordinances.

23           **SECTION 7.** 23.51<sup>✗</sup> (1) of the statutes is renumbered 23.51 (1m).

24           **SECTION 8.** 23.51<sup>✗</sup> (1d) of the statutes is created to read:

25           23.51 (1d) "Captive" has the meaning given in s. 22.01 (2).

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

2           23.51 (5) “Natural resources restitution payment” means the payment imposed  
3 under s. 22.46 (2) or 29.989.

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

5           23.51 (9m) “Wild animal” has the meaning given in s. 22.01 (37).

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

7           23.65 (1) When it appears to the district attorney that a violation of s. 134.60,  
8 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81  
9 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative  
10 rule promulgated pursuant thereto, ~~or~~ a violation specified under s. 285.86, or a  
11 violation of ch. 951, if the animal involved is a captive wild animal, has been  
12 committed the district attorney may proceed by complaint and summons.

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

14           23.795 (3) In lieu of an order of imprisonment under sub. (1) (a) for a violation  
15 of ch. 22, the court may revoke or suspend any privilege or license granted under ch.  
16 22 as provided in s. 22.45 (6).

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

18           25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing  
19 to the state for or in behalf of the department under chs. 22, 26, 27, 28, 29 and 350,  
20 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  
21 to 30.55, 70.58, 71.10 (5) and 71.30 (10), including grants received from the federal  
22 government or any of its agencies except as otherwise provided by law.

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

24           25.29 (4m) Notwithstanding sub. (3), no moneys that accrue to the state for or  
25 in behalf of the department under ch. 22 or 29 may be expended or paid for the



1 enforcement of the treaty-based, off-reservation rights to fish held by members of  
2 federally recognized American Indian tribes or bands domiciled in Wisconsin.

3 **SECTION 15.** 29.001 <sup>(25m)</sup> ~~(22)~~ of the statutes is created to read:  
4 29.001 <sup>(25m)</sup> ~~(22)~~ <sup>③</sup> ~~Domestic~~ <sup>Farm-raised</sup> game birds" are birds that are <sup>✓</sup> ~~domestic~~ <sup>✓</sup> ~~animals~~ <sup>✓</sup> ~~, as~~ <sup>✓</sup> ~~defined~~ <sup>✓</sup> ~~in s. 95.001 (1) ~~(a)~~~~ <sup>(ac)</sup> ~~, or~~ <sup>(ac)</sup> ~~birds that are used under a license issued under s.~~  
5 22.19, 22.20, or 22.21.

7 **SECTION 16.** 29.001 (24) of the statutes is amended to read:  
8 29.001 (24) "Farm-raised deer" has the meaning given in s. 95.001 (1) ~~(a)~~ <sup>(ag)</sup>.

9 **SECTION 17.** 29.001 (39) of the statutes is amended to read:  
10 29.001 (39) "Game birds" ~~includes~~ include wild geese, brant, wild ducks, wild  
11 swan, rails, coots, gallinules, snipe, woodcock, plovers, sandpipers, ruffed grouse,  
12 prairie chicken, sharp-tailed grouse, pheasants, ~~Hungarian~~ gray partridge, ~~Chukar~~  
13 chukar partridge, bobwhite, quail, crows and wild turkey. "Game birds" do not  
14 include birds that are ~~domestic animals~~ <sup>✓</sup> ~~, as defined in s. 95.001 (1) ~~(a)~~~~ <sup>(ac)</sup> ~~, or that are~~ <sup>(ac)</sup> ~~used under a license issued under s. 22.19, 22.20, or 22.21.~~

16 **SECTION 18.** 29.001 (60) of the statutes is amended to read:  
17 29.001 (60) "Nongame species" means any species of wild animal that is living  
18 in the wild and that is not classified as a game fish, game animal, game bird or  
19 fur-bearing animal.

20 **SECTION 19.** 29.011 (3) of the statutes is created to read:  
21 29.011 (3) This section does not apply to farm-raised deer, ~~domestic~~ <sup>farm-raised</sup> game  
22 birds, or wild animals that are subject to regulation under ch. 22.

23 **SECTION 20.** 29.024 (1) of the statutes is amended to read:  
24 29.024 (1) APPROVALS REQUIRED. Except as specifically provided in ch. 22 or this  
25 chapter, no person may hunt or trap in this state, fish in the waters of this state or

1 engage in any of the activities regulated under this chapter unless the appropriate  
2 approval is issued to the person. A person shall carry the required approval with him  
3 or her at all times while hunting, trapping or fishing or engaged in regulated  
4 activities unless otherwise required by this chapter or unless otherwise authorized  
5 or required by the department. A person shall exhibit the approval to the  
6 department or its wardens on demand.

7 **SECTION 21.** 29.024 (2g) (a) 2. of the statutes is amended to read:

8 29.024 (2g) (a) 2. Any permit issued under s. 29.537, 29.733, 29.735, or 29.736  
9 ~~or 29.871.~~

10 **SECTION 22.** 29.024 (2r) (a) 17. of the statutes is repealed.

11 **SECTION 23.** 29.024 (2r) (a) 18. of the statutes is repealed.

12 **SECTION 24.** 29.024 (2r) (a) 19. of the statutes is repealed.

13 **SECTION 25.** 29.024 (2r) (a) 20. of the statutes is repealed.

14 **SECTION 26.** 29.024 (2r) (a) 21. of the statutes is repealed.

15 **SECTION 27.** 29.024 (2r) (am) of the statutes is amended to read:

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

25 ~~**SECTION 28.** 29.038 (5) of the statutes is created to read:~~

1 *come not* 29.038 (5) This section does not apply to farm-raised deer, domestic game  
 2 birds, or wild animals that are subject to regulation under ch. 22. *farm-raised*

3 SECTION 29. 29.042 (1) of the statutes is amended to read:

4 29.042 (1) Beginning on January 1, 1998, the department may not enter into  
 5 any agreement to make payments to persons holding approvals issued under s.  
 6 29.501, 29.503, 29.506, 29.509, 29.512, 29.514, 29.519, 29.523, 29.526, 29.529,  
 7 29.531, 29.533, 29.537, 29.607, 29.611, or 29.614, ~~29.865, 29.867, 29.869, 29.871 or~~  
 8 ~~29.877~~ in exchange for the retirement of the approval or for the temporary or  
 9 permanent cessation of any activity authorized under the approval.

10 SECTION 30. 29.047 (2) (b) of the statutes is amended to read:

11 29.047 (2) (b) The possession, transportation, delivery or receipt of farm-raised  
 12 deer or, ~~domestic~~ *farm-raised* game birds, farm-raised fish, or wild animals that are subject to  
 13 regulation under ch. 22.

14 SECTION 31. 29.055 of the statutes is amended to read:

15 **29.055 Wild animals; possession in closed season or in excess of bag**  
 16 **limit.** Except as expressly provided in this chapter, no person may have in the  
 17 person's possession or under the person's control, or have in storage, any wild animal  
 18 or carcass that was taken during the closed season for that wild animal or that is in  
 19 excess of the bag or possession limit or contrary to the size limits for that wild animal.  
 20 The open and closed seasons and the bag, possession and size limits of the state,  
 21 province or country in which a wild animal was taken shall apply to the wild animal  
 22 or the carcass if it was lawfully killed outside of this state. This section does not apply  
 23 to farm-raised deer, farm-raised fish, ~~domestic~~ *farm-raised* game birds, or wild animals that are  
 24 subject to regulation under ch. 22.

25 SECTION 32. 29.057 of the statutes is amended to read:

1           **29.057 Wild animals; possession in open season.** It is unlawful to possess  
2 or control at any time a protected wild animal or the carcass of any protected wild  
3 animal showing that it was taken during the closed season for the protected wild  
4 animal. This section does not apply to farm-raised deer, farm-raised fish, ~~domestic~~  
5 farm-raised game birds, or wild animals that are subject to regulation under ch. 22.

6           **SECTION 33.** 29.071 of the statutes is amended to read:

7           **29.071 Wildlife on Indian reservations protected.** No person may remove  
8 or take from any Indian reservation the carcass of any protected wild animal during  
9 the closed season for the wild animal ~~without a permit from~~ except as authorized by  
10 the department under ch. 22 or this chapter.

11           **SECTION 34.** 29.083 (3) of the statutes is renumbered 29.083 (3) (a).

12           **SECTION 35.** 29.083 (3) (b) of the statutes is created to read:

13           29.083 (3) (b) This section does not apply to farm-raised deer, farm-raised fish,  
14 or wild animals subject to regulation under ch. 22.

15           **SECTION 36.** 29.191 (2) (a) 3. of the statutes is amended to read:

16           29.191 (2) (a) 3. Any person hunting pheasant under s. 29.195 ~~or on premises~~  
17 licensed under s. 29.865 is exempt from the requirements under subd. 1.

18           **SECTION 37.** 29.314 (5) (b) 3. of the statutes is amended to read:

19           29.314 (5) (b) 3. ~~To a person who possesses a flashlight or who uses a flashlight~~  
20 while if the person is on foot and training a dog to track or hunt raccoons, foxes, or  
21 other unprotected wild animals and if the raccoons, foxes, or other unprotected wild  
22 animals are not subject to regulation under ch. 22.

23           **SECTION 38.** 29.319<sup>1</sup>(1) (intro.) of the statutes is amended to read:

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

4           **SECTION 39.** 29.321 of the statutes is repealed.

5           **SECTION 40.** 29.334 (title) of the statutes is amended to read:

6           **29.334 (title) Hunting and trapping; treatment of wild animals.**

7           **SECTION 41.** 29.334 of the statutes is renumbered 29.334 (1) and amended to  
8 read:

9           29.334 (1) A person who hunts or traps any game animal or fur-bearing animal  
10 shall kill the animal when it is taken and make it part of the daily bag or shall release  
11 the game animal or fur-bearing animal unless authorized under s. 29.857, 29.863,  
12 29.867, 29.869, 29.871 or 29.877.

13           **SECTION 42.** 29.334 (3) of the statutes is created to read: *farm-raised*

14           29.334 (3) This section does not apply to farm-raised deer, ~~domestic~~ *game*  
15 birds, or wild animals that are subject to regulation under ch. 22.

16           **SECTION 43.** 29.337 (1) (intro.) of the statutes is amended to read: *this chapter*

17           29.337 (1) (intro.) The owner or occupant of any land, and any member of his  
18 or her family, may hunt or trap beaver, coyotes, foxes, raccoons, woodchucks, rabbits,  
19 and squirrels on the land without a license issued under ch. 22 or ~~22~~ at any time,  
20 except as follows:

21           **SECTION 44.** 29.347 (2) of the statutes is amended to read:

22           29.347 (2) DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any  
23 person who kills a deer shall immediately attach to the ear or antler of the deer a  
24 current validated deer carcass tag which is authorized for use on the type of deer  
25 killed. Except as provided under sub. (2m) ~~or s. 29.871 (7), (8) or (14)~~ or s. 29.89 (6),

1 no person may possess, control, store or transport a deer carcass unless it is tagged  
2 as required under this subsection. The carcass tag may not be removed before  
3 registration. The removal of a carcass tag from a deer before registration renders the  
4 deer untagged.

5 **SECTION 45.** 29.351 of the statutes is renumbered 29.351 (1), and 29.351 (1) (c),  
6 as renumbered, is amended to read:

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

14 **SECTION 46.** 29.351 (3) of the statutes is created to read:

15 29.351 (3) Subsection (1) does not apply to the skins of fur-bearing animals  
16 that are subject to regulation under ch. 22.

17 **SECTION 47.** 29.354 (1) of the statutes is amended to read:

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

1           **SECTION 48.** 29.354 (2) of the statutes is renumbered 29.354 (2) (a) and  
2 amended to read:

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

7           **SECTION 49.** 29.354 (2) (b) of the statutes is created to read:

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

11           **SECTION 50.** 29.354 (4) of the statutes is repealed.

12           **SECTION 51.** 29.354 (5) of the statutes is created to read:

13           29.354 (5) CAPTIVE WILD ANIMALS. This section does not apply to farm-raised  
14 deer, farm-raised fish, or wild animals that are subject to regulation under ch. 22.

15           **SECTION 52.** 29.357 (5) (b) of the statutes is amended to read:

16           29.357 (5) (b) Subsections (1) to (4) do not apply to the possession,  
17 ~~transportation, delivery or receipt of farm-raised deer or, farm-raised fish, domestic~~  
18 farm-raised game birds, or wild animals that are subject to regulation under ch. 22.

19           **SECTION 53.** 29.364 (4) (a) of the statutes is amended to read:

20           29.364 (4) (a) In this subsection, "migratory game bird" means any bird defined  
21 as such by the secretary of the interior in the code of federal regulations, but does not  
22 include birds that are domestic animals, as defined in s. 95.001 (1) (ad), or birds that  
23 are used under a license issued under s. 22.19, 22.20 or 22.21.

24           **SECTION 54.** 29.501 (9m) of the statutes is created to read:

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 55.** 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 56.** 29.539 (1m) of the statutes is amended to read:

12           29.539 (1m) Subsection (1) does not apply to farm-raised deer ~~or~~, farm-raised  
13 fish, ~~domestic~~ <sup>farm-raised</sup> game birds, or wild animals that are subject to regulation under ch.  
14 22 or the carcasses of these animals. farm-raised game

15           **SECTION 57.** 29.541 (3) of the statutes is amended to read:

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

19           **SECTION 58.** 29.563 (9) (intro.) and (a) (title) of the statutes are repealed.

20           **SECTION 59.** 29.563 (9) (a) 1. of the statutes is renumbered 29.563 (7) (c) 5m.

21           **SECTION 60.** 29.563 (9) (a) 2. to 10. and (b) of the statutes are repealed.

22           **SECTION 61.** 29.563 (9) (c) of the statutes is repealed.

23           **SECTION 62.** 29.614 (3) of the statutes is amended to read:

24           29.614 (3) A scientific collector permit authorizes the permittee to collect or  
25 salvage from the wild, for scientific purposes only, the eggs, nest and live fish and the



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

13 SECTION 63. 29.741 (1) of the statutes is repealed.

14 SECTION 64. 29.741 (2) of the statutes is renumbered 29.741 and amended to  
 15 read:

16 **29.741 State propagation of wild animals Food in the wild for game**  
 17 **birds.** No person shall <sup>may</sup> take, remove, ~~sell,~~ or transport from the public waters of this  
 18 state to any place beyond the borders of the state, any duck potato, wild celery, or any  
 19 other plant or plant product, except wild rice, that is native in said to these waters  
 20 and that is commonly known to furnish food for game birds.

21 SECTION 65. 29.745 of the statutes is repealed.

22 SECTION 66. 29.853 (title) of the statutes is repealed.

23 SECTION 67. 29.853 (1) of the statutes is repealed.

24 SECTION 68. 29.853 (2) of the statutes is repealed.

25 SECTION 69. 29.853 (3) of the statutes is repealed.

INSERT  
65-20

1           **SECTION 70.** 29.853 (4m) of the statutes is repealed.

2           **SECTION 71.** 29.853 (5) (title) of the statutes is repealed.

3           **SECTION 72.** 29.853 (5) of the statutes is renumbered 29.334 (2) and amended  
4 to read:

5           29.334 (2) A person who violates ~~this section~~ sub. (1) shall forfeit not less than  
6 \$100 nor more than \$1,000.

7           **SECTION 73.** 29.855 (title) of the statutes is repealed.

8           **SECTION 74.** 29.855 (1) of the statutes is repealed.

9           **SECTION 75.** 29.855 (2) of the statutes is repealed.

10          **SECTION 76.** 29.855 (3) of the statutes is repealed.

11          **SECTION 77.** 29.855 (4) (title) of the statutes is repealed.

12          **SECTION 78.** 29.855 (4) of the statutes is renumbered 22.04 (2) (e) and amended  
13 to read:

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

23          **SECTION 79.** 29.855 (5) of the statutes is repealed.

24          **SECTION 80.** 29.855 (6) of the statutes is repealed.

25          **SECTION 81.** 29.855 (7) of the statutes is repealed.

1 SECTION 82. 29.857 of the statutes is repealed.

2 SECTION 83. 29.861 of the statutes is repealed.

3 SECTION 84. 29.863 of the statutes is repealed.

4 SECTION 85. 29.865 of the statutes is repealed.

5 SECTION 86. 29.867 of the statutes is repealed.

6 SECTION 87. 29.869 of the statutes is repealed.

7 SECTION 88. 29.871 of the statutes is repealed.

8 SECTION 89. 29.873 of the statutes is renumbered 29.627.

9 SECTION 90. 29.875 (1) of the statutes is amended to read:

10 29.875 (1) The department may seize and dispose of or may authorize the  
11 disposal of any deer that has escaped from land licensed under s. 29.867 or 29.871  
12 or owned by a person registered under s. 95.55 if the escaped deer has traveled more  
13 than 3 miles from the land or if the licensee or person has not had the deer returned  
14 to the land within ~~72~~ 24 hours of the discovery of the escape.

15 SECTION 91. 29.877 of the statutes is repealed.

16 SECTION 92. 29.879 of the statutes is repealed.

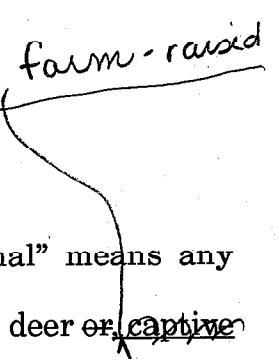
17 SECTION 93. 29.881 of the statutes is repealed.

18 SECTION 94. 29.885 (1) (f) of the statutes is amended to read:

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

23 SECTION 95. 29.889 (1) (intro.) of the statutes is amended to read:

*farm-raised*



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

4           **SECTION 96.** 29.889 (1) (a) of the statutes is amended to read:

5           29.889 (1) (a) Deer that are not farm-raised deer.

6           **SECTION 97.** 29.921 (7) of the statutes is amended to read:

7           ~~29.921 (7) DOGS INJURING WILDLIFE. A warden may kill a dog found running,~~  
8 ~~injuring, causing injury to, or killing, any deer, other than farm-raised deer, or~~  
9 ~~destroying wild game birds, their eggs or nests, if immediate action is necessary to~~  
10 ~~protect the deer or the wild game birds, their nests or eggs, from injury or death.~~

11           **SECTION 98.** 29.924 (4) of the statutes is amended to read:

12           29.924 (4) ACCESS TO STORAGE PLACES. The owner or occupant of any  
13 cold-storage warehouse or building used for the storage or retention of wild animals,  
14 or their carcasses, that are subject to regulation under this chapter shall permit the  
15 department and its wardens to enter and examine the premises subject to s. 66.0119.  
16 The owner or occupant, or the agent or employee of the owner or occupant, shall  
17 deliver to the officer any such wild animal or carcass, in his or her possession during  
18 the closed season, whether taken within or without the state.

19           **SECTION 99.** 29.924 (4) of the statutes is amended to read:

20           29.924 (4) ACCESS TO STORAGE PLACES. The owner or occupant of any  
21 cold-storage warehouse or building used for the storage or retention of wild animals,  
22 or their carcasses, that are subject to regulation under this chapter shall permit the  
23 department and its wardens to enter and examine the premises subject to s. 66.0119.  
24 The owner or occupant, or the agent or employee of the owner or occupant, shall

1 deliver to the officer any such wild animal or carcass, in his or her possession during  
2 the closed season, whether taken within or without the state.

3 **SECTION 100.** 29.924<sup>✓</sup> (5) of the statutes is amended to read:

4 29.924 (5) ACCESS TO PRIVATE LAND. The department may, after making  
5 reasonable efforts to notify the owner or occupant, enter private lands to retrieve or  
6 diagnose dead or diseased wild animals subject to regulation under this chapter and  
7 take actions reasonably necessary to prevent the spread of contagious disease in the  
8 wild animals.

9 **SECTION 101.** 29.927<sup>✓</sup> (5) of the statutes is amended to read:

10 29.927 (5) Any unlicensed trap, snare, spring gun, set gun, net or other device  
11 used in violation of this chapter which might entrap, ensnare, or kill game.

12 **SECTION 102.** 29.931<sup>✓</sup> (1) of the statutes is amended to read:

13 29.931 (1) SEIZURE AND CONFISCATION OF WILD ANIMALS OR PLANTS. The  
14 department and its wardens shall seize and confiscate any wild animal, carcass or  
15 plant caught, killed, taken, had in possession or under control, sold or transported  
16 in violation of ch. 22 or this chapter ~~and the~~. The officer may, with or without  
17 warrant, open, enter and examine all buildings, camps, boats on inland or outlying  
18 waters, vehicles, valises, packages and other places where the officer has probable  
19 cause to believe that wild animals, carcasses or plants, taken or held in violation of  
20 ch. 22 or this chapter, are to be found.

21 **SECTION 103.** 29.931<sup>✓</sup> (2) (a) of the statutes is amended to read:

22 29.931 (2) (a) The department and its wardens shall seize and hold, subject to  
23 the order of the court for the county in which the alleged offense was committed, any  
24 vehicle, boat or object declared by this chapter to be a public nuisance, or which they  
25 have probable cause to believe is being used in violation of ch. 22 or this chapter or

1 s. 167.31, 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, is being used in the  
2 commission of a crime involving an animal normally found in the wild in violation  
3 of s. 951.09, or is being used in the commission of a crime relating to a submerged  
4 cultural resource in violation of s. 44.47. If it is proven that the vehicle, boat or object  
5 is a public nuisance or that within 6 months previous to the seizure the vehicle, boat  
6 or object was used in violation of ch. 22 or this chapter or s. 167.31, 287.81, 940.24,  
7 941.20, 948.60, 948.605 or 948.61, was used in the commission of a crime involving  
8 an animal normally found in the wild in violation of s. 951.09, or was used in the  
9 commission of a crime relating to a submerged cultural resource in violation of s.  
10 44.47, it shall be confiscated if the court directs in its order for judgment.

11 **SECTION 104.** <sup>✱</sup> 29.931 (4) of the statutes is created to read:

12 29.931 (4) ORDINANCE VIOLATIONS. For purposes of this section, a violation of ch.  
13 22 includes a violation of an ordinance enacted under s. 22.43.

14 **SECTION 105.** 29.934<sup>✓</sup> (1) (a) of the statutes is amended to read:

15 29.934 (1) (a) All wild animals, carcasses or plants that are confiscated by the  
16 department for a violation of ch. 22 or this chapter and all ~~confiscated~~ vehicles, boats  
17 or objects confiscated by the department for a violation of ch. 22 or this chapter shall,  
18 if not destroyed as authorized by law, be sold at the highest price obtainable, by the  
19 department, or by an agent on commission under supervision of the department. The  
20 net proceeds of sales under this subsection, after deducting the expense of seizure  
21 and sale and any commissions and any amounts owing to holders of security interests  
22 under par. (c) or (d), shall be remitted to the department. The remittance shall be  
23 accompanied by a report of the sales, supported by vouchers for expenses and  
24 commissions, and shall be filed with the department.

25 **SECTION 106.** <sup>✓</sup> 29.957 of the statutes is amended to read:

1           **29.957 Breaking seals of department.** Any person who breaks, removes or  
 2 interferes with any seal or tag attached to any animal, carcass or object by the  
 3 department, or who interferes with any animal, carcass or object with a seal or tag  
 4 attached, or who counterfeits a seal or tag, attached or unattached, shall be fined not  
 5 more than \$500 or imprisoned for not more than 90 days or both. This section applies  
 6 to seals and tags required by the department under ch. 22 or this chapter.

7           **SECTION 107.** 29.969 of the statutes is amended to read:

8           **29.969 Larceny of game wild animals.** A person who, without permission  
 9 of the owner, disturbs or appropriates any wild animal or its carcass that has been  
 10 lawfully reduced to possession by another shall forfeit not less than \$1,000 nor more  
 11 than \$2,000. This section does not apply to farm-raised deer or, ~~domestic~~ <sup>farm-raised</sup> game birds,  
 12 farm-raised fish, or wild animals that are subject to regulation under ch. 22.

13           **SECTION 108.** 29.971 (14) of the statutes amended is to read:

14           29.971 (14) In any prosecution under this section it is not necessary for the  
 15 state to allege or prove that the animals were not farm-raised deer, farm-raised fish,  
 16 ~~domestic~~ <sup>farm-raised</sup> game birds, wild animals subject to regulation under ch. 22, or  
 17 domesticated domestic animals, that they were not taken for scientific purposes, or  
 18 that they were taken or in possession or under control without a required approval.  
 19 The person claiming that these animals were farm-raised deer, farm-raised fish,  
 20 ~~domestic~~ <sup>farm-raised</sup> game birds, wild animals subject to ch. 22, or domesticated domestic  
 21 animals, that they were taken for scientific purposes or that they were taken or in  
 22 possession or under control under the required approval, has the burden of proving  
 23 these facts.

24           **SECTION 109.** 29.971 (15) of the statutes is created to read:

25           29.971 (15) For purposes of this section: (a) Subsections (3) <sup>and (9)</sup> does does  
 not apply to farm-raised deer, ~~domestic~~ <sup>farm-raised</sup> game birds,  
 farm-raised or wild animals subject to regulation under  
 ch. 22. (b) Subsection (9) does not apply to farm-raised fish.

1 (a) "Deer" does not include farm-raised deer. *farm-raised*

2 (3) (b) "Game" does not include farm-raised deer, ~~domestic~~ game birds, or wild

3 animals subject to regulation under ch. 22.

4 (c) "Wild animal" does not include a farm-raised deer, a farm-raised fish, a

5 ~~domestic~~ *farm-raised* game bird, or a wild animal subject to regulation under ch. 22.

6 SECTION 110. 29.974 (2) of the statutes is renumbered 29.974 (2) (b).

7 SECTION 111. 29.974 (2) (a) of the statutes is created to read:

8 29.974 (2) (a) In this subsection, "wild animal" does not include a farm-raised

9 deer, a farm-raised fish, a ~~domestic~~ *farm-raised* game bird, or a wild animal subject to regulation

10 under ch. 22.

11 SECTION 112. 29.977 (1) (g) of the statutes is amended to read:

12 29.977 (1) (g) Any pheasant, Hungarian gray partridge, quail, rail, Wilson's

13 snipe, woodcock or shore bird, or protected song bird or harmless bird, \$17.50.

14 SECTION 113. 29.983 (1) (b) 7. of the statutes is amended to read:

15 29.983 (1) (b) 7. For any pheasant, Hungarian gray partridge, quail, rail,

16 Wilson's snipe, woodcock or shore bird, or protected song bird or harmless bird,

17 \$17.50.

18 SECTION 114. 49.857 (1) (d) 2. of the statutes is amended to read:

19 49.857 (1) (d) 2. An approval specified in s.29.024 (2g) or a license issued under

20 ch. 22.

21 SECTION 115. 59.25 (3) (f) 2. of the statutes is amended to read:

22 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be

23 deposited in the state treasury, the amounts required by s. 757.05 for the penalty

24 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories

25 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the



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

24 **SECTION 116.** 59.40 (2) (m) of the statutes is amended to read:

1           59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's  
2 percentage of the fees required to be paid on each civil action, criminal action and  
3 special proceeding filed during the preceding month and pay monthly to the  
4 treasurer for the use of the state the percentage of court imposed fines and forfeitures  
5 required by law to be deposited in the state treasury, the amounts required by s.  
6 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for  
7 the crime laboratories and drug law enforcement assessment, the amounts required  
8 by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for  
9 the crime victim and witness assistance surcharge, the amounts required by s.  
10 938.34 (8d) for the delinquency victim and witness assistance surcharge, the  
11 amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the  
12 amounts required by s. 961.41 (5) for the drug abuse program improvement  
13 surcharge, the amounts required by s. 100.261 for the consumer information  
14 assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055  
15 for the domestic abuse assessment surcharge, the amounts required by s. 253.06 (4)  
16 (c) for the enforcement assessment under the supplemental food program for women,  
17 infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r)  
18 for the railroad crossing improvement assessment, the amounts required by s.  
19 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4)  
20 for the uninsured employer assessment, the amounts required by s. 299.93 for the  
21 environmental assessment, the amounts required under s. 29.983 for the wild  
22 animal protection assessment, the amounts required under ~~s.~~ ss. 22.46 (1) (d) and  
23 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required  
24 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.  
25 350.115 for the snowmobile registration restitution payment and the amounts

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

4 SECTION 117. 73.0301 (1) (d) 1. of the statutes is amended to read:

5 73.0301 (1) (d) 1. An approval specified in s. 29.024 (2r) or a license specified  
6 in s. 22.35.

7 SECTION 118. 90.20 (1) (a) of the statutes is <sup>repealed</sup> amended to read:

8 ~~90.20 (1) (a) "Farm-raised deer" has the meaning given in s. 95.001 (1) (a) (ag).~~

9 SECTION 119. 93.07 (16) (a) of the statutes is amended to read:

10 93.07 (10) (a) In this subsection, "domestic animals" includes farm-raised deer,  
11 as defined in s. 95.001 (1) (a) (ag).

12 SECTION 120. 93.07 (10) (b) of the statutes is amended to read:

13 93.07 (10) ~~(b)~~ To protect the health of domestic animals of the located in this  
14 state; and of humans residing in this state and to determine and employ the most  
15 efficient and practical means for the prevention, suppression, control, and  
16 eradication of communicable diseases among domestic animals, and for. For these  
17 purposes it the department may establish, maintain, enforce, and regulate such  
18 quarantine and such other measures relating to the importation, movement, and  
19 care of animals and their products, the disinfection of suspected localities and  
20 articles, and the disposition of animals, as the department may deem necessary. The  
21 definition of "communicable disease" in s. 990.01 (5g) does not apply to this  
22 paragraph.

23 SECTION 121. 95.001 (1) (a) of the statutes is renumbered 95.001 (1) (ag) and  
24 amended to read:

ANIMAL HEALTH; QUARANTINE.

FIX  
COM-  
PONENT

FIX  
COMPONENT

INS  
75-6

INS  
75-8

INS  
75-11

CS

1 95.001 (1) (ag) "Farm-raised deer" means an animal that is a member of the  
2 family cervidae and of the genus dama, the genus rangifer or the genus cervus, except  
3 for an elk a cervid that is kept in captivity or a cervid that is present in the wild and  
4 that does not have has an ear tag or other mark identifying it as being raised on a  
5 farm.

\*\*\*NOTE: Do we need a definition of "captivity"?

← INSERT  
76-4 ✓

6 SECTION 122. 95.001 (1) (ad) of the statutes is created to read:

7 95.001 (1) (ad) "Domestic animal" means any of the following:

8 1. An animal that is a member of a species that has been domesticated by  
9 humans.

10 2. A farm-raised deer <sup>capture</sup> or farm-raised fish or other animal that is a member of  
11 a species that is raised and held in captivity to produce food, fiber, or other  
12 commodities or to breed other animals for food, fiber, or other commodities.  
*Do produce / produce offspring for*

13 3. An animal that is listed as a domestic animal by rule by the department.

\*\*\*\*NOTE: Is it clear that game birds that are used under licenses issued under s.  
22.19, 22.20 or 22.21 are outside this definition? If not, they need to be for the  
interrelationship among the definitions and exemptions to work.

← INSERT  
76-14 ✓

14 SECTION 123. 95.20 of the statutes is repealed and recreated to read:

15 **95.20 Import and movement of animals.** The department may prohibit or  
16 regulate the importing of animals into this state or the movement of animals within  
17 this state if the department has reasonable grounds to believe that regulation or  
18 prohibition is necessary to prevent the introduction or spread of a disease in this  
19 state that threatens the health of animals or of humans.

20 SECTION 124. 95.22 of the statutes is repealed and recreated to read:

21 **95.22 Reporting animal diseases.** (1) A veterinarian shall report to the  
22 department any disease specified in the rules promulgated under sub. (2) (a) each

1 time a veterinarian discovers that such a disease is present in any animal in this  
2 state.

*deadline for reporting the disease after*

3 (2) The department shall promulgate rules that specify all of the following:

4 (a) The diseases that a veterinarian must report under this section.

5 (b) For each disease specified in par. (a), the ~~number of days after~~ *number of days after* the date of  
its

6 discovery ~~that a veterinarian has to report the disease.~~

7 (c) The information that a veterinarian must include in his or her report.

8 (d) Procedures to be used in preparing and submitting the report.

9 (3) The department of agriculture, trade and consumer protection shall notify  
10 the department of natural resources of the contents of any report submitted under  
11 sub. (1) if the department of agriculture, trade and consumer protection determines  
12 that the disease that is the subject of the report may present a threat to the wild  
13 animals of this state.

14 **SECTION 125.** 95.31 (1) of the statutes is amended to read:

15 95.31 (1) ~~The department shall have general power and authority to may~~  
16 ~~condemn and order the slaughter or destruction of animals that are affected with~~  
17 ~~or exposed to a contagious and or infectious diseases as disease if the department~~  
18 ~~determines that it is necessary to do so to prevent or control the spread of dangerous~~  
19 ~~diseases among domestic animals of this state. The department shall pay~~  
20 ~~indemnities to the owners of animals condemned and destroyed as provided in this~~  
21 ~~chapter the disease. Condemned animals shall be slaughtered or destroyed as~~  
22 ~~directed by the department.~~

23 **SECTION 126.** 95.31 (2) of the statutes is amended to read:

24 95.31 (2) ~~Whenever~~ If the department determines that it is necessary to  
25 ~~condemn diseased animals~~ an animal under sub. (1), the department shall, in all

1 cases where the payment of indemnities is authorized under this chapter, appraise  
2 the condemned animals animal as provided in s. 95.32 and shall notify the owner in  
3 writing of the appraised value. The notice shall include the number and description  
4 of the animals and the name of the owner.

5 **SECTION 127.** 95.31<sup>✓</sup> (3) of the statutes is amended to read:

6 95.31 (3) In addition to the indemnities for specific animal diseases provided  
7 under ss. 95.25, 95.26 and 95.27 or under special emergency programs and subject  
8 to s. 95.36, the department shall pay indemnities on livestock condemned and  
9 slaughtered or destroyed because of other diseases if the department determines  
10 that the condemnation and slaughter or destruction is necessary to protect public  
11 health or the livestock industry. The indemnity under this subsection shall be  
12 two-thirds of the difference between net salvage value and appraised value, but may  
13 not exceed \$1,500 for an animal. As used in this subsection, "livestock" means  
14 animals of species raised primarily to produce food for human consumption,  
15 including farm-raised deer. public health or ✓

16 **SECTION 128.** 95.31<sup>✓</sup> (4) of the statutes is amended to read:

17 95.31 (4) In the event of a major or serious outbreak of ~~dangerous diseases~~  
18 affecting a contagious or infectious disease that may affect the health of domestic  
19 animals requiring and that requires special control measures, the department may  
20 request the joint committee on finance to release funds appropriated under s. 20.115  
21 (2) (b) as needed to conduct emergency control programs independently or in  
22 cooperation with federal or local units of government and, subject to s. 95.36, to pay  
23 indemnities on animals of species raised primarily to produce food for human  
24 consumption, including farm-raised deer, condemned and slaughtered or destroyed  
25 under the emergency control programs. For all indemnities paid under this

1 subsection, the state shall pay two-thirds of the difference between the net salvage  
2 value and the appraised value of an animal, except that no payment may exceed ✓  
3 \$1,500 for an animal.

INSERT  
79-3

4 SECTION 129. 95.45 (1) of the statutes is renumbered 95.45 (1g) and amended  
5 to read:

○ Veterinarians

6 95.45 (1g) Tests to determine the health status of animals for the purpose of  
7 interstate shipment shall be made only by licensed graduate ~~accredited~~  
8 veterinarians approved by the department. Such ~~accredited~~ veterinarians shall  
9 report the results of every such test to the department in triplicate. strike

LPS:  
MOVE THIS BILL SECTION TO  
CORRECT POSITION, AT 80-4

10 SECTION 130. 95.45 (1d) of the statutes is created to read:

11 95.45 (1d) In this section  
12 ~~accredited~~ "veterinarian" has the meaning given ~~for veterinarian~~ in s.  
13 22.01 (35).

14 (b) "Veterinary inspection certificate" means an interstate health certificate or  
15 a certificate of veterinary inspection.

16 SECTION 131. 95.45 (4) of the statutes is created to read:

17 95.45 (4) (a) If the department requires that a <sup>certificate of</sup> veterinary inspection  
18 ~~accompany~~ accompany an animal imported into this state, the ~~accredited~~  
19 veterinarian who issues the certificate shall file a copy of the certificate with the  
20 department.

21 (b) If ~~the department of natural resources requires that~~ a <sup>certificate of</sup> veterinary inspection  
22 ~~accompany~~ accompany an animal imported into this state, the ~~accredited~~  
23 veterinarian who issues the certificate shall file a copy of the certificate with the  
24 department of agriculture, trade and consumer protection. The department of

is required for <sup>or</sup> a wild animal under ~~§~~ 22.04(2)(d) and (3)(a) and 22.06(1)(d) 10

LPS insert here the material marked "X" from P2/ins page 6

1 agriculture, trade and consumer protection shall provide a copy of the certificate to  
2 the department of natural resources.

3 SECTION 132. 95.45 (2) of the statutes is repealed.

4 SECTION 133. 95.45 (3) of the statutes is repealed.

\*\*\*NOTE: I repealed s. 95.45 (2) and (3) because it appears that DATCP does not accept applications for or approve certificates.

INS 80-4

5 SECTION 134. 95.49 (1) (e) of the statutes is amended to read:

an animal

6 95.49 (1) (e) Animals not known to be reactors moved to the premises of ~~or a~~  
7 ~~livestock~~ an animal market operator licensed under s. 95.68 or ~~a livestock~~ dealer  
8 licensed under s. 95.69, for sale and removal as provided in sub. (2). <sup>strike</sup>

9 SECTION 135. 95.49 (1m) (e) of the statutes is amended to read:

an animal

10 95.49 (1m) (e) Animals not known to be reactors moved to the premises of a  
11 ~~livestock~~ an animal market operator licensed under s. 95.68 or ~~a livestock~~ dealer  
12 licensed under s. 95.69, for sale and removal as provided in sub. (2). <sup>strike</sup>

INS 80-18

13 SECTION 136. 95.55 (title) of the statutes is amended to read:

14 95.55 Farm-raised deer; registration.

15 SECTION 137. 95.55 (3m) of the statutes is created to read:

16 95.55 (3m) AUTHORIZATION. A person who is registered under this section may  
17 do any of the following:

18 (a) ~~1.~~ Possess, propagate, purchase, sell, hunt, <sup>kill,</sup> and exhibit farm-raised deer.

19 (b) ~~2.~~ Hunt or sell or offer to sell the opportunity to hunt farm-raised deer that the  
20 person owns.

INSERT 80-20

21 SECTION 138. 95.55 (6) of the statutes is created to read:

22 95.55 (6) RULES. (a) The department shall promulgate rules to regulate  
23 persons who keep farm-raised deer. The rules shall establish disease testing



1 requirements for bovine tuberculosis and chronic wasting disease and may establish  
 2 testing requirements for other diseases. The rules shall require that a minimum of  
 3 80 contiguous acres be provided for farm-raised deer that are hunted by persons who  
 4 purchase from the owner of the farm-raised deer the opportunity to hunt the  
 5 farm-raised deer.

6 (b) The rules promulgated under this subsection may include any of the  
 7 following:

- 8 1. Standards to be followed by persons keeping farm-raised deer to prevent the  
 9 spread of disease.
- 10 2. Provisions requiring ~~annual~~ registration. *that* *under this be*  
 11 *section on an annual basis*
- 12 3. Exemptions from any annual registration requirements established under  
 13 subd. 2.

14 ~~4. Methods for identifying dead farm-raised deer as having been legally  
 15 hunted.~~

15 **SECTION 139.** 95.68 (title) of the statutes is amended to read:

16 **95.68** (title) **Livestock Animal markets.**

17 **SECTION 140.** 95.68 (1) (a) of the statutes is renumbered 95.68 (1) (am).

18 **SECTION 141.** 95.68 (1) (b) of the statutes is amended to read:

19 95.68 (1) (b) "Equine market" means a ~~livestock~~ an animal market that is open  
 20 to the public solely for the purpose of trading in equine animals.

21 **SECTION 142.** 95.68 (1) (e) of the statutes is renumbered 95.68 (1) (ag) and  
 22 amended to read:

23 95.68 (1) (ag) "~~Livestock~~ Animal market" means any premises which are open  
 24 to the public for the purpose of trading in livestock or wild animals and on which  
 25 facilities are maintained for their yarding, feeding and watering prior to sale.

✓ STET: do not delete this bill section reading

1 SECTION 143. 95.68 (1) (f) of the statutes is renumbered 95.68 (1) (ai) and  
2 amended to read:

3 ~~95.68 (1) (ai) "Livestock Animal transport vehicle" has the meaning given in~~  
4 ~~s. 95.71 (1) (g) means any vehicle used to transport livestock or wild animals.~~

5 SECTION 144. 95.68 (1) (g) of the statutes is created to read:

6 95.68 (1) (g) "Wild animal" means a wild animal that is subject to regulation  
7 under ch. 22.

8 SECTION 145. 95.68 (2) of the statutes is amended to read:

9 95.68 (2) LICENSE. Except as provided in sub. (2m), no person may operate a  
10 livestock an animal market without an annual license from the department. -A  
11 livestock An animal market license expires on June 30 annually. A separate license  
12 is required for every livestock animal market. A license is not transferable between  
13 persons or locations.

14 SECTION 146. 95.68 (4) (intro.) of the statutes is amended to read:

15 95.68 (4) FEES. (intro.) Unless the department specifies a different fee by rule,  
16 the fee for a ~~livestock market~~ license issued under this section is the following  
17 amount:

18 SECTION 147. 95.68 (4) (a) of the statutes is amended to read:

19 95.68 (4) (a) For a ~~livestock~~ an animal market that is not an equine market and  
20 that conducted sales at the market on at least 5 days during the year immediately  
21 preceding the year for which the license is issued, \$150.

22 SECTION 148. 95.68 (4) (b) of the statutes is amended to read:

23 95.68 (4) (b) For a ~~livestock~~ an animal market that is not an equine market and  
24 that conducted sales on fewer than 5 days during the year immediately preceding the  
25 year for which the license is issued, \$75.

INS  
82-4

← INS 82-13

1 SECTION 149. 95.68 (4) (c) of the statutes is amended to read:

2 95.68 (4) (c) For ~~a livestock~~ an animal market other than one described in par.  
3 (a) or (b), \$100.

4 SECTION 150. 95.68 (5) (a) 1. of the statutes is amended to read:

5 95.68 (5) (a) 1. Operated ~~a livestock~~ an animal market without a license in  
6 violation of sub. (2).

INS 83  
-6

7 SECTION 151. 95.68 (5) (a) 2. of the statutes is amended to read:

8 95.68 (5) (a) 2. Operated an unregistered ~~livestock~~ animal transport vehicle in  
9 violation of sub. (7).

INS  
83-9

10 SECTION 152. 95.68 (5) (c) of the statutes is amended to read:

11 95.68 (5) (c) The payment of the surcharge and fees under this subsection does  
12 not relieve the applicant of other civil or criminal liability that may result from the  
13 failure to obtain a license or from the operation of an unregistered ~~livestock~~  
14 ~~transport~~ vehicle, but does not constitute evidence of a violation of a law.

15 SECTION 153. 95.68 (7) of the statutes is amended to read:

16 95.68 (7) ~~LIVESTOCK ANIMAL~~ TRANSPORT CS VEHICLE REGISTRATION. No ~~livestock~~ animal market  
17 operator may operate ~~a livestock~~ an animal transport vehicle unless the ~~livestock~~  
18 animal transport vehicle is registered with the department in the name of the  
19 ~~livestock~~ animal market operator. The ~~livestock~~ animal transport vehicle shall be  
20 registered on a form provided by the department. The registration shall include a  
21 description and the serial number of the ~~livestock~~ animal transport vehicle.

22 SECTION 154. 95.68 (8) of the statutes is amended to read:

23 95.68 (8) RULES. The department may promulgate rules to specify license fees  
24 under sub. (4) or to regulate the operation of ~~livestock~~ animal markets, including  
25 rules related to market operator qualifications, market construction and

1 maintenance, construction and maintenance of ~~livestock~~ animal transport vehicles,  
2 identification of ~~livestock~~ animal transport vehicles, disease sanitation, humane  
3 treatment of animals, identification of animals, record keeping, reports to the  
4 department and compliance with applicable financial security requirements under  
5 state or federal law.

6 **SECTION 155.** 95.69 (1) (e) of the statutes is amended to read:

7 95.69 (1) (e) "~~Livestock market~~" ~~has the meaning given in s. 95.68 (1) (e) means~~  
8 any premises which are open to the public for the purpose of trading in livestock and  
9 on which facilities are maintained for their yarding, feeding, and watering prior to  
10 sale.

11 **SECTION 156.** 95.69 (2) of the statutes is amended to read:

12 95.69 (2) LICENSE. ~~No person may operate as a livestock dealer without an~~  
13 ~~annual license from the department, except that no license is required of a person~~  
14 ~~licensed as a livestock~~ an animal market operator under s. 95.68. A livestock dealer  
15 license expires on June 30 annually. A livestock dealer license is not transferable.

16 **SECTION 157.** 95.71 (1) (d) of the statutes is amended to read:

17 95.71 (1) (d) "~~Livestock market~~" has the meaning given in s. ~~95.68~~ 95.69 (1) (e),

18 **SECTION 158.** 97.42 (1) (dm) of the statutes is amended to read:

19 97.42 (1) (dm) "Farm-raised deer" has the meaning given in s. 95.001 (1) (a)  
20 (ag).

21 **SECTION 159.** 97.44 (3) of the statutes is amended to read:

22 97.44 (3) As used in this section, "animals" means cattle, sheep, goats, swine,  
23 equines, farm-raised deer, as defined in s. 95.001 (1) ~~(a)~~ (ag), and poultry, except in  
24 the phrase "animal feed manufacturers".

25 **SECTION 160.** 100.04 (1) of the statutes is amended to read:

INSERT  
84-17

1 100.04 (1) DEFINITION. In this section, "livestock" means swine, cattle, poultry,  
2 sheep, goats or farm-raised deer, as defined in s. 95.001 (1) (a) (ag).

3 SECTION 161. 167.31 (4) (b) of the statutes is amended to read:

4 167.31 (4) (b) Subsections (2) (a), (b) and (c) and (3) (a) and (b) do not apply to  
5 the holder of a <sup>PLAIN SPACE</sup> scientific research license under s. 22.25 or a scientific collector permit  
6 under s. 29.614 who is using a net gun or tranquilizer gun in an activity related to  
7 the purpose for which the license or permit was issued.

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8 SECTION 162. 174.001 (3) of the statutes is amended to read:

9 174.001 (3) "Livestock" means any horse, bovine, sheep, goat, pig, elk or other  
10 deer raised in captivity, llama, alpaca, domestic rabbit, farm-raised deer, as defined  
11 in s. 95.001 (1) (a) (ag), or domestic fowl, including <sup>STET</sup> game fowl raised in captivity <sup>STRIKE</sup>

~~\*\*\*NOTE: Under current law, this definition refers to deer that are captive 2 times. Therefore, the first reference is struck. OK?~~

any captive game bird, as defined in s. 95.001 (1)(ac)

12 SECTION 163. 350.01 (5) of the statutes is repealed.

13 SECTION 164. 814.60 (2) (e) of the statutes is amended to read:

14 814.60 (2) (e) Natural resources restitution payment imposed by s. 22.46 (2) or  
15 29.989.

16 SECTION 165. 895.57 (3) of the statutes is amended to read:

17 895.57 (3) Subsection (2) does not apply to any humane officer, local health  
18 officer, peace officer, employee of the department of agriculture, trade or consumer  
19 protection, or employee of the department of natural resources while on any land  
20 licensed under s. 29.865, 29.867, 29.869 or 29.871 22.15, 22.18, or 22.19, subject to  
21 certification under s. 90.21, or designated as a wildlife refuge under s. 29.621 (1) or  
22 employee of the department of agriculture, trade and consumer protection if the

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1 officer's or employee's acts are in good faith and in an apparently authorized and  
2 reasonable fulfillment of his or her duties.

\*\*\*\*NOTE: The cross-reference to a certification under s. 90.21 is to the fencing certification provisions that will be included in a later version.

3 SECTION 166. 943.75 (3) of the statutes is amended to read:

4 943.75 (3) Subsections (2) and (2m) do not apply to any humane officer, local  
5 health officer, peace officer, ~~employee of the department of agriculture, trade and~~  
6 ~~consumer protection~~ employee of the department of natural resources while on  
7 any land licensed under s. 29.865, 29.867, 29.869 or 29.871 22.15, 22.18, or 22.19,  
8 subject to certification under s. 90.21, or designated as a wildlife refuge under s.

9 29.621 (1) ~~or employee of the department of agriculture, trade and consumer~~  
10 ~~protection~~ if the officer's or employee's acts are in good faith and in an apparently  
11 authorized and reasonable fulfillment of his or her duties. This subsection does not  
12 limit any other person from claiming the defense of privilege under s. 939.45 (3).

\*\*\*\*NOTE: The cross-reference to a certification under s. 90.21 is to the fencing certification provisions that will be included in a later version.

13 SECTION 167. 951.01 (1m) of the statutes is created to read:

14 951.01 (1m) "Conservation warden" means a warden appointed under s. 23.10.

15 SECTION 168. 951.015 of the statutes is renumbered 951.015 (1) and amended  
16 to read:

17 951.015 (1) This chapter may not be interpreted as controverting any law  
18 regulating wild animals that are subject to regulation under ch. 22, the taking of a  
19 ~~wild animal~~ wild animals, as defined in s. 29.001 (90), ~~the trapping of animals, the~~  
20 ~~use of live animals in dog trials or in the training of hunting dogs or the slaughter~~  
21 of animals by persons acting under state or federal law.

22 SECTION 169. 951.015 (2) of the statutes is created to read:

1           951.015 (2) For purposes of enforcing this chapter as to wild animals subject  
2 to regulation under ch. 22, a conservation warden has the same powers and duties  
3 that a law enforcement officer has under this chapter.

4           **SECTION 170.** 951.09 of the statutes is renumbered 951.09 (1) and amended to  
5 read:

6           951.09 (1) No person may instigate, promote, aid or abet as a principal, agent,  
7 employee, participant or spectator, or participate in the earnings from, or  
8 intentionally maintain or allow any place to be used for the shooting, killing or  
9 wounding shoot, kill, or wound with a firearm, or with any deadly weapon, any  
10 animal that is tied, staked out, caged or otherwise intentionally confined in a  
11 ~~man-made~~ an artificial enclosure, regardless of size. ~~Nothing in this section~~  
12 ~~prohibits the shooting of any wild game in its wild state or the shooting of game birds~~  
13 ~~and waterfowl at licensed game farms or licensed shooting preserves.~~

14           **SECTION 171.** 951.09 (2) of the statutes is created to read:

15           951.09 (2) (a) Whoever is concerned in the commission of a violation of this  
16 section is a principal and may be charged with and convicted of the violation although  
17 he or she did not directly commit it and although the person who directly committed  
18 it has not been convicted of the violation.

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

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

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

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

1           **SECTION 172.** 951.09 (3) of the statutes is created to read:

2           951.09 (3) This section does not apply to any of the following animals:

3           (b) A captive ~~wild~~<sup>game</sup> bird that is shot, killed, or wounded on a bird hunting  
4 preserve licensed under s. 22.19.

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

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

8           **SECTION 173.** 951.18 (4) (a) 2. of the statutes is amended to read:

9           951.18 (4) (a) 2. A sentencing court shall require a criminal violator to pay  
10 restitution to a person, including any local humane officer or society or county or  
11 municipal pound or a law enforcement officer or conservation warden, for any  
12 pecuniary loss suffered by the person as a result of the crime, including expenses in  
13 keeping any animal that is involved in the crime. This requirement applies  
14 regardless of whether the criminal violator is placed on probation under s. 973.09.  
15 If restitution is ordered, the court shall consider the financial resources and future  
16 ability of the criminal violator to pay and shall determine the method of payment.  
17 Upon the application of any interested party, the court shall schedule and hold an  
18 evidentiary hearing to determine the value of any pecuniary loss under this  
19 paragraph.

20           **SECTION 174.** 951.18 (4) (b) 1. of the statutes is amended to read:

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



1 delivered to the department of natural resources, if the animal is a wild animal that  
2 is subject to regulation under ch. 22 and the court considers the order to be  
3 reasonable and appropriate. The society, pound or, officer or department of natural  
4 resources shall release the animal to a person other than the owner or dispose of the  
5 animal in a proper and humane manner. If the animal is a dog, the release or disposal  
6 shall be in accordance with s. 173.23 (1m), except that the fees under s. 173.23 (1m)  
7 (a) 4. do not apply if the expenses are covered under s. 173.24. If the animal is not  
8 a dog, the society, pound or officer may charge a fee for the release of the animal.

9 **SECTION 175.** 973.05<sup>✓</sup> (1) of the statutes is amended to read:

10 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant  
11 permission for the payment of the fine, of the penalty assessment imposed by s.  
12 757.07, the jail assessment imposed by s. 302.46 (1), the crime victim and witness  
13 assistance surcharge under s. 973.045, the crime laboratories and drug law  
14 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid  
15 analysis surcharge under s. 973.046, any applicable drug abuse program  
16 improvement surcharge imposed by s. 961.41 (5), any applicable consumer  
17 information assessment imposed by s. 100.261, any applicable domestic abuse  
18 assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver  
19 improvement surcharge imposed by s. 346.655, any applicable enforcement  
20 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed  
21 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),  
22 any applicable environmental assessment imposed by s. 299.93, any applicable wild  
23 animal protection assessment imposed by s. 29.983, any applicable natural resources  
24 assessment imposed by s. 22.46 (1) or 29.987 and any applicable natural resources  
25 restitution payment imposed by s. 22.46 (2) or 29.989 to be made within a period not

1 to exceed 60 days. If no such permission is embodied in the sentence, the fine, the  
2 penalty assessment, the jail assessment, the crime victim and witness assistance  
3 surcharge, the crime laboratories and drug law enforcement assessment, any  
4 applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse  
5 program improvement surcharge, any applicable consumer information assessment,  
6 any applicable domestic abuse assessment, any applicable driver improvement  
7 surcharge, any applicable enforcement assessment, any applicable weapons  
8 assessment, any applicable uninsured employer assessment, any applicable  
9 environmental assessment, any applicable wild animal protection assessment, any  
10 applicable natural resources assessment and any applicable natural resources  
11 restitution payment shall be payable immediately.

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12 **SECTION 176. Effective dates.** This act takes effect on January 1, 2003, except  
13 as follows:

14 (1) The treatment of sections 22.29, 22.34 and 22.35 of the statutes takes effect  
15 on the day after publication.

16 (END)