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1 **29.969 Larceny of game wild animals.** A person who, without permission
2 of the owner, disturbs or appropriates any wild animal or its carcass that has been
3 lawfully reduced to possession by another shall forfeit not less than \$1,000 nor more
4 than \$2,000. This section does not apply to farm-raised deer or, farm-raised fish,
5 farm-raised game birds, or wild animals that are subject to regulation under ch. ~~226~~ 169

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

7 29.971 (14) In any prosecution under this section it is not necessary for the
8 state to allege or prove that the animals were not farm-raised deer, farm-raised fish,
9 farm-raised game birds, wild animals subject to regulation under ch. ~~226~~ 169 or
10 domesticated domestic animals, that they were not taken for scientific purposes, or
11 that they were taken or in possession or under control without a required approval.
12 The person claiming that these animals were farm-raised deer, farm-raised fish,
13 farm-raised game birds, wild animals subject to ch. ~~226~~ 169 or domesticated domestic
14 animals, that they were taken for scientific purposes or that they were taken or in
15 possession or under control under the required approval, has the burden of proving
16 these facts.

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

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

19 29.974 (2) (a) In this subsection, "wild animal" does not include a farm-raised
20 deer, a farm-raised fish, a farm-raised game bird, or a wild animal subject to
21 regulation under ch. ~~226~~ 169

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

23 29.977 (1) (g) Any pheasant, Hungarian gray partridge, quail, rail, Wilson's
24 snipe, woodcock or shore bird, or protected song bird or harmless bird, \$17.50.

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

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1 29.983 (1) (b) 7. For any pheasant, ~~Hungarian~~ gray partridge, quail, rail,
2 Wilson's snipe, woodcock or shore bird, or protected song bird or harmless bird,
3 \$17.50.

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

5 49.857 (1) (d) 2. An approval specified in s.29.024 (2g) or a liccnsc issued under
6 ch. ~~220~~¹⁶⁹

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

8 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
9 deposited in the state treasury, the amounts required by s. 757.05 for the penalty
10 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories
11 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the
12 weapons assessment, the amounts required by s. 973.045 for the crime victim and
13 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the
14 delinquency victim and witness assistance surcharge, the amounts required by s.
15 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by
16 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts
17 required by s. 100.261 for the consumer information assessment, the amounts
18 authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse
19 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment
20 under the supplemental food program for women, infants and children, the amounts
21 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing
22 improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the
23 driver improvement surcharge, the amounts required by s. 102.85 (4) for the
24 uninsured employer assessment, the amounts required by s. 299.93 for the
25 environmental assessment, the amounts required by s. 29.983 for the wild animal

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and 169.46(1)

1 protection assessment, the amounts required by s. ~~ss. 22.46 (2) and~~ 29.987 for the
 2 natural resources assessment surcharge, the amounts required by s. 29.985 for the
 3 fishing shelter removal assessment, the amounts required by s. 350.115 for the
 4 snowmobile registration restitution payment and the amounts required by s. ss.
 5 22.46 (2) and 29.989 ^{and 169.46(2)} for natural resources restitution payments, transmit to the state
 6 treasurer a statement of all moneys required by law to be paid on the actions entered
 7 during the preceding month on or before the first day of the next succeeding month,
 8 certified by the county treasurer's personal signature affixed or attached thereto,
 9 and at the same time pay to the state treasurer the amount thereof.

SECTION 110. 59.40 (2) (m) of the statutes is amended to read:

11 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
 12 percentage of the fees required to be paid on each civil action, criminal action and
 13 special proceeding filed during the preceding month and pay monthly to the
 14 treasurer for the use of the state the percentage of court imposed fines and forfeitures
 15 required by law to be deposited in the state treasury, the amounts required by s.
 16 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for
 17 the crime laboratories and drug law enforcement assessment, the amounts required
 18 by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for
 19 the crime victim and witness assistance surcharge, the amounts required by s.
 20 938.34 (8d) for the delinquency victim and witness assistance surcharge, the
 21 amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the
 22 amounts required by s. 961.41 (5) for the drug abuse program improvement
 23 surcharge, the amounts required by s. 100.261 for the consumer information
 24 assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055
 25 for the domestic abuse assessment surcharge, the amounts required by s. 253.06 (4)

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1 (c) for the enforcement assessment under the supplemental food program for women,
 2 infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r)
 3 for the railroad crossing improvement assessment, the amounts required by s.
 4 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4)
 5 for the uninsured employer assessment, the amounts required by s. 299.93 for the
 6 environmental assessment, the amounts required under s. 29.983 for the wild
 7 animal protection assessment, the amounts required under s. ss. ~~22.46 (1) (d) and~~
 8 ~~29.987 (1) (d)~~ ^{and 169.46 (1) (d)} for the natural resources assessment surcharge, the amounts required
 9 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.
 10 350.115 for the snowmobile registration restitution payment and the amounts
 11 required under s. ss. ~~22.46 (2) (d) and~~ ^{and 169.46 (2) (d)} 29.989 (1) (d) for the natural resources
 12 restitution payments. The payments shall be made by the 15th day of the month
 13 following receipt thereof.

14 SECTION 111. 73.0301 (1) (d) 1. of the statutes is amended to read:

15 73.0301 (1) (d) 1. An approval specified in s. 29.024 (2r) or a license specified
 16 in s. ~~22.46~~ ^{169.35}

17 SECTION 112. 90.20 (title) of the statutes is amended to read:

18 **90.20 (title) Fencing of farm-raised deer that are not white-tailed deer.**

19 SECTION 113. 90.20 (1) (a) of the statutes is amended to read:

20 90.20 (1) (a) "Farm-raised deer" has the meaning given in s. 95.001 (1) (a) (ag).

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

22 90.20 (2) SPECIFICATIONS. (intro.) Any Unless s. 90.21 applies, any person who
 23 keeps farm-raised deer shall keep the farm-raised deer enclosed by a fence that
 24 meets all of the following requirements:

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

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

In this section:

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

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

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

(b) The department may not issue a fence inspection certificate under this section for a fence that is used to contain farm-raised deer that are white-tailed deer unless the fence meets the requirements established by the department by rule under sub. (6).

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

(3) FEES. (a) The ~~annual~~ fee for a fence inspection certificate issued under this section is \$50 for a fenced area that is less than 80 acres in size and \$100 for a fenced area that is 80 acres or more in size.

(b) If a person expands a fenced area that is less than 80 acres in size during the period that the fence inspection certificate issued under this section is valid so that the fenced area is 80 acres or more in size, the person shall apply for a new fence inspection certificate and pay an additional fee of \$50.

(c) A fence inspection certificate issued under par. (a) or (b) shall be valid from the date of issuance until the ~~5th~~^{10th} December 31 following the date of issuance.

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

13 (5) EXISTING OPERATIONS. A person who holds a license under s. 29.871, 1999
14 stats., on the effective date of this subsection ... [revisor inserts date], may continue
15 to keep white-tailed deer, and the department shall automatically issue the person
16 a fence inspection certificate under this section that will be valid during the period
17 beginning on the effective date of this subsection ... [revisor inserts date], and ending
18 on the 30th day after the effective date of the rules promulgated under sub. (6).

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

23 (7) ENFORCEMENT AUTHORITY. If a fence fails to comply with the requirements
24 established by rule under sub. (6), the department may issue an order directing the
25 person who is required to maintain the fence to bring the fence into compliance

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1 within 10 days after the issuance of the order. If the person fails to comply with the
2 order within 10 days of its issuance, the department may revoke the applicable fence
3 inspection certificate.

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

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

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

- 12 1. The holder fails to comply with an order issued under sub. (7).
- 13 2. The department determines that the certificate was fraudulently procured,
14 or erroneously issued.

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

16 93.06 (1g) ~~INTERSTATE HEALTH CERTIFICATES~~ CERTIFICATES OF VETERINARY
17 INSPECTION. Furnish, to veterinarians in this state, forms to be used by them in
18 issuing ~~interstate health certificates or~~ certificates of veterinary inspection. The
19 department may charge a \$2 fee for each form unless the department specifies a
20 different fee by rule.

21 **SECTION 117.** 93.07 (10) (a) of the statutes is repealed.

22 **SECTION 118.** 93.07 (10) (b) of the statutes is renumbered 93.07 (10) and
23 amended to read:

24 93.07 (10) ANIMAL HEALTH; QUARANTINE. To protect the health of domestic
25 animals ~~of the~~ located in this state; and of humans residing in this state and to

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1 determine and employ the most efficient and practical means for the prevention,
2 suppression, control, and eradication of communicable diseases among domestic
3 animals, ~~and for.~~ For these purposes ~~it~~ the department may establish, maintain,
4 enforce, and regulate such quarantine and such other measures relating to the
5 importation, movement, and care of animals and their products, the disinfection of
6 suspected localities and articles, and the disposition of animals, as the department
7 may deem necessary. The definition of “communicable disease” in s. 990.01 (5g) does
8 not apply to this paragraph.

9 **SECTION 119.** 93.07 (10m) of the statutes is created to read:

10 93.07 (10m) RULES FOR DOMESTIC ANIMALS. To promulgate rules specifying
11 which animals are domestic animals for purposes of s. ^{169.01} ~~22.01~~ (7). The rules shall
12 specify that fur-bearing animals to which s. 29.627 applies are domestic animals.

13 **SECTION 120.** 95.001 (1) (a) of the statutes is renumbered 95.001 (1) (ag) and
14 amended to read:

15 95.001 (1) (ag) “Farm-raised deer” means ~~an animal that is a member of the~~
16 ~~family cervidae and of the genus dama, the genus rangifer or the genus cervus, except~~
17 ~~for an elk~~ a cervid that is kept in captivity or a cervid that is present in the wild and
18 that does not have has an ear tag or other mark identifying it as being raised on a
19 farm.

20 **SECTION 121.** 95.001 (1) (ad) of the statutes is created to read:

21 95.001 (1) (ad) “Domestic animal” means any of the following:

- 22 1. An animal that is a member of a species that has been domesticated by
23 humans.
- 24 2. A farm-raised deer, farm-raised game bird, or farm-raised fish.
- 25 3. An animal that is listed as a domestic animal by rule by the department.

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1 **SECTION 122.** 95.001 (1) (ah) of the statutes is created to read:

2 95.001 (1) (ah) “Farm-raised fish” means any fish egg that is present on a fish
3 farm or any fish that is reared on a fish farm.

4 **SECTION 123.** 95.001 (1) (ai) of the statutes is created to read:

5 95.001 (1) (ai) “Farm-raised game bird” has the meaning given in s. ~~22.01~~^{169.01}
6 (12m).

7 **SECTION 124.** 95.10 (5) of the statutes is amended to read:

8 95.10 (5) No person shall remove or permit the removal of any swine from any
9 premises where public or commercial garbage is received, except to federally
10 inspected slaughtering establishments and other slaughtering establishments
11 approved by the state to receive diseased animals, and only if such swine are
12 accompanied by a health certificate issued by a veterinarian of veterinary inspection.

13 **SECTION 125.** 95.12 of the statutes is amended to read:

14 **95.12 False pedigree.** No person with intent to defraud shall obtain from any
15 corporation, association, society or company organized for the purpose of improving
16 breeds of domestic animals, a false certificate of registration of any such domestic
17 animal in the herd or other register of any such corporation, association, society or
18 company, or the transfer of any such certificate, or shall, with intent to defraud, give
19 a false pedigree of any such domestic animal.

20 **SECTION 126.** 95.13 of the statutes is amended to read:

21 **95.13 Misrepresenting breed of domestic animal.** No person shall sell or
22 barter or cause to be sold or bartered any domestic animal and represent, or cause
23 to be represented that such domestic animal is a pure bred domestic animal, when
24 in fact such domestic animal is not registered, or entitled to registry, in any pure
25 breed registry maintained for such domestic animals; nor shall any person

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1 knowingly utter, pass or deliver to any person as true, any false, or altered pedigree;
2 nor shall any person refuse to deliver proper certificate of registry for any domestic
3 animal sold or transferred by the person, having represented at the time of sale or
4 transfer, and as an inducement thereto, that such domestic animal was registered
5 and that the person possessed and would deliver a certificate of registry as evidence
6 thereof, or that such domestic animal was entitled to registry and that the person
7 would secure such certificate and deliver the same.

8 **SECTION 127.** 95.17 of the statutes is amended to read:

9 **95.17 Animal diseases; cooperation with United States.** Whenever it is
10 determined by the department and the state constitutional officers that it is
11 necessary to combat dangerous diseases among ~~domestic~~ in animals in this state in
12 cooperation with the U.S. department of agriculture and to destroy animals affected
13 with or which have been exposed to any such disease or to destroy property in the
14 disinfection of the premises or to do any other act or incur any other expense
15 reasonably necessary in suppressing or combating such disease, the department
16 may accept, on behalf of the state, the rules and regulations prepared by the U.S.
17 department of agriculture under authority of an act of congress relating to the
18 suppression of any such disease and cooperate with the authorities of the U.S. in the
19 enforcement of their provisions; or it may follow such procedure as to inspection,
20 vaccination, condemnation, appraisal, disinfection and other acts reasonably
21 necessary in the suppression of such diseases as may be agreed upon and adopted
22 by the department and the state constitutional officers with the representatives of
23 the U.S. department of agriculture. Within the amount which may, subsequent to
24 March 23, 1915, be appropriated for this purpose, the state shall pay such proportion
25 of the expense incurred in suppressing or combating any such disease and in

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1 compensating owners of animals slaughtered under this section as shall be
2 determined by and mutually agreed upon with the U.S. department of agriculture.

3 **SECTION 128.** 95.20 of the statutes is repealed and recreated to read:

4 **95.20 Import and movement of animals.** The department may prohibit or
5 regulate the importing of animals into this state or the movement of animals within
6 this state if the department has reasonable grounds to believe that regulation or
7 prohibition is necessary to prevent the introduction or spread of a disease in this
8 state that threatens the health of animals or of humans.

9 **SECTION 129.** 95.22 of the statutes is repealed and recreated to read:

10 **95.22 Reporting animal diseases.** (1) A veterinarian and the department
11 of natural resources shall report to the department of agriculture, trade and
12 consumer protection any disease specified in the rules promulgated under sub. (2)
13 (a) each time a veterinarian or the department of natural resources discovers that
14 such a disease is present in any animal in this state.

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

16 (a) The diseases that a veterinarian ^{on the department of natural} must report under this section. ^{resources}

17 (b) For each disease specified in par. (a), the deadline for reporting the disease
18 after the date of its discovery.

19 (c) The information that a veterinarian or the department of natural resources
20 must include in his or her report.

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

22 (3) The department of agriculture, trade and consumer protection shall notify
23 the department of natural resources of the contents of any report submitted under
24 sub. (1) by a veterinarian if the department of agriculture, trade and consumer

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1 protection determines that the disease that is the subject of the report may present
2 a threat to any wild animals present in this state.

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

4 95.24 (3) (a) (intro.) No type of living vaccine for immunizing against anthrax
5 or swine erysipelas may be administered to any domestic animal, ~~including fowl~~, or
6 sold or dispensed in this state without first having obtained the written approval of
7 the chief veterinarian of the department. Approval to administer such vaccine shall
8 be granted to licensed veterinarians only, and then only to qualify the domestic
9 animal ~~or fowl~~ for export or in the event that any of the following has been
10 established:

11 **SECTION 131.** 95.24 (3) (a) 1. of the statutes is amended to read:

12 95.24 (3) (a) 1. The domestic animals to be so treated are infected.

13 **SECTION 132.** 95.24 (3) (a) 2. of the statutes is amended to read:

14 95.24 (3) (a) 2. The domestic animals to be so treated are on premises known
15 to be contaminated.

16 **SECTION 133.** 95.24 (3) (a) 3. of the statutes is amended to read:

17 95.24 (3) (a) 3. The domestic animals to be so treated have been exposed within
18 40 days to infection with the disease for which the living vaccine is prescribed as a
19 proper immunizing agent.

20 **SECTION 134.** 95.31 (1) of the statutes is amended to read:

21 95.31 (1) The department shall ~~have general power and authority to~~ may
22 ~~condemn and order the slaughter or destruction of animals~~ that are affected with or
23 exposed to a contagious and or infectious diseases as disease if the department
24 determines that it is necessary to do so to prevent or control the spread of dangerous
25 ~~diseases among domestic animals of this state. The department shall pay~~

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1 ~~indemnities to the owners of animals condemned and destroyed as provided in this~~
2 ~~chapter the disease. Condemned animals shall be slaughtered or destroyed as~~
3 ~~directed by the department.~~

4 **SECTION 135.** 95.31 (2) of the statutes is amended to read:

5 95.31 (2) ~~Whenever~~ If the department determines that it is necessary to
6 ~~condemn diseased animals~~ an animal under sub. (1), the department shall, in all
7 cases where the payment of indemnities is authorized under this chapter, appraise
8 ~~the condemned animals~~ animal as provided in s. 95.32 and shall notify the owner in
9 writing of the appraised value. The notice shall include the number and description
10 of the animals and the name of the owner.

11 **SECTION 136.** 95.31 (3) of the statutes is amended to read:

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

22 **SECTION 137.** 95.31 (4) of the statutes is amended to read:

23 95.31 (4) In the event of a major or serious outbreak of ~~dangerous diseases~~
24 affecting a contagious or infectious disease that may affect public health or the
25 health of domestic animals requiring and that requires special control measures, the

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1 department may request the joint committee on finance to release funds
2 appropriated under s. 20.115 (2) (b) as needed to conduct emergency control
3 programs independently or in cooperation with federal or local units of government
4 and, subject to s. 95.36, to pay indemnities on animals of species raised primarily to
5 produce food for human consumption, including farm-raised deer, condemned and
6 slaughtered or destroyed under the emergency control programs. For all indemnities
7 paid under this subsection, the state shall pay two-thirds of the difference between
8 the net salvage value and the appraised value of an animal, except that no payment
9 may exceed \$1,500 for an animal.

10 **SECTION 138.** 95.38 (1) of the statutes is amended to read:

11 95.38 (1) It shall be unlawful for any person to in any manner change any test
12 record, falsely record any test, misrepresent the identification of any animal or any
13 other material fact on any test record, ~~interstate health certificate, certificate of~~
14 veterinary inspection, vaccination record, claim for indemnity, or any disease control
15 report or application to the department. It shall be unlawful for any person to induce
16 or to conspire with another, either directly or indirectly, to do any of the said
17 prohibited acts.

18 **SECTION 139.** 95.45 (title) of the statutes is repealed and recreated to read:

19 **95.45 (title) Certificates of veterinary inspection; tests for interstate**
20 **shipment.**

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

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

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

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1 95.45 (4) (a) If the department requires that a certificate of veterinary
2 inspection accompany an animal imported into this state, the veterinarian who
3 issues the certificate shall file a copy of the certificate with the department.

4 (b) If a certificate of veterinary inspection is required for a wild animal under
5 s. ^{169.04}~~220.04~~ (2) (d) and (3) (a) or ^{169.06}~~220.06~~ (1) (d) 1., the veterinarian who issues the certificate
6 shall file a copy of the certificate with the department of agriculture, trade and
7 consumer protection. The department of agriculture, trade and consumer protection
8 shall provide a copy of the certificate to the department of natural resources.

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

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

12 95.45 (5) Any certificate of veterinary inspection prepared under this chapter
13 shall comply with any rules that are promulgated by the department.

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

15 95.49 (1) (e) Animals not known to be reactors moved to the premises of ~~a~~
16 livestock an animal market operator licensed under s. 95.68 or ~~a livestock an animal~~
17 dealer licensed under s. 95.69, for sale and removal as provided in sub. (2).

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

19 95.49 (1m) (e) Animals not known to be reactors moved to the premises of ~~a~~
20 livestock an animal market operator licensed under s. 95.68 or ~~a livestock an animal~~
21 dealer licensed under s. 95.69, for sale and removal as provided in sub. (2).

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

23 95.49 (2) Animals moved to the premises of ~~a livestock an animal~~ market or
24 animal dealer pursuant to the exemption from brucellosis test in sub. (1) (e) or (1m)

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1 (e) may be removed only in compliance with the brucellosis test requirements in sub.
2 (1) or (1m).

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

4 **95.55 Farm-raised deer; registration.**

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

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

7 95.55 (1) (b) 2. The department may promulgate rules to exempt groups of
8 persons or species of farm-raised deer from the registration requirement under this
9 section.

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

11 95.55 (3m) AUTHORIZATION. A person who is registered under this section may
12 do any of the following:

13 (a) Possess, propagate, purchase, sell, hunt, kill, and exhibit farm-raised deer.

14 (b) Hunt or sell or offer to sell the opportunity to hunt farm-raised deer that
15 the person owns.

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

17 95.55 (5) HUNTING. (a) A person hunting farm-raised deer is exempt from
18 having any hunting approval issued under ch. 29 and is exempt from any closed
19 season restrictions or bag limits established by the department of natural resources.
20 In order to regulate the hunting of farm-raised deer, the department of agriculture,
21 trade and consumer protection may promulgate rules to establish tagging
22 requirements or other methods for identifying dead farm-raised deer that have been
23 legally hunted or killed and to impose other conditions or requirements regulating
24 the hunting of farm-raised deer. Section 29.314 applies to the hunting of
25 farm-raised deer.

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1 (b) No owner of farm-raised deer may sell, or offer to sell, the opportunity to
2 hunt farm-raised deer unless the farm-raised deer to be hunted are confined in an
3 area of 80 contiguous acres or more.

4 (c) The department of natural resources and the department of agriculture,
5 trade and consumer protection shall cooperate with each other with respect to the
6 hunting of farm-raised deer.

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

8 95.55 (6) RULES. (a) The department shall promulgate rules to regulate
9 persons who keep farm-raised deer. The rules shall establish disease testing
10 requirements for bovine tuberculosis and chronic wasting disease and may establish
11 testing requirements for other diseases.

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

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

16 2. Provisions requiring that registration under this section be on an annual
17 basis.

18 3. Exemptions from any annual registration requirements established under
19 subd. 2.

20 **SECTION 153.** 95.57 of the statutes is created to read:

21 **95.57 Poultry and farm-raised game birds; national poultry**
22 **improvement program.** (1) PARTICIPATION IN PROGRAM. The department may
23 promulgate rules to require that any of the following originate from a flock of a person
24 participating in the national poultry improvement plan under 9 CFR part 145:

25 (a) Poultry, including their eggs, that are used for breeding purposes.

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1 (b) Farm-raised game birds, including their eggs, that are used for breeding
2 purposes.

3 (2) FEES. The department shall promulgate a rule to set any fee that it imposes
4 on a person for participation in the national poultry improvement plan.

5 SECTION 154. 95.60 (1) (intro.) and (b) of the statutes are consolidated,
6 renumbered 95.60 (1) and amended to read:

7 95.60 (1) In this section: ~~(b)~~ “Waters, “waters of the state” has the meaning
8 given in s. 281.01 (18).

9 SECTION 155. 95.60 (1) (a) of the statutes is renumbered 95.001 (1) (aj).

10 SECTION 156. 95.68 (title) of the statutes is amended to read:

11 **95.68 (title) Livestock Animal markets.**

12 SECTION 157. 95.68 (1) (a) of the statutes is renumbered 95.68 (1) (am).

13 ~~SECTION 158.~~ 95.68 (1) (b) of the statutes is amended to read:

14 95.68 (1) (b) “Equine market” means ~~a livestock~~ an animal market that is open
15 to the public solely for the purpose of trading in equine animals.

16 ~~SECTION 159.~~ 95.68 (1) (e) of the statutes is renumbered 95.68 (1) (ag) and
17 amended to read:

18 95.68 (1) (ag) “Livestock Animal market” means any premises which are open
19 to the public for the purpose of trading in livestock or wild animals and on which
20 facilities are maintained for their yarding, feeding and watering prior to sale.

21 SECTION 160. 95.68 (1) (f) of the statutes is renumbered 95.68 (1) (ai) and
22 amended to read:

23 95.68 (1) (ai) “Livestock Animal transport vehicle” has the meaning given in
24 s. 95.71 (1) (g) ~~(dm)~~.

25 SECTION 161. 95.68 (1) (g) of the statutes is created to read:

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1 95.68 (1) (g) "Wild animal" means a wild animal that is subject to regulation
2 under ch. ~~225~~¹⁶⁹

3 SECTION 162. 95.68 (2) of the statutes is amended to read:

4 95.68 (2) LICENSE. Except as provided in sub. (2m), no person may operate a
5 livestock an animal market without an annual license from the department. ~~A~~
6 livestock An animal market license expires on June 30 annually. A separate license
7 is required for every livestock animal market. A license is not transferable between
8 persons or locations.

9 SECTION 163. 95.68 (2m) (title) of the statutes is repealed and recreated to read:

10 95.68 (2m) (title) EXEMPTIONS.

11 SECTION 164. 95.68 (2m) of the statutes is renumbered 95.68 (2m) (a) and
12 amended to read:

13 95.68 (2m) (a) A person is not required to obtain a license under sub. (2) to
14 operate an occasional auction sale sponsored by a livestock breeder association or a
15 youth agricultural organization if records of the transactions at the sale are
16 maintained by an auctioneer registered under ch. 480 or by ~~a livestock~~ an animal
17 dealer licensed under s. 95.69.

18 SECTION 165. 95.68 (2m) (b) of the statutes is created to read:

19 95.68 (2m) (b) The department may promulgate rules to exempt groups of
20 persons from the licensing requirement under sub. (2) or the registration
21 requirement under sub. (7) or both.

22 SECTION 166. 95.68 (4) (intro.) of the statutes is amended to read:

23 95.68 (4) FEES. (intro.) Unless the department specifies a different fee by rule,
24 the fee for a ~~livestock market~~ license issued under this section is the following
25 amount:

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

2 95.68 (4) (a) For ~~a livestock~~ an animal market that is not an equine market
3 and that conducted sales at the market on at least 5 days during the year
4 immediately preceding the year for which the license is issued, \$150.

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

6 95.68 (4) (b) For ~~a livestock~~ an animal market that is not an equine market
7 and that conducted sales on fewer than 5 days during the year immediately
8 preceding the year for which the license is issued, \$75.

9 **SECTION 169.** 95.68 (4) (c) of the statutes is amended to read:

10 95.68 (4) (c) For ~~a livestock~~ an animal market other than one described in par.
11 (a) or (b), \$100.

12 **SECTION 170.** 95.68 (5) (a) 1. of the statutes is amended to read:

13 95.68 (5) (a) 1. Operated ~~a livestock~~ an animal market without a license in
14 violation of sub. (2).

15 **SECTION 171.** 95.68 (5) (a) 1m. of the statutes is created to read:

16 95.68 (5) (a) 1m. Operated a livestock market, as defined in s. 95.68 (1) (e), 1999
17 stats., without a license in violation of s. 95.68 (2), 1999 stats.

18 **SECTION 172.** 95.68 (5) (a) 2. of the statutes is amended to read:

19 95.68 (5) (a) 2. Operated an unregistered ~~livestock~~ animal transport vehicle in
20 violation of sub. (7).

21 **SECTION 173.** 95.68 (5) (a) 2m. of the statutes is created to read:

22 95.68 (5) (a) 2m. Operated an unregistered livestock vehicle, as defined in s.
23 95.71 (1) (g), 1999 stats., in violation of s. 95.68 (7), 1999 stats.

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

BILL**SECTION 174**

1 95.68 (5) (b) In addition to the surcharge under par. (a), an applicant for a
2 license under sub. (2) shall pay the fees due for the year in which the applicant was
3 in violation of ~~sub. (2) or (7)~~.

4 **SECTION 175.** 95.68 (5) (c) of the statutes is amended to read:

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

9 **SECTION 176.** 95.68 (7) of the statutes is amended to read:

10 95.68 (7) ~~LIVESTOCK~~ ANIMAL TRANSPORT VEHICLE REGISTRATION. No ~~livestock~~
11 animal market operator may operate ~~a livestock~~ an animal transport vehicle unless
12 the ~~livestock~~ animal transport vehicle is registered with the department in the name
13 of the ~~livestock~~ animal market operator. The ~~livestock~~ animal transport vehicle shall
14 be registered on a form provided by the department. The registration shall include
15 a description and the serial number of the ~~livestock~~ animal transport vehicle.

16 **SECTION 177.** 95.68 (8) of the statutes is amended to read:

17 95.68 (8) RULES. The department may promulgate rules to specify license fees
18 under sub. (4) or to regulate the operation of ~~livestock~~ animal markets, including
19 rules related to market operator qualifications, market construction and
20 maintenance, construction and maintenance of ~~livestock~~ animal transport vehicles,
21 identification of ~~livestock~~ animal transport vehicles, disease sanitation, humane
22 treatment of animals, identification of animals, record keeping, reports to the
23 department and compliance with applicable financial security requirements under
24 state or federal law.

25 **SECTION 178.** 95.69 (title) of the statutes is amended to read:

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1 **95.69** (title) **Livestock Animal dealers.**

2 **SECTION 179.** 95.69 (1) (b) of the statutes is renumbered 95.69 (1) (g).

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

4 95.69 (1) (c) (intro.) “**Livestock Animal dealer**” means a person who, as
5 principal or agent, engages in the business of buying for resale or for slaughter,
6 selling or exchanging livestock or wild animals. “**Livestock Animal dealer**” does not
7 include any of the following:

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

9 95.69 (1) (c) 1. ~~A livestock~~ **An animal** dealer employee.

10 **SECTION 182.** 95.69 (1) (c) 2m. of the statutes is created to read:

11 95.69 (1) (c) 2m. A person holding a license issued under s. ~~227.15, 227.18, 227.19,~~ ^{169.15, 169.18, 169.19,}
12 or ~~227.26~~ ^{169.26} who sells wild animals if the person keeps them solely for breeding or feeding
13 purposes and the person is not otherwise engaged in the business of buying them for
14 resale, slaughter, sale or exchange.

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

16 95.69 (1) (d) “**Livestock Animal dealer employee**” means an employee of a
17 licensed livestock animal dealer, who does business in the name of the licensed
18 livestock animal dealer.

19 **SECTION 184.** 95.69 (1) (e) of the statutes is amended to read:

20 95.69 (1) (e) “**Livestock Animal market**” has the meaning given in s. 95.68 (1)
21 (e) (ag).

22 **SECTION 185.** 95.69 (1) (f) of the statutes is amended to read:

23 95.69 (1) (f) “**Livestock Animal transport vehicle**” has the meaning given in s.
24 95.71 (1) (g) (dm).

25 **SECTION 186.** 95.69 (1) (h) of the statutes is created to read:

BILL**SECTION 186**

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

2 **SECTION 187.** 95.69 (2) of the statutes is amended to read:

3 95.69 (2) **LICENSE.** No person may operate as a livestock an animal dealer
4 without an annual license from the department, except that no license is required
5 of a person licensed as ~~a livestock~~ an animal market operator under s. 95.68. ~~A~~
6 livestock An animal dealer license expires on June 30 annually. ~~A livestock~~ An
7 animal dealer license is not transferable. °

8 **SECTION 188.** 95.69 (2m) of the statutes is created to read:

9 95.69 (2m) **EXEMPTION.** The department may promulgate rules to exempt
10 groups of persons from the licensing requirement under sub. (2) or the registration
11 requirement under sub. (7) or both.

12 **SECTION 189.** 95.69 (4) of the statutes is amended to read:

13 95.69 (4) **FEES.** Unless the department specifies a different fee by rule, the fee
14 for ~~a livestock~~ an animal dealer license is \$75.

15 **SECTION 190.** 95.69 (5) (a) 1. of the statutes is amended to read:

16 95.69 (5) (a) 1. Operated as ~~a livestock~~ an animal dealer without a license in
17 violation of sub. (2).

18 **SECTION 191.** 95.69 (5) (a) 1m. of the statutes is created to read:

19 95.69 (5) (a) 1m. Operated as a livestock dealer, as defined in s. 95.69 (1) (c),
20 1999 stats., without a license in violation of s. 95.69 (2), 1999 stats.

21 **SECTION 192.** 95.69 (5) (a) 2. of the statutes is amended to read:

22 95.69 (5) (a) 2. Operated an unregistered livestock animal transport vehicle in
23 violation of sub. (7).

24 **SECTION 193.** 95.69 (5) (a) 2m. of the statutes is created to read:

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

3 **SECTION 194.** 95.69 (5) (b) of the statutes is amended to read:

4 95.69 (5) (b) In addition to the surcharge under par. (a), an applicant for a
5 license under sub. (2) shall pay the fees due for the year in which the applicant was
6 in violation of sub. (2) or (7).

7 **SECTION 195.** 95.69 (5) (c) of the statutes is amended to read:

8 95.69 (5) (c) The payment of the surcharge and fees under this subsection does
9 not relieve the applicant of other civil or criminal liability that may result from the
10 failure to obtain a license or from the operation of an unregistered livestock vehicle
11 but does not constitute evidence of a violation of a law.

12 **SECTION 196.** 95.69 (7) of the statutes is amended to read:

13 95.69 (7) ~~LIVESTOCK ANIMAL TRANSPORT~~ VEHICLE REGISTRATION. No livestock
14 animal dealer may operate ~~a livestock~~ an animal transport vehicle unless the
15 livestock animal transport vehicle is registered with the department in the name of
16 the livestock animal dealer. ~~The livestock~~ animal transport vehicle shall be
17 registered in the name of the livestock animal dealer on a form provided by the
18 department. The registration shall include a description and the serial number of
19 the livestock animal transport vehicle.

20 **SECTION 197.** 95.69 (8) of the statutes is amended to read:

21 95.69 (8) RULES. The department may promulgate rules to specify license fees
22 under sub. (4) or to regulate livestock animal dealers, including rules related to
23 livestock animal dealer qualifications, construction and maintenance of livestock
24 animal transport vehicles, identification of livestock animal transport vehicles,
25 disease sanitation, humane treatment of animals, identification of animals, record

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

3 **SECTION 198.** 95.69 (8m) of the statutes is amended to read:

4 **95.69 (8m) TRANSACTION RECORDS.** An auctioneer registered under ch. 480 who
5 sells livestock or wild animals and who is not required to obtain a license under this
6 section shall make records of the sales available to the department upon request for
7 disease investigation purposes.

8 **SECTION 199.** 95.71 (title) of the statutes is amended to read:

9 **95.71 (title) Livestock Animal truckers.**

10 **SECTION 200.** 95.71 (1) (b) of the statutes is renumbered 95.71 (1) (h).

11 **SECTION 201.** 95.71 (1) (c) of the statutes is repealed.

12 **SECTION 202.** 95.71 (1) (d) of the statutes is repealed.

13 **SECTION 203.** 95.71 (1) (e) of the statutes is amended to read:

14 **95.71 (1) (e)** “Livestock Animal trucker” means a person engaged in the
15 business of transporting for hire, by means of ~~a livestock an animal transport~~
16 vehicle, livestock and wild animals, except that it “animal trucker” does not include
17 ~~a livestock an animal~~ trucker employee.

18 **SECTION 204.** 95.71 (1) (f) of the statutes is amended to read:

19 **95.71 (1) (f)** “Livestock Animal trucker employee” means the employee of a
20 person who holds ~~a livestock an animal~~ trucker license if the employee, in the name
21 of the licensed livestock animal trucker, operates ~~a livestock an animal transport~~
22 vehicle which is registered by the livestock animal trucker and on which the name
23 and the business address of the licensed animal livestock trucker are prominently
24 displayed.

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1 **SECTION 205.** 95.71 (1) (g) of the statutes is renumbered 95.71 (1) (dm) and
2 amended to read:

3 95.71 (1) (dm) “~~Livestock~~ Animal transport vehicle” means any vehicle used to
4 transport livestock or wild animals.

5 **SECTION 206.** 95.71 (1) (i) of the statutes is created to read:

6 95.71 (1) (i) “Wild animal” has the meaning given in s. 95.68 (1) (g).

7 **SECTION 207.** 95.71 (2) of the statutes is amended to read:

8 95.71 (2) LICENSE. No person may operate as ~~a livestock~~ an animal trucker
9 without an annual license issued by the department. ~~A livestock~~ An animal trucker
10 license authorizes ~~a livestock~~ an animal trucker to operate only those livestock
11 animal transport vehicles that are registered by the ~~livestock~~ animal trucker under
12 sub. (4). A license expires on June 30 annually. ~~A livestock~~ An animal trucker license
13 is not transferable.

14 **SECTION 208.** 95.71 (3) of the statutes is amended to read:

15 95.71 (3) APPLICATION. An application for ~~a livestock~~ an animal trucker license
16 under sub. (2) shall be made on a form provided by the department. The application
17 shall include information reasonably required by the department for licensing
18 purposes. As part of the application, the applicant shall register every livestock
19 animal transport vehicle operated by the applicant as provided under sub. (4). An
20 application shall be accompanied by the applicable fees and surcharges required
21 under subs. (5) and (6).

22 **SECTION 209.** 95.71 (4) of the statutes is amended to read:

23 95.71 (4) LIVESTOCK ANIMAL TRANSPORT VEHICLE REGISTRATION. No livestock
24 animal trucker may operate ~~a livestock~~ an animal transport vehicle unless the
25 ~~livestock~~ animal transport vehicle is registered with the department in the name of

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1 the ~~livestock~~ animal trucker. The ~~livestock~~ animal transport vehicle shall be
2 registered on a form provided by the department. The registration shall include a
3 description and the serial number of the ~~livestock~~ animal transport vehicle.

4 **SECTION 210.** 95.71 (5) (a) of the statutes is amended to read:

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

9 **SECTION 211.** 95.71 (5) (b) of the statutes is amended to read:

10 95.71 (5) (b) If during any license year ~~a livestock~~ an animal trucker registers
11 ~~a livestock~~ an animal transport vehicle that was not registered with the ~~livestock~~
12 animal trucker's annual license application under sub. (3), the ~~livestock~~ animal
13 trucker shall, at the time of the additional registration, pay a registration fee of \$5
14 for each ~~livestock~~ animal transport vehicle registered.

15 **SECTION 212.** 95.71 (6) (a) (intro.) of the statutes is amended to read:

16 95.71 (6) (a) (intro.) An applicant for ~~a livestock~~ an animal trucker license shall
17 pay a license fee surcharge of \$100 if the department determines that within 365
18 days prior to submitting the license application the applicant did any of the
19 following:

20 **SECTION 213.** 95.71 (6) (a) 1. of the statutes is amended to read:

21 95.71 (6) (a) 1. Operated as ~~a livestock~~ an animal trucker without a license in
22 violation of sub. (2).

23 **SECTION 214.** 95.71 (6) (a) 1m. of the statutes is created to read:

24 95.71 (6) (a) 1m. Operated as a livestock trucker, as defined in s. 95.71 (1) (e),
25 1999 stats., without a license in violation of s. 95.71 (2), 1999 stats.

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1 **SECTION 215.** 95.71 (6) (a) 2. of the statutes is amended to read:

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

4 **SECTION 216.** 95.71 (6) (a) 2m. of the statutes is created to read:

5 95.71 (6) (a) 2m. Operated an unregistered livestock vehicle, as defined in s.
6 95.71 (1) (g), 1999 stats., in violation of s. 95.71 (4), 1999 stats.

7 **SECTION 217.** 95.71 (6) (b) of the statutes is amended to read:

8 95.71 (6) (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 (4)~~.

11 **SECTION 218.** 95.71 (6) (c) of the statutes is amended to read:

12 95.71 (6) (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 to register a livestock vehicle but does not constitute
15 evidence of a violation of a law.

16 **SECTION 219.** 95.71 (8) of the statutes is amended to read:

17 95.71 (8) RULES. The department may promulgate rules to specify license fees
18 under sub. (5) or to regulate livestock animal truckers, including rules related to
19 livestock animal trucker qualifications, construction and maintenance of livestock
20 animal transport vehicles, identification of livestock animal transport vehicles,
21 discase sanitation, humane treatment of animals, identification of animals, record
22 keeping, reports to the department and compliance with applicable financial
23 security requirements under state or federal law.

24 **SECTION 220.** 95.72 (7) (a) of the statutes is amended to read:

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1 95.72 (7) (a) *License requirement.* No person may transport dead animals on
2 public highways in this state without a license issued under this section. A licensee
3 may not transport dead animals under conditions not authorized by the license. This
4 paragraph does not apply to persons exempt from obtaining a license under this
5 section, a farmer transporting dead animals raised on his or her farm, the
6 transportation of hides or fully rendered or processed dead animal products, the
7 transportation of dead animals by government agencies or private agencies engaged
8 in scientific research, persons transporting dead animals for destruction or burial,
9 or livestock animal truckers transporting animals which have died in transit if the
10 dead animals are transported directly to a licensed renderer, animal food processor
11 or collector.

12 **SECTION 221.** 97.42 (1) (dm) of the statutes is amended to read:

13 97.42 (1) (dm) “Farm-raised deer” has the meaning given in s. 95.001 (1) (a)
14 (ag).

15 **SECTION 222.** 97.44 (3) of the statutes is amended to read:

16 97.44 (3) As used in this section, “animals” means cattle, sheep, goats, swine,
17 equines, farm-raised deer, as defined in s. 95.001 (1) (a) (ag), and poultry, except in
18 the phrase “animal feed manufacturers”.

19 **SECTION 223.** 100.04 (1) of the statutes is amended to read:

20 100.04 (1) DEFINITION. In this section, “livestock” means swine, cattle, poultry,
21 sheep, goats or farm-raised deer, as defined in s. 95.001 (1) (a) (ag).

22 **SECTION 224.** 167.31 (4) (b) of the statutes is amended to read:

23 167.31 (4) (b) Subsections (2) (a), (b) and (c) and (3) (a) and (b) do not apply to
24 the holder of a scientific research license under s. ~~220~~^{169.25} or a scientific collector permit

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

3 **SECTION 225.** 173.23 (1m) (b) of the statutes is amended to read:

4 173.23 (1m) (b) If the animal is not a dog or cat, sell the animal at public
5 auction, including sale at a licensed livestock animal market.

6 **SECTION 226.** 174.001 (3) of the statutes is amended to read:

7 174.001 (3) "Livestock" means any horse, bovine, sheep, goat, pig, ~~elk or other~~
8 ~~deer raised in captivity~~, llama, alpaca, domestic rabbit, farm-raised deer, as defined
9 in s. 95.001 (1) (a) (ag), or domestic fowl, including ~~game fowl raised in captivity~~ any
10 farm-raised game bird, as defined in s. ~~22.15~~^{169.01} (12m).

11 **SECTION 227.** 350.01 (5) of the statutes is repealed.

12 **SECTION 228.** 814.60 (2) (e) of the statutes is amended to read: ^{169.46}

13 814.60 (2) (e) Natural resources restitution payment imposed by s. ~~22.15~~ (2) or
14 29.989. ^{169.15, 169.18, 169.19}

15 **SECTION 229.** 895.57 (3) of the statutes is amended to read:

16 895.57 (3) Subsection (2) does not apply to any humane officer, local health
17 officer, peace officer, employee of the department of natural resources while on any
18 land licensed under s. 29.865, 29.867, 29.869 or 29.871/~~22.15, 22.18, or 22.19~~, subject
19 to certification under s. 90.21, or designated as a wildlife refuge under s. 29.621 (1)
20 or employee of the department of agriculture, trade and consumer protection if the
21 officer's or employee's acts are in good faith and in an apparently authorized and
22 reasonable fulfillment of his or her duties.

23 **SECTION 230.** 943.75 (3) of the statutes is amended to read:

24 943.75 (3) Subsections (2) and (2m) do not apply to any humane officer, local
25 health officer, peace officer, employee of the department of natural resources while

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169.15, 169.18, or 169.19,

~~22.15, 22.18, or 22.19~~

1

on any land licensed under s. 29.865, 29.867, 29.869 or 29.871

2

subject to certification under s. 90.21, or designated as a wildlife refuge under s.

3

29.621 (1) or employee of the department of agriculture, trade and consumer

4

protection if the officer's or employee's acts are in good faith and in an apparently

5

authorized and reasonable fulfillment of his or her duties. This subsection does not

6

limit any other person from claiming the defense of privilege under s. 939.45 (3).

7

SECTION 231. 951.01 (1m) of the statutes is created to read:

8

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

9

SECTION 232. 951.015 of the statutes is renumbered 951.015 (1) and amended

10

to read:

11

951.015 (1) This chapter may not be interpreted as controverting any law

12

regulating wild animals that are subject to regulation under ch. 22, the taking of a

13

~~wild animal~~ wild animals, as defined in s. 29.001 (90), the trapping of animals, the

14

~~use of live animals in dog trials or in the training of hunting dogs~~ or the slaughter

15

of animals by persons acting under state or federal law.

16

SECTION 233. 951.015 (2) of the statutes is created to read:

17

951.015 (2) For purposes of enforcing this chapter as to wild animals subject

18

to regulation under ch. 22, a conservation warden has the same powers and duties

19

that a law enforcement officer has under this chapter.

20

SECTION 234. 951.09 of the statutes is renumbered 951.09 (1) and amended to

21

read:

22

951.09 (1) No person may ~~instigate, promote, aid or abet as a principal, agent,~~

23

~~employee, participant or spectator, or participate in the earnings from, or~~

24

~~intentionally maintain or allow any place to be used for the shooting, killing or~~

25

~~wounding~~ shoot, kill, or wound with a firearm, or with any deadly weapon, any

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1 animal that is tied, staked out, caged or otherwise intentionally confined in a
2 man-made an artificial enclosure, regardless of size. ~~Nothing in this section~~
3 ~~prohibits the shooting of any wild game in its wild state or the shooting of game birds~~
4 ~~and waterfowl at licensed game farms or licensed shooting preserves.~~

5 **SECTION 235.** 951.09 (2) of the statutes is created to read:

6 951.09 (2) (a) Whoever is concerned in the commission of a violation of this
7 section is a principal and may be charged with and convicted of the violation although
8 he or she did not directly commit it and although the person who directly committed
9 it has not been convicted of the violation.

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

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

17 **SECTION 236.** 951.09 (3) of the statutes is created to read:

18 951.09 (3) This section does not apply to any of the following animals:

19 (b) A captive wild bird that is shot, killed, or wounded on a bird hunting
20 preserve licensed under s. ^{169.19} ~~221.09~~.

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

22 (d) Animals that are treated in accordance with normally acceptable
23 husbandry practices.

24 **SECTION 237.** 951.18 (4) (a) 2. of the statutes is amended to read:

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1 951.18 (4) (a) 2. A sentencing court shall require a criminal violator to pay
 2 restitution to a person, including any local humane officer or society or county or
 3 municipal pound or a law enforcement officer or conservation warden, for any
 4 pecuniary loss suffered by the person as a result of the crime, including expenses in
 5 keeping any animal that is involved in the crime. This requirement applies
 6 regardless of whether the criminal violator is placed on probation under s. 973.09.
 7 If restitution is ordered, the court shall consider the financial resources and future
 8 ability of the criminal violator to pay and shall determine the method of payment.
 9 Upon the application of any interested party, the court shall schedule and hold an
 10 evidentiary hearing to determine the value of any pecuniary loss under this
 11 paragraph.

12 **SECTION 238.** 951.18 (4) (b) 1. of the statutes is amended to read:

13 951.18 (4) (b) 1. A sentencing court may order that an animal be delivered to
 14 the local humane officer or society or the county or municipal pound or to a law
 15 enforcement officer if a person commits a crime under this chapter, the person is the
 16 owner of the animal that is involved in the crime and the court considers the order
 17 to be reasonable and appropriate. A sentencing court may order that an animal be
 18 delivered to the department of natural resources, if the animal is a wild animal that
 19 is subject to regulation under ch. ~~112~~¹¹⁶⁹ and the court considers the order to be
 20 reasonable and appropriate. The society, pound or officer or department of natural
 21 resources shall release the animal to a person other than the owner or dispose of the
 22 animal in a proper and humane manner. If the animal is a dog, the release or disposal
 23 shall be in accordance with s. 173.23 (1m), except that the fees under s. 173.23 (1m)
 24 (a) 4. do not apply if the expenses are covered under s. 173.24. If the animal is not
 25 a dog, the society, pound or officer may charge a fee for the release of the animal.

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1 **SECTION 239.** 973.05 (1) of the statutes is amended to read:

2 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
3 permission for the payment of the fine, of the penalty assessment imposed by s.
4 757.07, the jail assessment imposed by s. 302.46 (1), the crime victim and witness
5 assistance surcharge under s. 973.045, the crime laboratories and drug law
6 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid
7 analysis surcharge under s. 973.046, any applicable drug abuse program
8 improvement surcharge imposed by s. 961.41 (5), any applicable consumer
9 information assessment imposed by s. 100.261, any applicable domestic abuse
10 assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver
11 improvement surcharge imposed by s. 346.655, any applicable enforcement
12 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed
13 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),
14 any applicable environmental assessment imposed by s. 299.93, any applicable wild
15 animal protection assessment imposed by s. 29.983, any applicable natural resources
16 assessment imposed by s. ~~22.46(1)~~ ^{or 169.46(1)} or 29.987 and any applicable natural resources
17 restitution payment imposed by s. ~~22.46(2)~~ ^{or 169.46(2)} or 29.989 to be made within a period not
18 to exceed 60 days. If no such permission is embodied in the sentence, the fine, the
19 penalty assessment, the jail assessment, the crime victim and witness assistance
20 surcharge, the crime laboratories and drug law enforcement assessment, any
21 applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse
22 program improvement surcharge, any applicable consumer information assessment,
23 any applicable domestic abuse assessment, any applicable driver improvement
24 surcharge, any applicable enforcement assessment, any applicable weapons
25 assessment, any applicable uninsured employer assessment, any applicable

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1 environmental assessment, any applicable wild animal protection assessment, any
2 applicable natural resources assessment and any applicable natural resources
3 restitution payment shall be payable immediately.

SECTION 240. Nonstatutory provisions.

4 (1) In this SECTION:

5 (a) "Livestock" means bovine animals, sheep, goats, swine, farm-raised deer,
6 and equine animals.
7

8 (b) "Wild animal" means a wild animal that is subject to regulation under
9 chapter ~~99~~¹⁶⁹ of the statutes, as created by this act.

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

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

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

22 **SECTION 241. Effective dates.** This act takes effect on January 1, 2003, except
23 as follows:

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169.015, 169.29, 169.34,

1

(1) The treatment of sections ~~22.015, 22.29, 22.34~~ and ~~22.35~~ of the statutes

2

takes effect on the day after publication.

3

(END)

169.35

LRB - 270 8/2 dn

MGG: cjs:

DN

9

Due to ch. 22 being taken for ^a different ^{chapter} ~~reasons~~
in the budget bill, I had to create ch. 169
instead of ch. 22 in this bill. ⊙

MLB

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2708/2dn
MGG:cjs:pg

August 2, 2001

Due to ch. 22 being taken for a different chapter in the budget bill, I had to create ch. 169 instead of ch. 22 in this bill.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

Barman, Mike

From: Barman, Mike
Sent: Thursday, August 09, 2001 8:27 AM
To: Elizabeth Kluesner; Susan Felker-Donsing
Subject: LRB-2708/2 (attached)