

1 **22.43 Local ordinances.** A municipality or county may enact and enforce an
2 ordinance that prohibits the possession or selling of live wild animals.

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

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

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

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

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

19 **(d) Taking of bear and deer.** For taking bear or deer from the wild in violation
20 of s. 22.05, or a rule promulgated thereunder, a person shall be fined not less than
21 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

22 **(e) Harmful wild animals.** For a violation of s. 22.11 (2) (b) or (c), a person shall
23 be fined not less than \$500 nor more than \$5,000 or imprisoned for not more than
24 6 months or both.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1 1. Directly commits the violation of this chapter.
- 2 2. Aids and abets the commission of the violation of this chapter.
- 3 3. Is a party to a conspiracy with another to commit the violation of this chapter
- 4 or advises, hires, or counsels or otherwise procures another to commit it.

5 **22.46 Natural resources assessments and restitution payments. (1)**

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

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

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

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

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

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

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

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

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

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

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

1 23.09 (2) (f) *Propagation, ~~game and of fish.~~* Subject to s. 95.60, capture,
2 propagate, transport, sell or exchange any species of ~~game or fish~~ needed for stocking
3 or restocking any ~~lands or waters~~ of the state.

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

5 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit
6 court to recover forfeitures, penalty assessments, jail assessments, applicable
7 weapons assessments, applicable environmental assessments, applicable wild
8 animal protection assessments, applicable natural resources assessments,
9 applicable fishing shelter removal assessments, applicable snowmobile registration
10 restitution payments and applicable natural resources restitution payments for
11 violations of ss. 77.09, 90.215, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57
12 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch.
13 77, this chapter and chs. 22 and 26 to 31 and of ch. 350, and any administrative rules
14 promulgated thereunder, violations specified under s. 285.86, violations of ch. 951
15 if the animal involved is a captive wild animal, violations of rules of the Kickapoo
16 reserve management board under s. 41.41 (7) (k) or violations of local ordinances
17 enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

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

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

1 23.53, 23.54, 23.56 to 23.64, 23.66 and 23.67 shall apply to violations of such
2 ordinances.

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

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

5 23.51 (1d) "Captive" has the meaning given in s. 22.01 (2).

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

7 23.51 (5) "Natural resources restitution payment" means the payment imposed
8 under s. 22.46 (2) or 29.989.

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

10 23.51 (9m) "Wild animal" has the meaning given in s. 22.01 (37).

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

12 23.65 (1) When it appears to the district attorney that a violation of s. ^{90.21}134.60,
13 281.48 (2) to (5), 283.33, 285.57 (2), ²²⁵285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81
14 or 299.64 (2), this chapter or ch. ²²⁵26, 27, 28, 29, 30, 31 or 350, or any administrative
15 rule promulgated pursuant thereto, ~~or~~ a violation specified under s. 285.86, or a
16 violation of ch. 951, if the animal involved is a captive wild animal, has been
17 committed the district attorney may proceed by complaint and summons.

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

19 23.795 (3) In lieu of an order of imprisonment under sub. (1) (a) for a violation
20 of ch. 22, the court may revoke or suspend any privilege or license granted under ch.
21 22 as provided in s. 22.45 (6).

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

23 25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing
24 to the state for or in behalf of the department under chs. 22, 26, 27, 28, 29 and 350,
25 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

INS 56-17

strike
↓

and 90.21

1 to 30.55, 70.58, 71.10 (5) and 71.30 (10), including grants received from the federal
2 government or any of its agencies except as otherwise provided by law.

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

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

STET

8 SECTION 15. 29.001 (24) of the statutes is amended to read:

9 29.001 (24) "Farm-raised deer" has the meaning given in s. 95.001 (1) (a) (ag).

10 SECTION 16. 29.001 (25m) of the statutes is created to read:

11 ~~29.001 (25m) "Farm-raised game birds" are birds that are captive game birds,
12 as defined in s. 95.001 (1) (ac), or birds that are used under a license issued under
13 s. 22.19, 22.20, or 22.21.~~

14 SECTION 17. 29.001 (26) of the statutes is amended to read:

15 29.001 (26) "Fish farm" has the meaning given in s. 95.60 (1) (a) (aj), except that
16 "fish farm" does not include a state or municipal fish hatchery or a private fishing
17 preserve.

that are

INSERT 57-13

95.001 (1)
(aj)

18 SECTION 18. 29.001 (39) of the statutes is amended to read:

19 29.001 (39) "Game birds" includes ~~include~~ wild geese, brant, wild ducks, wild
20 swan, rails, coots, gallinules, snipe, woodcock, plovers, sandpipers, ruffed grouse,
21 prairie chicken, sharp-tailed grouse, pheasants, Hungarian gray partridge, Chukar
22 chukar partridge, bobwhite, quail, crows and wild turkey.

means birds found in the wild in this state and

INS

23 ~~include birds that are captive game birds, as defined in s. 95.001 (1) (ac), or that are
24 used under a license issued under s. 22.19, 22.20, or 22.21.~~

25 SECTION 19. 29.001 (60) of the statutes is amended to read:

INS 57-24

1 29.001 (60) "Nongame species" means any species of wild animal that is living
2 in the wild and that is not classified as a game fish, game animal, game bird or
3 fur-bearing animal.

4 **SECTION 20.** 29.011 (3) of the statutes is created to read:

5 29.011 (3) This section does not apply to farm-raised deer, farm-raised game
6 birds, ~~or~~ *farm-raised fish,* or wild animals that are subject to regulation under ch. 22.

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

8 29.024 (1) APPROVALS REQUIRED. Except as specifically provided in ch. 22 or this
9 chapter, ~~no~~ *or s. 95.55(5)* person may hunt or trap in this state, fish in the waters of this state or
10 engage in any of the activities regulated under this chapter unless the appropriate
11 approval is issued to the person. A person shall carry the required approval with him
12 or her at all times while hunting, trapping or fishing or engaged in regulated
13 activities unless otherwise required by this chapter or unless otherwise authorized
14 or required by the department. A person shall exhibit the approval to the
15 department or its wardens on demand.

16 **SECTION 22.** 29.024 (2g) (a) 2. of the statutes is amended to read:

17 29.024 (2g) (a) 2. Any permit issued under s. 29.537, 29.733, 29.735, or 29.736
18 ~~or 29.871.~~

19 **SECTION 23.** 29.024 (2r) (a) 17. of the statutes is repealed.

20 **SECTION 24.** 29.024 (2r) (a) 18. of the statutes is repealed.

21 **SECTION 25.** 29.024 (2r) (a) 19. of the statutes is repealed.

22 **SECTION 26.** 29.024 (2r) (a) 20. of the statutes is repealed.

23 **SECTION 27.** 29.024 (2r) (a) 21. of the statutes is repealed.

24 **SECTION 28.** 29.024 (2r) (am) of the statutes is amended to read:

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

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

11 29.042 (1) Beginning on January 1, 1998, the department may not enter into
12 any agreement to make payments to persons holding approvals issued under s.
13 29.501, 29.503, 29.506, 29.509, 29.512, 29.514, 29.519, 29.523, 29.526, 29.529,
14 29.531, 29.533, 29.537, 29.607, 29.611, or 29.614, ~~29.865, 29.867, 29.869, 29.871 or~~
15 ~~29.877~~ in exchange for the retirement of the approval or for the temporary or
16 permanent cessation of any activity authorized under the approval.

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

18 29.047 (2) (b) The possession, transportation, delivery or receipt of farm-raised
19 deer or, farm-raised game birds, farm-raised fish, or wild animals that are subject
20 to regulation under ch. 22.

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

22 **29.055 Wild animals; possession in closed season or in excess of bag**
23 **limit.** Except as expressly provided in this chapter, no person may have in the
24 person's possession or under the person's control, or have in storage, any wild animal
25 or carcass that was taken during the closed season for that wild animal or that is in

1 excess of the bag or possession limit or contrary to the size limits for that wild animal.
2 The open and closed seasons and the bag, possession and size limits of the state,
3 province or country in which a wild animal was taken shall apply to the wild animal
4 or the carcass if it was lawfully killed outside of this state. This section does not apply
5 to farm-raised deer, farm-raised fish, farm-raised game birds, or wild animals that
6 are subject to regulation under ch. 22.

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

8 **29.057 Wild animals; possession in open season.** It is unlawful to possess
9 or control at any time a protected wild animal or the carcass of any protected wild
10 animal showing that it was taken during the closed season for the protected wild
11 animal. This section does not apply to farm-raised deer, farm-raised fish,
12 farm-raised game birds, or wild animals that are subject to regulation under ch. 22.

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

14 **29.071 Wildlife on Indian reservations protected.** No person may remove
15 or take from any Indian reservation the carcass of any protected wild animal during
16 the closed season for the wild animal ~~without a permit from~~ except as authorized by
17 the department under ch. 22 or this chapter.

18 **SECTION 34.** 29.191 (2) (a) 3. of the statutes is amended to read:

19 29.191 (2) (a) 3. Any person hunting pheasant under s. 29.195 ~~or on premises~~
20 ~~licensed under s. 29.865~~ is exempt from the requirements under subd. 1.

21 **SECTION 35.** 29.319 (1) (intro.) of the statutes is amended to read:

22 29.319 (1) (intro.) ~~In regulating~~ The department may regulate falconry and the
23 taking of raptors for use in falconry; In so doing, the department may do any of the
24 following:

25 **SECTION 36.** 29.321 of the statutes is repealed.

1 SECTION 37. 29.334 (title) of the statutes is amended to read:

2 **29.334 (title) Hunting and trapping; treatment of wild animals.**

3 SECTION 38. 29.334 of the statutes is renumbered 29.334 (1) and amended to
4 read:

5 29.334 (1) A person who hunts or traps any game animal or fur-bearing animal
6 shall kill the animal when it is taken and make it part of the daily bag or shall release
7 the game animal or fur-bearing animal unless authorized under s. 29.857, 29.863,
8 29.867, 29.869, 29.871 or 29.877.

9 SECTION 39. 29.334 (3) of the statutes is created to read:

10 29.334 (3) This section does not apply to farm-raised deer, farm-raised game
11 birds, or wild animals that are subject to regulation under ch. 22.

12 SECTION 40. 29.337 (1) (intro.) of the statutes is amended to read:

13 29.337 (1) (intro.) The owner or occupant of any land, and any member of his
14 or her family, may hunt or trap beaver, coyotes, foxes, raccoons, woodchucks, rabbits,
15 and squirrels on the land without a license issued under ch. 22 or this chapter at any
16 time, except as follows:

17 SECTION 41. 29.347 (2) of the statutes is amended to read:

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

1 **SECTION 42.** 29.351 of the statutes is renumbered 29.351 (1), and 29.351 (1) (c),
2 as renumbered, is amended to read:

3 29.351 (1) (c) Possess the raw skin of any muskrat, mink, otter, fisher or pine
4 marten at any time unless the person is the holder of a valid scientific collector
5 permit, fur dealer license, trapping license or resident conservation patron license.
6 No license is required for a person breeding, raising and producing domestic
7 fur-bearing animals in captivity, as defined in s. ~~29.873~~ 29.627, or for a person
8 authorized to take muskrats on a cranberry marsh under a permit issued to the
9 person by the department.

10 **SECTION 43.** 29.351 (2m) of the statutes is created to read:

11 29.351 (2m) Subsection (1) does not apply to the skins of fur-bearing animals
12 that are subject to regulation under ch. 22.

13 **SECTION 44.** 29.354 (1) of the statutes is amended to read:

14 29.354 (1) APPROVAL NECESSARY. No person, ~~except a person who has a valid~~
15 ~~hunting license, sports license, conservation patron license, taxidermist permit or~~
16 ~~scientific collector permit and who is carrying this approval on his or her person,~~ may
17 possess or have under his or her control any game bird, or game animal or the carcass
18 of any game bird or game animal unless the person has a valid hunting license, sports
19 license, conservation patron license, taxidermist permit, or scientific collector
20 permit.

21 **SECTION 45.** 29.354 (2) of the statutes is renumbered 29.354 (2) (a) and
22 amended to read:

23 29.354 (2) (a) ~~No person, except a~~ Except as provided in par. (b), no person who
24 ~~has a valid scientific collector permit,~~ may take, needlessly destroy or possess or have

1 under his or her control the nest or eggs of any wild bird for which a closed season
2 is prescribed under this chapter.

3 **SECTION 46.** 29.354 (2) (b) of the statutes is created to read:

4 29.354 (2) (b) A person who has a valid scientific collector permit may take or
5 possess or have under his or her control the nest of a wild bird and may destroy the
6 nest if necessary for a scientific purpose.

7 **SECTION 47.** 29.354 (4) of the statutes is repealed.

8 **SECTION 48.** 29.354 (5) of the statutes is created to read:

9 29.354 (5) CAPTIVE WILD ANIMALS. This section does not apply to farm-raised
10 deer, farm-raised fish, or wild animals that are subject to regulation under ch. 22.

11 **SECTION 49.** 29.357 (5) (b) of the statutes is amended to read:

12 29.357 (5) (b) Subsections (1) to (4) do not apply to the possession,
13 transportation, delivery or receipt of farm-raised deer ~~or~~, farm-raised fish,
14 farm-raised game birds, or wild animals that are subject to regulation under ch. 22.

15 **SECTION 50.** 29.501 (9m) of the statutes is created to read:

16 29.501 (9m) This section applies to the raw furs and dressed furs of fur-bearing
17 animals that are subject to regulation under ch. 22.

18 **SECTION 51.** 29.506 (4) of the statutes is amended to read:

19 29.506 (4) AUTHORIZATION. Subject to this section, a taxidermist permit
20 authorizes the permit holder to possess and transport ~~wild animals or carcasses of~~
21 wild animals in connection with his or her business. This authority supersedes, to
22 the extent permitted under this section, restrictions on the possession and
23 transportation of ~~wild animals and carcasses of wild animals~~ established under ch.
24 22 and this chapter. A taxidermist permit entitles the permit holder to the same
25 privileges as a Class A fur dealer's license.

1 **SECTION 52.** 29.539 (1m) of the statutes is amended to read:

2 29.539 (1m) Subsection (1) does not apply to farm-raised deer ~~or~~, farm-raised
3 fish, farm-raised game birds, or wild animals that are subject to regulation under
4 ch. 22 or the carcasses of these animals.

5 **SECTION 53.** 29.541 (3) of the statutes is amended to read:

6 29.541 (3) EXEMPTION. This section does not apply to the meat from
7 farm-raised deer ~~or from~~, farm-raised fish, or farm-raised game birds or to meat
8 that is subject to regulation under s. 22.14.

9 **SECTION 54.** 29.563 (9) (intro.) and (a) (title) of the statutes are repealed.

10 **SECTION 55.** 29.563 (9) (a) 1. of the statutes is renumbered 29.563 (7) (c) 5m.

11 **SECTION 56.** 29.563 (9) (a) 2. to 10. and (b) of the statutes are repealed.

12 **SECTION 57.** 29.563 (9) (c) of the statutes is repealed.

13 **SECTION 58.** 29.614 (3) of the statutes is amended to read:

14 29.614 (3) A scientific collector permit authorizes the permittee to collect or
15 salvage from the wild, for scientific purposes only, ~~the eggs, nest and live fish and the~~
16 nests and carcasses of any wild animals specified in the permit subject to the
17 conditions and limitations specified in the permit and the rules of the department.
18 The permittee may use the specimens for the scientific purposes for which collected
19 or salvaged and may transport them or cause them to be transported by common
20 carrier. Possession of these specimens may not be transferred to any other person,
21 except that these specimens may be exchanged for other specimens for scientific
22 purposes. A scientific collector permit may authorize the use of net guns and
23 tranquilizer guns for activities related to the purposes for which the permit is issued.
24 Any person who is convicted of violating this chapter shall forfeit the person's permit
25 and the permit is thereby revoked, in addition to all other penalties. Any person so

1 convicted is not eligible for a permit under this section for one year following the
2 conviction.

3 SECTION 59. 29.741 (1) of the statutes is repealed.

4 SECTION 60. 29.741 (2) of the statutes is renumbered 29.741 and amended to
5 read:

6 **29.741 ~~State propagation of wild animals~~ Food in the wild for game**
7 **birds**. No person ~~shall~~ may, from the public waters of this state, take, remove, sell,
8 or transport from the public waters of this state to any place beyond the borders of
9 the state, any duck potato, wild celery, or any other plant or plant product except wild
10 rice, that is native in said to these waters and that is commonly known to furnish food
11 for game birds.

12 SECTION 61. 29.745 of the statutes is repealed.

13 SECTION 62. 29.853 (title) of the statutes is repealed.

14 SECTION 63. 29.853 (1) of the statutes is repealed.

15 SECTION 64. 29.853 (2) of the statutes is repealed.

16 SECTION 65. 29.853 (3) of the statutes is repealed.

17 SECTION 66. 29.853 (4m) of the statutes is repealed.

18 SECTION 67. 29.853 (5) (title) of the statutes is repealed.

19 SECTION 68. 29.853 (5) of the statutes is renumbered 29.334 (2) and amended
20 to read:

21 29.334 (2) A person who violates ~~this section~~ sub. (1) shall forfeit not less than
22 \$100 nor more than \$1,000.

23 SECTION 69. 29.855 (title) of the statutes is repealed.

24 SECTION 70. 29.855 (1) of the statutes is repealed.

25 SECTION 71. 29.855 (2) of the statutes is repealed.

1 **SECTION 72.** 29.855 (3) of the statutes is repealed.

2 **SECTION 73.** 29.855 (4) (title) of the statutes is repealed.

3 **SECTION 74.** 29.855 (4) of the statutes is renumbered 22.04 (2) (e) and amended
4 to read:

5 22.04 (2) (e) No person may operate on a live wild skunk to remove its scent
6 glands unless the person ~~who possesses~~ holds a Class A or Class B captive wild
7 animal farm license or unless the person is a veterinarian and the person bringing
8 the skunk is authorized under s. 29.857 or 29.869 to the veterinarian holds such a
9 license. A veterinarian to whom a person brings a live wild skunk for removal of its
10 scent glands ~~or for other treatment~~ shall verify whether the person holds a Class A
11 or Class B captive wild animal farm license. If the person does not hold such a license,
12 the veterinarian shall notify that person that possession of a live skunk is illegal and
13 shall notify the department.

14 **SECTION 75.** 29.855 (5) of the statutes is repealed.

15 **SECTION 76.** 29.855 (6) of the statutes is repealed.

16 **SECTION 77.** 29.855 (7) of the statutes is repealed.

17 **SECTION 78.** 29.857 of the statutes is repealed.

18 **SECTION 79.** 29.861 of the statutes is repealed.

19 **SECTION 80.** 29.863 of the statutes is repealed.

20 **SECTION 81.** 29.865 of the statutes is repealed.

21 **SECTION 82.** 29.867 of the statutes is repealed.

22 **SECTION 83.** 29.869 of the statutes is repealed.

23 **SECTION 84.** 29.871 of the statutes is repealed.

24 **SECTION 85.** 29.873 of the statutes is renumbered 29.627.

25 **SECTION 86.** 29.875 (1) of the statutes is amended to read:

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

6 **SECTION 87.** 29.877 of the statutes is repealed.

7 **SECTION 88.** 29.879 of the statutes is repealed.

8 **SECTION 89.** 29.881 of the statutes is repealed.

9 **SECTION 90.** 29.885 (1) (f) of the statutes is amended to read:

10 29.885 (1) (f) Notwithstanding s. 29.001 (90), "wild animal" means any
11 undomesticated mammal or bird, but does not include farm-raised deer, ~~and~~
12 farm-raised game birds, ~~farm-raised fish~~ or wild animals that are subject to
13 regulation under ch. 22. *Join up*

14 **SECTION 91.** 29.889 (1) (intro.) of the statutes is amended to read:

15 29.889 (1) DEFINITION. (intro.) In this section, "wildlife damage" means damage
16 caused by any of the following ~~non~~ non capt ive wild animals that are not subject to
17 regulation under ch. 22:

18 **SECTION 92.** 29.889 (1) (a) of the statutes is amended to read:

19 29.889 (1) (a) Deer that are not farm-raised deer.

20 **SECTION 93.** 29.924 (4) of the statutes is amended to read:

21 29.924 (4) ACCESS TO STORAGE PLACES. The owner or occupant of any
22 cold-storage warehouse or building used for the storage or retention of wild animals,
23 or their carcasses, that are subject to regulation under this chapter shall permit the
24 department and its wardens to enter and examine the premises subject to s. 66.0119.
25 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 94.** 29.924 (4) of the statutes is amended to read:

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

11 **SECTION 95.** 29.924 (5) of the statutes is amended to read:

12 29.924 (5) ACCESS TO PRIVATE LAND. The department may, after making
13 reasonable efforts to notify the owner or occupant, enter private lands to retrieve or
14 diagnose dead or diseased wild animals subject to regulation under this chapter and
15 take actions reasonably necessary to prevent the spread of contagious disease in the
16 wild animals.

17 **SECTION 96.** 29.927 (5) of the statutes is amended to read:

18 29.927 (5) Any unlicensed trap, snare, spring gun, set gun, net or other device
19 used in violation of this chapter which might entrap, ensnare, or kill game.

20 **SECTION 97.** 29.931 (1) of the statutes is amended to read:

21 29.931 (1) SEIZURE AND CONFISCATION OF WILD ANIMALS OR PLANTS. The
22 department and its wardens shall seize and confiscate any wild animal, carcass or
23 plant caught, killed, taken, had in possession or under control, sold or transported
24 in violation of ch. 22 or this chapter and the. The officer may, with or without
25 warrant, open, enter and examine all buildings, camps, boats on inland or outlying

1 waters, vehicles, valises, packages and other places where the officer has probable
2 cause to believe that wild animals, carcasses or plants, taken or held in violation of
3 ch. 22 or this chapter, are to be found.

4 **SECTION 98.** 29.931 (2) (a) of the statutes is amended to read:

5 29.931 (2) (a) The department and its wardens shall seize and hold, subject to
6 the order of the court for the county in which the alleged offense was committed, any
7 vehicle, boat or object declared by this chapter to be a public nuisance, or which they
8 have probable cause to believe is being used in violation of ch. 22 or this chapter or
9 s. 167.31, 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, is being used in the
10 commission of a crime involving an animal normally found in the wild in violation
11 of s. 951.09, or is being used in the commission of a crime relating to a submerged
12 cultural resource in violation of s. 44.47. If it is proven that the vehicle, boat or object
13 is a public nuisance or that within 6 months previous to the seizure the vehicle, boat
14 or object was used in violation of ch. 22 or this chapter or s. 167.31, 287.81, 940.24,
15 941.20, 948.60, 948.605 or 948.61, was used in the commission of a crime involving
16 an animal normally found in the wild in violation of s. 951.09, or was used in the
17 commission of a crime relating to a submerged cultural resource in violation of s.
18 44.47, it shall be confiscated if the court directs in its order for judgment.

19 **SECTION 99.** 29.931 (4) of the statutes is created to read:

20 29.931 (4) ORDINANCE VIOLATIONS. For purposes of this section, a violation of ch.
21 22 includes a violation of an ordinance enacted under s. 22.43.

22 **SECTION 100.** 29.934 (1) (a) of the statutes is amended to read:

23 29.934 (1) (a) All wild animals, carcasses or plants that are confiscated by the
24 department for a violation of ch. 22 or this chapter and all ~~confiscated~~ vehicles, boats
25 or objects confiscated by the department for a violation of ch. 22 or this chapter shall,

1 if not destroyed as authorized by law, be sold at the highest price obtainable, by the
2 department, or by an agent on commission under supervision of the department. The
3 net proceeds of sales under this subsection, after deducting the expense of seizure
4 and sale and any commissions and any amounts owing to holders of security interests
5 under par. (c) or (d), shall be remitted to the department. The remittance shall be
6 accompanied by a report of the sales, supported by vouchers for expenses and
7 commissions, and shall be filed with the department.

8 **SECTION 101.** 29.957 of the statutes is amended to read:

9 **29.957 Breaking seals of department.** Any person who breaks, removes or
10 interferes with any seal or tag attached to any animal, carcass or object by the
11 department, or who interferes with any animal, carcass or object with a seal or tag
12 attached, or who counterfeits a seal or tag, attached or unattached, shall be fined not
13 more than \$500 or imprisoned for not more than 90 days or both. This section applies
14 to seals and tags required by the department under ch. 22 or this chapter.

15 **SECTION 102.** 29.969 of the statutes is amended to read:

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

21 **SECTION 103.** 29.971 (14) of the statutes amended is to read:

22 29.971 (14) In any prosecution under this section it is not necessary for the
23 state to allege or prove that the animals were not farm-raised deer, farm-raised fish,
24 farm-raised game birds, wild animals subject to regulation under ch. 22, or
25 domesticated domestic animals, that they were not taken for scientific purposes, or

1 that they were taken or in possession or under control without a required approval.
2 The person claiming that these animals were farm-raised deer, farm-raised fish,
3 farm-raised game birds, wild animals subject to ch. 22, or ~~domesticated~~ domestic
4 animals, that they were taken for scientific purposes or that they were taken or in
5 possession or under control under the required approval, has the burden of proving
6 these facts.

7 **SECTION 104.** 29.974 (2) of the statutes is renumbered 29.974 (2) (b).

8 **SECTION 105.** 29.974 (2) (a) of the statutes is created to read:

9 29.974 (2) (a) In this subsection, "wild animal" does not include a farm-raised
10 deer, a farm-raised fish, a farm-raised game bird, or a wild animal subject to
11 regulation under ch. 22.

12 **SECTION 106.** 29.977 (1) (g) of the statutes is amended to read:

13 29.977 (1) (g) Any pheasant, ~~Hungarian gray~~ partridge, quail, rail, Wilson's
14 snipe, woodcock or shore bird, or protected song bird or harmless bird, \$17.50.

15 **SECTION 107.** 29.983 (1) (b) 7. of the statutes is amended to read:

16 29.983 (1) (b) 7. For any pheasant, ~~Hungarian gray~~ partridge, quail, rail,
17 Wilson's snipe, woodcock or shore bird, or protected song bird or harmless bird,
18 \$17.50.

19 **SECTION 108.** 49.857 (1) (d) 2. of the statutes is amended to read:

20 49.857 (1) (d) 2. An approval specified in s.29.024 (2g) or a license issued under
21 ch. 22.

22 **SECTION 109.** 59.25 (3) (f) 2. of the statutes is amended to read:

23 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
24 deposited in the state treasury, the amounts required by s. 757.05 for the penalty
25 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories

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

25 **SECTION 110.** 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 111.** 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 112.** 90.20 (title) of the statutes is amended to read:

8 **90.20 (title) Fencing of farm-raised deer that are not white-tailed deer.**

9 **SECTION 113.** 90.20 (1) (a) of the statutes is repealed.

10 **SECTION 114.** 90.20 (2) (intro.) of the statutes is amended to read:

11 90.20 (2) SPECIFICATIONS. (intro.) Any Unless s. 90.21 applies, any person who
12 keeps farm-raised deer shall keep the farm-raised deer enclosed by a fence that
13 meets all of the following requirements:

14 **SECTION 115.** 90.21 of the statutes is created to read:

15 **90.21 Fencing of farm-raised deer; white-tailed deer. (1) DEFINITIONS.**

16 In this section:

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

18 (b) "Farm-raised deer" has the meaning given in s. 95.001 (1) ~~STET~~

19 **(2) REQUIREMENTS.** (a) No person may keep farm-raised deer if any of the
20 farm-raised deer are white-tailed deer unless all of the farm-raised deer are
21 contained in an fenced area for which the person holds a valid fence inspection
22 certificate issued by the department under this section.

23 (b) The department may not issue a fence inspection certificate under this
24 section for a fence that is used to contain farm-raised deer unless the fence meets
25 the ~~standards~~ and requirements established by the department by rule under sub. (6).

1 (c) No person may apply for registration under s. 95.55 in order to keep
2 farm-raised deer that are white-tailed deer without being first issued a fence
3 inspection certificate under this section.

4 (3) FEES. (a) The annual fee for a fence inspection certificate is ~~\$25~~ ^{\$50} for a fenced
5 area that is less than ~~40~~ ⁸⁰ acres in size, ~~\$50 for a fenced area that is 40 acres or greater~~
6 ~~in size but less than 200 acres in size~~ and \$100 for a fenced area that is ~~200 or more~~ ⁸⁰
7 acres in size.

8 ~~(b) A person shall apply for a new fence inspection certificate and pay the~~
9 ~~applicable fee if the person is expanding the area to be fenced.~~

INSERT 75-9

10 (4) NEW OPERATIONS; DRIVING OUT OF WILD DEER. A person who is starting an
11 operation to keep farm-raised deer and who is applying for a fence inspection
12 certificate under this section shall make a reasonable effort to drive any wild
13 white-tailed deer from the area to be fenced before the area is completely closed. No
14 person may place any baiting material in attempt to attract white-tailed deer to
15 remain in the fenced area. If the department issues a certificate under this section,
16 the department shall determine whether any white-tailed deer remaining in the
17 area after the area is completely closed will be killed or will be sold to the holder of
18 the certificate. If the white-tailed deer are to be killed, the department ^{shall} ~~will~~
19 determine how the deer will be killed. If the white-tailed deer are to be sold, the
20 holder of the certificate shall pay the department the fair market value for each deer.

21 (5) EXISTING OPERATIONS. A person who holds a license under s. 29.871, 1999
22 stats., on the effective date of this subsection [revisor inserts date], may continue
23 to keep white-tailed deer ~~without holding a fence inspection certificate issued under~~
24 ~~this section~~ during the period beginning on the effective date of this subsection

and the department will automatically issue to the person that will be
that will be valid
and the department shall issue the person automatically

1 [revisor inserts date], and ending on the 30th day after the effective date of the rules
2 promulgated under sub. (6).

3 (6) RULES. The department shall promulgate rules to establish ~~standards and~~
4 requirements for fences for which fence inspection certificates are issued under this
5 section. If the rules include provisions authorizing the placement of fences in
6 navigable bodies of water, s. 30.12 does not apply to fences placed in compliance with
7 these rules.

8 (7) INSPECTION AUTHORITY. (a) ✓ The department may inspect at any time any fence
9 that is used to contain farm-raised deer that are white-tailed deer to determine
10 whether the fence complies with the ~~standards~~ ^{and requirements} established by rule under sub. (6).
11 If the fence fails to comply with these ~~standards~~ ^{and requirements}, the department may issue an order
12 directing the person who is required to maintain the fence to bring the fence into
13 compliance within 10 days after the issuance of the order. If the person fails to
14 comply with the order within 10 days of its issuance, the department may revoke the
15 applicable fence inspection certificate.

← INSERT
76-15

16 (8) PENALTIES. (a) Any person who violates this section, or a rule promulgated
17 under this section, shall be subject to a forfeiture of not more than \$200.

18 (b) In addition to or in lieu of the forfeiture specified in par. (a), a court may
19 ~~revoke or~~ suspend a fence inspection certificate issued under this section, a
20 registration issued under s. 95.55 that authorizes the defendant to keep farm-raised
21 deer, or both, for a period of up to 3 years.

22 (c) The department may revoke any fence inspection certificate issued under
23 this section to which any of the following applies:

24 1. The holder fails to comply with an order issued under sub. (7).

1 2. The department determines that the certificate was fraudulently procured,
2 or erroneously issued.

3 3. The department determines that the person holding the certificate is not in
4 compliance with any rule promulgated under s. 95.55 (5) or (6).

5 **SECTION 116.** 93.06 (1g) of the statutes is amended to read:

6 **93.06 (1g)** ~~INTERSTATE HEALTH CERTIFICATES~~ CERTIFICATES OF VETERINARY
7 INSPECTION. Furnish, to veterinarians in this state, forms to be used by them in
8 issuing ~~interstate health certificates or certificates of veterinary inspection.~~ The
9 department may charge a \$2 fee for each form unless the department specifies a
10 different fee by rule.

★ (10) → SECTION 117. RP 93.07(10)(a)

11 **SECTION 117.** 93.07 (10)(b) of the statutes is renumbered 93.07 (10) and
12 amended to read:

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

Handwritten scribble with the word "COMPONENT" written inside.

23 **SECTION 118.** 95.001 (1) (a) of the statutes is renumbered 95.001 (1) (ag) and
24 amended to read:

STET
[Handwritten circle around the text "renumbered 95.001 (1) (ag) and"]

STG
leave
as typed

(ag) (ag) (ag)

1

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

2

3

4

5

6

SECTION 119. 95.001 (1) (ac) of the statutes is created to read:

7

95.001 (1) (ac) "Captive game bird" means a bird of a type that is hunted and that is held in captivity. "Captive game bird" does not include poultry or a ratite.

8

9

SECTION 120. 95.001 (1) (ad) of the statutes is created to read:

INSERT
78-8

10

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

11

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

12

13

2. A farm-raised deer, ~~captive~~ farm-raised game bird, or farm-raised fish.

14

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

15

SECTION 121. 95.001 (1) (ah) of the statutes is created to read:

16

95.001 (1) (ah) "Farm-raised fish" means any fish egg that is present on a fish farm or any fish that is reared on a fish farm.

17

18

SECTION 122. 95.10 (5) of the statutes is amended to read:

INS
78-17

19

95.10 (5) No person shall remove or permit the removal of any swine from any premises where public or commercial garbage is received, except to federally inspected slaughtering establishments and other slaughtering establishments approved by the state to receive diseased animals, and only if such swine are accompanied by a health certificate issued by a veterinarian of veterinary inspection.

20

21

22

23

24

SECTION 123. 95.12 of the statutes is amended to read:

1 **95.12 False pedigree.** No person with intent to defraud shall obtain from any
2 corporation, association, society or company organized for the purpose of improving
3 breeds of domestic animals, a false certificate of registration of any such domestic
4 animal in the herd or other register of any such corporation, association, society or
5 company, or the transfer of any such certificate, or shall, with intent to defraud, give
6 a false pedigree of any such domestic animal.

7 **SECTION 124.** 95.13[✓] of the statutes is amended to read:

8 **95.13 Misrepresenting breed of domestic animal.** No person shall sell or
9 barter or cause to be sold or bartered any domestic animal and represent, or cause
10 to be represented that such domestic animal is a pure bred domestic animal, when
11 in fact such domestic animal is not registered, or entitled to registry, in any pure
12 breed registry maintained for such domestic animals; nor shall any person
13 knowingly utter, pass or deliver to any person as true, any false, or altered pedigree;
14 nor shall any person refuse to deliver proper certificate of registry for any domestic
15 animal sold or transferred by the person, having represented at the time of sale or
16 transfer, and as an inducement thereto, that such domestic animal was registered
17 and that the person possessed and would deliver a certificate of registry as evidence
18 thereof, or that such domestic animal was entitled to registry and that the person
19 would secure such certificate and deliver the same.

20 **SECTION 125.** 95.17[✓] of the statutes is amended to read:

21 **95.17 Animal diseases; cooperation with United States.** Whenever it is
22 determined by the department and the state constitutional officers that it is
23 necessary to combat dangerous diseases ~~among domestic~~ in animals in this state in
24 cooperation with the U.S. department of agriculture and to destroy animals affected
25 with or which have been exposed to any such disease or to destroy property in the

1 disinfection of the premises or to do any other act or incur any other expense
2 reasonably necessary in suppressing or combating such disease, the department
3 may accept, on behalf of the state, the rules and regulations prepared by the U.S.
4 department of agriculture under authority of an act of congress relating to the
5 suppression of any such disease and cooperate with the authorities of the U.S. in the
6 enforcement of their provisions; or it may follow such procedure as to inspection,
7 vaccination, condemnation, appraisal, disinfection and other acts reasonably
8 necessary in the suppression of such diseases as may be agreed upon and adopted
9 by the department and the state constitutional officers with the representatives of
10 the U.S. department of agriculture. Within the amount which may, subsequent to
11 March 23, 1915, be appropriated for this purpose, the state shall pay such proportion
12 of the expense incurred in suppressing or combating any such disease and in
13 compensating owners of animals slaughtered under this section as shall be
14 determined by and mutually agreed upon with the U.S. department of agriculture.

15 **SECTION 126.** 95.20 of the statutes is repealed and recreated to read:

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

21 **SECTION 127.** 95.22 of the statutes is repealed and recreated to read:

22 **95.22 Reporting animal diseases.** (1) A veterinarian shall report to the
23 department any disease specified in the rules promulgated under sub. (2) (a) each
24 time a veterinarian discovers that such a disease is present in any animal in this
25 state.

- 1 (2) The department shall promulgate rules that specify all of the following:
- 2 (a) The diseases that a veterinarian must report under this section.
- 3 (b) For each disease specified in par. (a), the deadline for reporting the disease
- 4 after the date of its discovery.
- 5 (c) The information that a veterinarian must include in his or her report.
- 6 (d) Procedures to be used in preparing and submitting the report.
- 7 (3) The department of agriculture, trade and consumer protection shall notify
- 8 the department of natural resources of the contents of any report submitted under
- 9 sub. (1) if the department of agriculture, trade and consumer protection determines
- 10 that the disease that is the subject of the report may present a threat to ~~the~~ ^{any} wild
- 11 animals ~~in~~ ^{that are present in} this state.

12 SECTION 128. 95.24 (3) (a) (intro.) of the statutes is amended to read:

13 95.24 (3) (a) (intro.) No type of living vaccine for immunizing against anthrax

14 or swine erysipelas may be administered to any domestic animal, including fowl, or

15 sold or dispensed in this state without first having obtained the written approval of

16 the chief veterinarian of the department. Approval to administer such vaccine shall

17 be granted to licensed veterinarians only, and then only to qualify the domestic

18 animal ~~or fowl~~ for export or in the event that any of the following has been

19 established:

20 SECTION 129. 95.24 (3) (a) 1. of the statutes is amended to read:

21 95.24 (3) (a) 1. The domestic animals to be so treated are infected.

22 SECTION 130. 95.24 (3) (a) 2. of the statutes is amended to read:

23 95.24 (3) (a) 2. The domestic animals to be so treated are on premises known

24 to be contaminated.

25 SECTION 131. 95.24 (3) (a) 3. of the statutes is amended to read:

1 95.24 (3) (a) 3. The domestic animals to be so treated have been exposed within
2 40 days to infection with the disease for which the living vaccine is prescribed as a
3 proper immunizing agent.

4 **SECTION 132.** 95.31 (1) of the statutes is amended to read:

5 95.31 (1) The department ~~shall have general power and authority to~~ may
6 ~~condemn and order the slaughter or destruction of animals~~ that are affected with or
7 exposed to a contagious and or infectious diseases as disease if the department
8 determines that it is necessary to do so to prevent or control the spread of ~~dangerous~~
9 ~~diseases among domestic animals of this state.~~ The department shall pay
10 ~~indemnities to the owners of animals condemned and destroyed as provided in this~~
11 ~~chapter~~ the disease. Condemned animals shall be slaughtered or destroyed as
12 directed by the department.

13 **SECTION 133.** 95.31 (2) of the statutes is amended to read:

14 95.31 (2) ~~Whenever~~ If the department determines that it is necessary to
15 ~~condemn diseased animals~~ an animal under sub. (1), the department shall, in all
16 cases where the payment of indemnities is authorized under this chapter, appraise
17 the ~~condemned animals~~ animal as provided in s. 95.32 and shall notify the owner in
18 writing of the appraised value. The notice shall include the number and description
19 of the animals and the name of the owner.

20 **SECTION 134.** 95.31 (3) of the statutes is amended to read:

21 95.31 (3) In addition to the indemnities for specific animal diseases provided
22 under ss. 95.25, 95.26 and 95.27 or under special emergency programs and subject
23 to s. 95.36, the department shall pay indemnities on livestock condemned and
24 slaughtered or destroyed because of other diseases if the department determines
25 that the condemnation and slaughter or destruction is necessary to protect public

1 health or the livestock industry. The indemnity under this subsection shall be
2 two-thirds of the difference between net salvage value and appraised value, but may
3 not exceed \$1,500 for an animal. As used in this subsection, "livestock" means
4 animals of species raised primarily to produce food for human consumption,
5 including farm-raised deer.

6 **SECTION 135.** 95.31 (4) of the statutes is amended to read:

7 95.31 (4) In the event of a major or serious outbreak of ~~dangerous diseases~~
8 affecting a contagious or infectious disease that may affect public health or the
9 health of domestic animals requiring and that requires special control measures, the
10 department may request the joint committee on finance to release funds
11 appropriated under s. 20.115 (2) (b) as needed to conduct emergency control
12 programs independently or in cooperation with federal or local units of government
13 and, subject to s. 95.36, to pay indemnities on animals of species raised primarily to
14 produce food for human consumption, including farm-raised deer, condemned and
15 slaughtered or destroyed under the emergency control programs. For all indemnities
16 paid under this subsection, the state shall pay two-thirds of the difference between
17 the net salvage value and the appraised value of an animal, except that no payment
18 may exceed \$1,500 for an animal.

19 **SECTION 136.** 95.38 (1) of the statutes is amended to read:

20 95.38 (1) It shall be unlawful for any person to in any manner change any test
21 record, falsely record any test, misrepresent the identification of any animal or any
22 other material fact on any test record, ~~interstate health certificate, certificate of~~
23 veterinary inspection, vaccination record, claim for indemnity, or any disease control
24 report or application to the department. It shall be unlawful for any person to induce

1 or to conspire with another, either directly or indirectly, to do any of the said
2 prohibited acts.

3 SECTION 137. 95.45 (title) of the statutes is repealed and recreated to read:

4 95.45 (title) **Certificates of veterinary inspection; tests for interstate**
5 **shipment.**

6 SECTION 138. 95.45 (1) of the statutes is renumbered 95.45 (1g) and amended
7 to read:

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

12 SECTION 139. 95.45 (1d) of the statutes is created to read:

13 95.45 (1d) In this section, "Veterinarian" has the meaning given in s. 22.01 (35). --

14 SECTION 140. 95.45 (2) of the statutes is repealed.

15 SECTION 141. 95.45 (3) of the statutes is repealed.

16 SECTION 142. 95.45 (4) of the statutes is created to read:

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

20 (b) If a certificate of veterinary inspection is required for a wild animal under
21 s. 22.04 (2) (d) and (3) (a) or 22.06 (1) (d) 1., the veterinarian who issues the certificate
22 shall file a copy of the certificate with the department of agriculture, trade and
23 consumer protection. The department of agriculture, trade and consumer protection
24 shall provide a copy of the certificate to the department of natural resources.

1 (c) The department may promulgate rules to impose requirements on the form,
2 issuance, and filing of certificates of veterinary inspection.

3 **SECTION 143.** 95.45 (5) of the statutes is created to read:

4 95.45 (5) Any certificate of veterinary inspection prepared under this chapter
5 shall comply with any rules that are promulgated by the department.

6 **SECTION 144.** 95.49 (1) (e) of the statutes is amended to read:

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

10 **SECTION 145.** 95.49 (1m) (e) of the statutes is amended to read:

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

14 **SECTION 146.** 95.49 (2) of the statutes is amended to read:

15 95.49 (2) Animals moved to the premises of ~~a livestock an animal~~ market or
16 animal dealer pursuant to the exemption from brucellosis test in sub. (1) (e) or (1m)
17 (e) may be removed only in compliance with the brucellosis test requirements in sub.
18 (1) or (1m).

19 **SECTION 147.** 95.55 (title) of the statutes is amended to read:

20 **95.55 Farm-raised deer; registration.**

21 **SECTION 148.** 95.55 (1) (b) of the statutes is renumbered 95.55 (1) (b) 1.

22 **SECTION 149.** 95.55 (1) (b) 2. of the statutes is created to read:

23 95.55 (1) (b) 2. The department may promulgate rules to exempt groups of
24 persons or species of farm-raised deer from the registration requirement under this
25 section.

1 **SECTION 150.** 95.55 (3m) of the statutes is created to read:

2 **95.55 (3m) AUTHORIZATION.** A person who is registered under this section may
3 do any of the following:

4 (a) Possess, propagate, purchase, sell, hunt, kill; and exhibit farm–raised deer.

5 (b) Hunt or sell or offer to sell the opportunity to hunt farm–raised deer that
6 the person owns.

7 **SECTION 151.** 95.55 (5) of the statutes is created to read:

8 **95.55 (5) HUNTING.** (a) A person hunting farm–raised deer is exempt from
9 having any hunting approval issued under ch. 29 and is exempt from any closed
10 season restrictions or bag limits established by the department of natural resources.
11 In order to regulate the hunting of farm–raised deer, the department of agriculture,
12 trade and consumer protection may promulgate rules to establish tagging
13 requirements or other methods for identifying dead farm–raised deer that have been
14 legally hunted or killed and to impose other conditions or requirements regulating
15 the hunting of farm–raised deer.

16 (b) No owner of farm–raised deer may sell, or offer to sell, the opportunity to
17 hunt farm–raised deer unless the farm–raised deer to be hunted are confined in an
18 area of 80 contiguous acres or more.

19 (c) The department of natural resources and the department of agriculture,
20 trade and consumer protection shall cooperate with each other with respect to the
21 hunting of farm–raised deer.

22 **SECTION 152.** 95.55 (6) of the statutes is created to read:

23 **95.55 (6) RULES.** (a) The department shall promulgate rules to regulate
24 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.

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

5 1. Standards to be followed by persons keeping farm-raised deer to prevent the
6 spread of disease.

7 2. Provisions requiring that registration under this section be on an annual
8 basis.

9 3. Exemptions from any annual registration requirements established under
10 subd. 2.

11 **SECTION 153.** 95.60 (1) (intro.) and (b) of the statutes are consolidated,
12 renumbered 95.60 (1) and amended to read:

13 95.60 (1) In this section: (b) ~~“Waters,~~ “waters of the state” has the meaning
14 given in s. 281.01 (18).

15 **SECTION 154.** 95.60 (1) (a) of the statutes is renumbered 95.001 (1) (a).

16 **SECTION 155.** 95.68 (title) of the statutes is amended to read:

17 **95.68 (title) Livestock Animal markets.**

18 **SECTION 156.** 95.68 (1) (a) of the statutes is renumbered 95.68 (1) (am).

19 **SECTION 157.** 95.68 (1) (b) of the statutes is amended to read:

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

22 **SECTION 158.** 95.68 (1) (e) of the statutes is renumbered 95.68 (1) (ag) and
23 amended to read:

← INS
87-10

aj

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

4 **SECTION 159.** 95.68 (1) (f) of the statutes is renumbered 95.68 (1) (ai) and
5 amended to read:

6 95.68 (1) (ai) “~~Livestock~~ Animal transport vehicle” has the meaning given in
7 s. 95.71 (1) (~~g~~) (dm).

8 **SECTION 160.** 95.68 (1) (g) of the statutes is created to read:

9 95.68 (1) (g) “Wild animal” means a wild animal that is subject to regulation
10 under ch. 22.

11 **SECTION 161.** 95.68 (2) of the statutes is amended to read:

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

17 **SECTION 162.** 95.68 (2m) (title) of the statutes is repealed and recreated to read:

18 95.68 (2m) (title) EXEMPTIONS.

19 **SECTION 163.** 95.68 (2m) of the statutes is renumbered 95.68 (2m) (a) and
20 amended to read:

21 95.68 (2m) (a) A person is not required to obtain a license under sub. (2) to
22 operate an occasional auction sale sponsored by a livestock breeder association or a
23 youth agricultural organization if records of the transactions at the sale are
24 maintained by an auctioneer registered under ch. 480 or by a ~~livestock~~ an animal
25 dealer licensed under s. 95.69.

1 **SECTION 164.** 95.68 (2m) (b) of the statutes is created to read:

2 95.68 (2m) (b) The department may promulgate rules to exempt groups of
3 persons from the licensing requirement under sub. (2) or the registration
4 requirement under sub. (7) or both.

5 **SECTION 165.** 95.68 (4) (intro.) of the statutes is amended to read:

6 95.68 (4) FEES. (intro.) Unless the department specifies a different fee by rule,
7 the fee for ~~a~~ livestock market license issued under this section is the following
8 amount: *PLAIN*

9 **SECTION 166.** 95.68 (4) (a) of the statutes is amended to read:

10 95.68 (4) (a) For ~~a livestock~~ an animal market that is not an equine market
11 and that conducted sales at the market on at least 5 days during the year
12 immediately preceding the year for which the license is issued, \$150.

13 **SECTION 167.** 95.68 (4) (b) of the statutes is amended to read:

14 95.68 (4) (b) For ~~a livestock~~ an animal market that is not an equine market
15 and that conducted sales on fewer than 5 days during the year immediately
16 preceding the year for which the license is issued, \$75.

17 **SECTION 168.** 95.68 (4) (c) of the statutes is amended to read:

18 95.68 (4) (c) For ~~a livestock~~ an animal market other than one described in par.
19 (a) or (b), \$100.

20 **SECTION 169.** 95.68 (5) (a) 1. of the statutes is amended to read:

21 95.68 (5) (a) 1. Operated ~~a livestock~~ an animal market without a license in
22 violation of sub. (2).

23 **SECTION 170.** 95.68 (5) (a) 1m. of the statutes is created to read:

24 95.68 (5) (a) 1m. Operated a livestock market, as defined in s. 95.68 (1) (e), 1999
25 stats., without a license in violation of s. 95.68 (2), 1999 stats.

1 **SECTION 171.** 95.68 (5) (a) 2. of the statutes is amended to read:

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

4 **SECTION 172.** 95.68 (5) (a) 2m. of the statutes is created to read:

5 95.68 (5) (a) 2m. Operated an unregistered livestock vehicle, as defined in s.
6 95.71 (1) (g), 1999 stats., in violation of s. 95.68 (7), 1999 stats.

7 **SECTION 173.** 95.68 (5) (b) of the statutes is amended to read:

8 95.68 (5) (b) In addition to the surcharge under par. (a), an applicant for a
9 license under sub. (2) shall pay the fees due for the year in which the applicant was
10 in violation of sub. (2) or (7).

11 **SECTION 174.** 95.68 (5) (c) of the statutes is amended to read:

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

16 **SECTION 175.** 95.68 (7) of the statutes is amended to read:

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

23 **SECTION 176.** 95.68 (8) of the statutes is amended to read:

24 95.68 (8) **RULES.** The department may promulgate rules to specify license fees
25 under sub. (4) or to regulate the operation of ~~livestock~~ animal markets, including

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

7 **SECTION 177.** 95.69 (title) of the statutes is amended to read:

8 **95.69** (title) **Livestock Animal dealers.**

9 **SECTION 178.** 95.69 (1) (b) of the statutes is renumbered 95.69 (1) (g).

10 **SECTION 179.** 95.69 (1) (c) (intro.) of the statutes is amended to read:

11 95.69 (1) (c) (intro.) "~~Livestock~~ Animal dealer" means a person who, as
12 principal or agent, engages in the business of buying for resale or for slaughter,
13 selling or exchanging livestock or wild animals. "~~Livestock~~ Animal dealer" does not
14 include any of the following:

15 **SECTION 180.** 95.69 (1) (c) 1. of the statutes is amended to read:

16 95.69 (1) (c) 1. ~~A livestock~~ An animal dealer employee.

17 **SECTION 181.** 95.69 (1) (d) of the statutes is amended to read:

18 95.69 (1) (d) "~~Livestock~~ Animal dealer employee" means an employee of a
19 licensed ~~livestock~~ animal dealer, who does business in the name of the licensed
20 ~~livestock~~ animal dealer.

21 **SECTION 182.** 95.69 (1) (e) of the statutes is amended to read:

22 95.69 (1) (e) "~~Livestock~~ Animal market" has the meaning given in s. 95.68 (1)
23 (e) (ag).

24 **SECTION 183.** 95.69 (1) (f) of the statutes is amended to read:

1 95.69 (1) (f) "~~Livestock~~ Animal transport vehicle" has the meaning given in s.
2 95.71 (1) (~~g~~) (dm).

3 **SECTION 184.** 95.69 (1) (h) of the statutes is created to read:

4 95.69 (1) (h) "Wild animal" has the meaning given in s. 95.68 (1) (g).

5 **SECTION 185.** 95.69 (2) of the statutes is amended to read:

6 95.69 (2) LICENSE. No person may operate as a livestock an animal dealer
7 without an annual license from the department, except that no license is required
8 of a person licensed as ~~a livestock~~ an animal market operator under s. 95.68. ~~A~~
9 ~~livestock~~ An animal dealer license expires on June 30 annually. ~~A livestock~~ An
10 animal dealer license is not transferable.

11 **SECTION 186.** 95.69 (2m) of the statutes is created to read:

12 95.69 (2m) EXEMPTION. The department may promulgate rules to exempt
13 groups of persons from the licensing requirement under sub. (2) or the registration
14 requirement under sub. (7) or both.

15 **SECTION 187.** 95.69 (4) of the statutes is amended to read:

16 95.69 (4) FEES. Unless the department specifies a different fee by rule, the fee
17 for ~~a livestock~~ an animal dealer license is \$75.

18 **SECTION 188.** 95.69 (5) (a) 1. of the statutes is amended to read:

19 95.69 (5) (a) 1. Operated as ~~a livestock~~ an animal dealer without a license in
20 violation of sub. (2).

21 **SECTION 189.** 95.69 (5) (a) 1m. of the statutes is created to read:

22 95.69 (5) (a) 1m. Operated as a livestock dealer, as defined in s. 95.69 (1) (c),
23 1999 stats., without a license in violation of s. 95.69 (2), 1999 stats.

24 **SECTION 190.** 95.69 (5) (a) 2. of the statutes is amended to read:

1 95.69 (5) (a) 2. Operated an unregistered ~~livestock~~ animal transport vehicle in
2 violation of sub. (7).

3 **SECTION 191.** 95.69 (5) (a) 2m. of the statutes is created to read:

4 95.69 (5) (a) 2m. Operated an unregistered livestock vehicle, as defined in s.
5 95.71 (1) (g), 1999 stats., in violation of s. 95.69 (7), 1999 stats.

6 **SECTION 192.** 95.69 (5) (b) of the statutes is amended to read:

7 95.69 (5) (b) In addition to the surcharge under par. (a), an applicant for a
8 license under sub. (2) shall pay the fees due for the year in which the applicant was
9 in violation of sub. (2) or (7).

10 **SECTION 193.** 95.69 (5) (c) of the statutes is amended to read:

11 95.69 (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~~ vehicle
14 but does not constitute evidence of a violation of a law.

15 **SECTION 194.** 95.69 (7) of the statutes is amended to read:

16 95.69 (7) ~~LIVESTOCK~~ ANIMAL TRANSPORT VEHICLE REGISTRATION. No ~~livestock~~
17 animal dealer may operate ~~a livestock~~ an animal transport vehicle unless the
18 ~~livestock~~ animal transport vehicle is registered with the department in the name of
19 the ~~livestock~~ animal dealer. The ~~livestock~~ animal transport vehicle shall be
20 registered in the name of the ~~livestock~~ animal dealer on a form provided by the
21 department. The registration shall include a description and the serial number of
22 the ~~livestock~~ animal transport vehicle.

23 **SECTION 195.** 95.69 (8) of the statutes is amended to read:

24 95.69 (8) RULES. The department may promulgate rules to specify license fees
25 under sub. (4) or to regulate ~~livestock~~ animal dealers, including rules related to

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

6 **SECTION 196.** 95.69 (8m) of the statutes is amended to read:

7 95.69 (8m) TRANSACTION RECORDS. An auctioneer registered under ch. 480 who
8 sells livestock or wild animals and who is not required to obtain a license under this
9 section shall make records of the sales available to the department upon request for
10 disease investigation purposes.

11 **SECTION 197.** 95.71 (title) of the statutes is amended to read:

12 **95.71 (title) Livestock Animal truckers.**

13 **SECTION 198.** 95.71 (1) (b) of the statutes is renumbered 95.71 (1) (h).

14 **SECTION 199.** 95.71 (1) (c) of the statutes is repealed.

15 **SECTION 200.** 95.71 (1) (d) of the statutes is repealed.

16 **SECTION 201.** 95.71 (1) (c) of the statutes is amended to read:

17 95.71 (1) (e) "~~Livestock Animal~~ trucker" means a person engaged in the
18 business of transporting for hire, by means of a ~~livestock an animal transport~~ vehicle,
19 livestock and wild animals, except that it "animal trucker" does not include ~~a~~
20 ~~livestock an animal~~ trucker employee.

21 **SECTION 202.** 95.71 (1) (f) of the statutes is amended to read:

22 95.71 (1) (f) "~~Livestock Animal~~ trucker employee" means the employee of a
23 person who holds ~~a~~ livestock an animal trucker license if the employee, in the name
24 of the licensed ~~livestock~~ animal trucker, operates ~~a~~ livestock an animal transport
25 vehicle which is registered by the ~~livestock~~ animal trucker and on which the name

1 and the business address of the licensed animal livestock trucker are prominently
2 displayed.

3 SECTION 203. 95.71 (1) (g) of the statutes is renumbered 95.71 (1) (dm) and
4 amended to read:

5 95.71 (1) (dm) "~~Livestock~~ Animal transport vehicle" means any vehicle used to
6 transport livestock or wild animals.

7 SECTION 204. 95.71 (1) (i) of the statutes is created to read:

8 95.71 (1) (i) "Wild animal" has the meaning given in s. 95.68 (1) (g).

9 SECTION 205. 95.71 (2) of the statutes is amended to read:

10 95.71 (2) LICENSE. No person may operate as ~~a livestock~~ an animal trucker
11 without an annual license issued by the department. ~~A livestock~~ An animal trucker
12 license authorizes ~~a livestock~~ an animal trucker to operate only those ~~livestock~~
13 animal transport vehicles that are registered by the ~~livestock~~ animal trucker under
14 sub. (4). A license expires on June 30 annually. ~~A livestock~~ An animal trucker license
15 is not transferable.

16 SECTION 206. 95.71 (3) of the statutes is amended to read:

17 95.71 (3) APPLICATION. An application for ~~a livestock~~ an animal trucker license
18 under sub. (2) shall be made on a form provided by the department. The application
19 shall include information reasonably required by the department for licensing
20 purposes. As part of the application, the applicant shall register every ~~livestock~~
21 animal transport vehicle operated by the applicant as provided under sub. (4). An
22 application shall be accompanied by the applicable fees and surcharges required
23 under subs. (5) and (6).

24 SECTION 207. 95.71 (4) of the statutes is amended to read:

1 95.71 (4) ~~LIVESTOCK~~ ANIMAL TRANSPORT VEHICLE REGISTRATION. No ~~livestock~~
2 ~~animal~~ trucker may operate ~~a livestock~~ an animal transport vehicle unless the
3 ~~livestock~~ animal transport vehicle is registered with the department in the name of
4 the ~~livestock~~ animal trucker. The ~~livestock~~ animal transport vehicle shall be
5 registered on a form provided by the department. The registration shall include a
6 description and the serial number of the ~~livestock~~ animal transport vehicle.

7 **SECTION 208.** [✓]95.71 (5) (a) of the statutes is amended to read:

8 95.71 (5) (a) Unless the department specifies different fees by rule, an
9 applicant for ~~a livestock~~ an animal trucker license shall pay a fee in an amount equal
10 to \$20 plus \$5 for each ~~livestock~~ animal transport vehicle registered with the
11 applicant's license application under sub. (3).

12 **SECTION 209.** [✓]95.71 (5) (b) of the statutes is amended to read:

13 95.71 (5) (b) If during any license year ~~a livestock~~ an animal trucker registers
14 ~~a livestock~~ an animal transport vehicle that was not registered with the ~~livestock~~
15 animal trucker's annual license application under sub. (3), the ~~livestock~~ animal
16 trucker shall, at the time of the additional registration, pay a registration fee of \$5
17 for each ~~livestock~~ animal transport vehicle registered.

18 **SECTION 210.** [✓]95.71 (6) (a) (intro.) of the statutes is amended to read:

19 95.71 (6) (a) (intro.) An applicant for ~~a livestock~~ an animal trucker license shall
20 pay a license fee surcharge of \$100 if the department determines that within 365
21 days prior to submitting the license application the applicant did any of the
22 following:

23 **SECTION 211.** [✓]95.71 (6) (a) 1. of the statutes is amended to read:

24 95.71 (6) (a) 1. Operated as ~~a livestock~~ an animal trucker without a license in
25 violation of sub. (2).

1 **SECTION 212.** 95.71 (6) (a) 1m. of the statutes is created to read:

2 95.71 (6) (a) 1m. Operated as a livestock trucker, as defined in s. 95.71 (1) (e),
3 1999 stats., without a license in violation of s. 95.71 (2), 1999 stats.

4 **SECTION 213.** 95.71 (6) (a) 2. of the statutes is amended to read:

5 95.71 (6) (a) 2. Operated an unregistered ~~livestock~~ animal transport vehicle in
6 violation of sub. (4).

7 **SECTION 214.** 95.71 (6) (a) 2m. of the statutes is created to read:

8 95.71 (6) (a) 2m. Operated an unregistered livestock vehicle, as defined in s.
9 95.71 (1) (g), 1999 stats., in violation of s. 95.71 (4), 1999 stats.

10 **SECTION 215.** 95.71 (6) (b) of the statutes is amended to read:

11 95.71 (6) (b) In addition to the surcharge under par. (a), an applicant for a
12 license under sub. (2) shall pay the fees due for the year in which the applicant was
13 in violation of ~~sub. (2) or (4)~~.

14 **SECTION 216.** 95.71 (6) (c) of the statutes is amended to read:

15 95.71 (6) (c) The payment of the surcharge and fees under this subsection does
16 not relieve the applicant of other civil or criminal liability that may result from the
17 failure to obtain a license or to register a ~~livestock~~ vehicle but does not constitute
18 evidence of a violation of a law.

19 **SECTION 217.** 95.71 (8) of the statutes is amended to read:

20 95.71 (8) RULES. The department may promulgate rules to specify license fees
21 under sub. (5) or to regulate ~~livestock~~ animal truckers, including rules related to
22 ~~livestock~~ animal trucker qualifications, construction and maintenance of ~~livestock~~
23 animal transport vehicles, identification of ~~livestock~~ animal transport vehicles,
24 disease sanitation, humane treatment of animals, identification of animals, record

1 keeping, reports to the department and compliance with applicable financial
2 security requirements under state or federal law.

3 **SECTION 218.** 95.72 (7) (a) of the statutes is amended to read:

4 95.72 (7) (a) *License requirement.* No person may transport dead animals on
5 public highways in this state without a license issued under this section. A licensee
6 may not transport dead animals under conditions not authorized by the license. This
7 paragraph does not apply to persons exempt from obtaining a license under this
8 section, a farmer transporting dead animals raised on his or her farm, the
9 transportation of hides or fully rendered or processed dead animal products, the
10 transportation of dead animals by government agencies or private agencies engaged
11 in scientific research, persons transporting dead animals for destruction or burial,
12 or ~~livestock~~ animal truckers transporting animals which have died in transit if the
13 dead animals are transported directly to a licensed renderer, animal food processor
14 or collector.

STET: leave as typed

15 **SECTION 219.** 97.42 (1) (dm) of the statutes is amended to read:

16 97.42 (1) (dm) "Farm-raised deer" has the meaning given in s. 95.001 (1) (a)
17 (ag).

18 **SECTION 220.** 97.44 (3) of the statutes is amended to read:

19 97.44 (3) As used in this section, "animals" means cattle, sheep, goats, swine,
20 equines, farm-raised deer, as defined in s. 95.001 (1) (a) (ag), and poultry, except in
21 the phrase "animal feed manufacturers".

22 **SECTION 221.** 100.04 (1) of the statutes is amended to read:

23 100.04 (1) DEFINITION. In this section, "livestock" means swine, cattle, poultry,
24 sheep, goats or farm-raised deer, as defined in s. 95.001 (1) (a) (ag).

25 **SECTION 222.** 167.31 (4) (b) of the statutes is amended to read:

farm-raised

1 167.31 (4) (b) Subsections (2) (a), (b) and (c) and (3) (a) and (b) do not apply to
2 the holder of a scientific research license under s. 22.25 or a scientific collector permit
3 under s. 29.614 who is using a net gun or tranquilizer gun in an activity related to
4 the purpose for which the license or permit was issued.

5 SECTION 223. 173.23 (1m) (b) of the statutes is amended to read:

6 173.23 (1m) (b) If the animal is not a dog or cat, sell the animal at public
7 auction, including sale at a licensed livestock animal market.

8 SECTION 224. 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) ~~(b)~~ or domestic fowl, including game fowl raised in captivity any
12 ~~any~~ game bird, as defined in s. 95.001 (1) ~~(a)~~ (ai)

STET
leave
as typed

[Handwritten scribble]

13 SECTION 225. 350.01 (5) of the statutes is repealed.

14 SECTION 226. 814.60 (2) (e) of the statutes is amended to read:

15 814.60 (2) (e) Natural resources restitution payment imposed by s. 22.46 (2) or
16 29.989.

17 SECTION 227. 895.57 (3) of the statutes is amended to read:

18 895.57 (3) Subsection (2) does not apply to any humane officer, local health
19 officer, peace officer, employee of the department of natural resources while on any
20 land licensed under s. ~~29.865, 29.867, 29.869 or 29.871~~ 22.15, 22.18, or 22.19, subject
21 to certification under s. 90.21, or designated as a wildlife refuge under s. 29.621 (1)
22 or employee of the department of agriculture, trade and consumer protection if the
23 officer's or employee's acts are in good faith and in an apparently authorized and
24 reasonable fulfillment of his or her duties.

25 SECTION 228. 943.75 (3) of the statutes is amended to read:

1 943.75 (3) Subsections (2) and (2m) do not apply to any humane officer, local
2 health officer, peace officer, employee of the department of natural resources while
3 on any land licensed under s. ~~29.865, 29.867, 29.869 or 29.871~~ 22.15, 22.18, or 22.19,
4 subject to certification under s. 90.21, or designated as a wildlife refuge under s.
5 29.621 (1) or employee of the department of agriculture, trade and consumer
6 protection if the officer's or employee's acts are in good faith and in an apparently
7 authorized and reasonable fulfillment of his or her duties. This subsection does not
8 limit any other person from claiming the defense of privilege under s. 939.45 (3).

9 **SECTION 229.** 951.01 (1m) of the statutes is created to read:

10 951.01 (1m) "Conservation warden" means a warden appointed under s. 23.10.

11 **SECTION 230.** 951.015 of the statutes is renumbered 951.015 (1) and amended
12 to read:

13 951.015 (1) This chapter may not be interpreted as controverting any law
14 regulating wild animals that are subject to regulation under ch. 22, the taking of a
15 ~~wild animal~~ wild animals, as defined in s. 29.001 (90), ~~the trapping of animals, the~~
16 ~~use of live animals in dog trials or in the training of hunting dogs or the slaughter~~
17 of animals by persons acting under state or federal law.

18 **SECTION 231.** 951.015 (2) of the statutes is created to read:

19 951.015 (2) For purposes of enforcing this chapter as to wild animals subject
20 to regulation under ch. 22, a conservation warden has the same powers and duties
21 that a law enforcement officer has under this chapter.

22 **SECTION 232.** 951.09 of the statutes is renumbered 951.09 (1) and amended to
23 read:

24 951.09 (1) No person may instigate, ~~promote, aid or abet as a principal, agent,~~
25 ~~employee, participant or spectator, or participate in the earnings from, or~~

1 intentionally maintain or allow any place to be used for the shooting, killing or
2 wounding shoot, kill, or wound with a firearm, or with any deadly weapon, any
3 animal that is tied, staked out, caged or otherwise intentionally confined in a
4 man-made an artificial enclosure, regardless of size. ~~Nothing in this section~~
5 ~~prohibits the shooting of any wild game in its wild state or the shooting of game birds~~
6 ~~and waterfowl at licensed game farms or licensed shooting preserves.~~

7 SECTION 233. 951.09 (2) of the statutes is created to read:

8 951.09 (2) (a) Whoever is concerned in the commission of a violation of this
9 section is a principal and may be charged with and convicted of the violation although
10 he or she did not directly commit it and although the person who directly committed
11 it has not been convicted of the violation.

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

- 14 1. Instigates, promotes, aids, or abets the violation as a principal, agent,
15 employee, participant, or spectator.
- 16 2. Participates in any earnings from the commission of the violation.
- 17 3. Intentionally maintains or allows any place to be used for the commission
18 of the violation.

19 SECTION 234. 951.09 (3) of the statutes is created to read:

20 951.09 (3) This section does not apply to any of the following animals:

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

23 (c) Farm-raised deer, as defined in s. 95.001 (1) ~~(b)(4)~~.

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

STET
←

1 **SECTION 235.** 951.18 (4) (a) 2. of the statutes is amended to read:

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

13 **SECTION 236.** 951.18 (4) (b) 1. of the statutes is amended to read:

14 951.18 (4) (b) 1. A sentencing court may order that an animal be delivered to
15 the local humane officer or society or the county or municipal pound or to a law
16 enforcement officer if a person commits a crime under this chapter, the person is the
17 owner of the animal that is involved in the crime and the court considers the order
18 to be reasonable and appropriate. A sentencing court may order that an animal be
19 delivered to the department of natural resources, if the animal is a wild animal that
20 is subject to regulation under ch. 22 and the court considers the order to be
21 reasonable and appropriate. The society, pound or officer or department of natural
22 resources shall release the animal to a person other than the owner or dispose of the
23 animal in a proper and humane manner. If the animal is a dog, the release or disposal
24 shall be in accordance with s. 173.23 (1m), except that the fees under s. 173.23 (1m)

1 (a) 4. do not apply if the expenses are covered under s. 173.24. If the animal is not
2 a dog, the society, pound or officer may charge a fee for the release of the animal.

3 **SECTION 237.** 973.05 (1) of the statutes is amended to read:

4 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
5 permission for the payment of the fine, of the penalty assessment imposed by s.
6 757.07, the jail assessment imposed by s. 302.46 (1), the crime victim and witness
7 assistance surcharge under s. 973.045, the crime laboratories and drug law
8 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid
9 analysis surcharge under s. 973.046, any applicable drug abuse program
10 improvement surcharge imposed by s. 961.41 (5), any applicable consumer
11 information assessment imposed by s. 100.261, any applicable domestic abuse
12 assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver
13 improvement surcharge imposed by s. 346.655, any applicable enforcement
14 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed
15 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),
16 any applicable environmental assessment imposed by s. 299.93, any applicable wild
17 animal protection assessment imposed by s. 29.983, any applicable natural resources
18 assessment imposed by s. 22.46 (1) or 29.987 and any applicable natural resources
19 restitution payment imposed by s. 22.46 (2) or 29.989 to be made within a period not
20 to exceed 60 days. If no such permission is embodied in the sentence, the fine, the
21 penalty assessment, the jail assessment, the crime victim and witness assistance
22 surcharge, the crime laboratories and drug law enforcement assessment, any
23 applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse
24 program improvement surcharge, any applicable consumer information assessment,
25 any applicable domestic abuse assessment, any applicable driver improvement

1 surcharge, any applicable enforcement assessment, any applicable weapons
2 assessment, any applicable uninsured employer assessment, any applicable
3 environmental assessment, any applicable wild animal protection assessment, any
4 applicable natural resources assessment and any applicable natural resources
5 restitution payment shall be payable immediately.

6 **SECTION 238. Nonstatutory provisions.**

7 (1) In this SECTION:

8 (a) "Livestock" means bovine animals, sheep, goats, swine, farm-raised deer,
9 and equine animals.

10 (b) "Wild animal" means a wild animal that is subject to regulation under
11 chapter 22 of the statutes, as created by this act.

12 (2) Any livestock market license and any livestock vehicle registration issued
13 under section 95.68, 1999 stats., shall remain valid until its expiration date and shall
14 allow the trading and transport of wild animals as well as livestock in the manner
15 authorized under the license until that date.

16 (3) Any livestock dealer license and any livestock vehicle registration issued
17 under section 95.69, 1999 stats., shall remain valid until its expiration date and and
18 shall allow the dealing in, and transport of, wild animals as well as livestock in the
19 manner authorized under the license until that date.

20 (4) Any livestock trucker license and any livestock vehicle registration issued
21 under section 95.71, 1999 stats., shall remain valid until its expiration date and shall
22 allow the transporting for hire of wild animals as well as livestock in the manner
23 authorized under the license until that date.

24 **SECTION 239. Effective dates.** This act takes effect on January 1, 2003, except
25 as follows:

AMSEIN
104#23

