

2001 SENATE BILL 307

November 6, 2001 – Introduced by Senators MOEN, SCHULTZ, BURKE, DARLING, HANSEN and WIRCH, cosponsored by Representatives JOHNSRUD, OTT, MUSSER, GUNDERSON, MILLER, SHILLING, ALBERS, J. LEHMAN, PETTIS, NASS, M. LEHMAN, TOWNSEND, FREESE, HAHN, LOEFFELHOLZ, KRAWCZYK, SYKORA, D. MEYER and KEDZIE. Referred to Committee on Environmental Resources.

1 **AN ACT** *to repeal* 29.024 (2r) (a) 17., 29.024 (2r) (a) 18., 29.024 (2r) (a) 19., 29.024
2 (2r) (a) 20., 29.024 (2r) (a) 21., 29.321, 29.354 (4), 29.563 (9) (intro.) and (a)
3 (title), 29.563 (9) (a) 2. to 10. and (b), 29.563 (9) (c), 29.741 (1), 29.745, 29.853
4 (title), 29.853 (1), 29.853 (2), 29.853 (3), 29.853 (4m), 29.853 (5) (title), 29.855
5 (title), 29.855 (1), 29.855 (2), 29.855 (3), 29.855 (4) (title), 29.855 (5), 29.855 (6),
6 29.855 (7), 29.857, 29.861, 29.863, 29.865, 29.867, 29.869, 29.871, 29.877,
7 29.879, 29.881, 93.07 (10) (a), 95.45 (2), 95.45 (3), 95.71 (1) (c), 95.71 (1) (d) and
8 350.01 (5); *to renumber* 23.51 (1), 29.563 (9) (a) 1., 29.873, 29.974 (2), 95.55 (1)
9 (b), 95.60 (1) (a), 95.68 (1) (a), 95.69 (1) (b) and 95.71 (1) (b); *to renumber and*
10 *amend* 29.334, 29.351, 29.354 (2), 29.741 (2), 29.853 (5), 29.855 (4), 93.07 (10)
11 (b), 95.001 (1) (a), 95.68 (1) (e), 95.68 (1) (f), 95.68 (2m), 95.71 (1) (g), 951.015
12 and 951.09; *to consolidate, renumber and amend* 95.60 (1) (intro.) and (b);
13 *to amend* 20.115 (2) (ha), 20.370 (1) (mu), 20.370 (3) (mu), 23.09 (2) (f), 23.50
14 (1), 23.50 (3), 23.51 (5), 23.65 (1), 25.29 (1) (a), 25.29 (4m), 29.001 (24), 29.001

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1 (26), 29.001 (39), 29.001 (60), 29.024 (1), 29.024 (2g) (a) 2., 29.024 (2r) (am),
2 29.042 (1), 29.047 (2) (b), 29.055, 29.057, 29.071, 29.191 (2) (a) 3., 29.319 (1)
3 (intro.), 29.334 (title), 29.337 (1) (intro.), 29.347 (2), 29.354 (1), 29.357 (5) (b),
4 29.506 (4), 29.539 (1m), 29.541 (3), 29.614 (3), 29.875 (1), 29.885 (1) (f), 29.889
5 (1) (intro.), 29.889 (1) (a), 29.924 (4), 29.927 (5), 29.931 (1), 29.931 (2) (a), 29.934
6 (1) (a), 29.957, 29.969, 29.971 (14), 29.977 (1) (g), 29.983 (1) (b) 7., 49.857 (1) (d)
7 2., 59.25 (3) (f) 2., 59.40 (2) (m), 73.0301 (1) (d) 1., 90.20 (title), 90.20 (1) (a), 90.20
8 (2) (intro.), 93.06 (1g), 95.10 (5), 95.12, 95.13, 95.17, 95.24 (3) (a) (intro.), 95.24
9 (3) (a) 1., 95.24 (3) (a) 2., 95.24 (3) (a) 3., 95.31 (1), 95.31 (2), 95.31 (3), 95.31 (4),
10 95.38 (1), 95.49 (1) (e), 95.49 (1m) (e), 95.49 (2), 95.55 (title), 95.68 (title), 95.68
11 (1) (b), 95.68 (2), 95.68 (4) (intro.), 95.68 (4) (a), 95.68 (4) (b), 95.68 (4) (c), 95.68
12 (5) (a) 1., 95.68 (5) (a) 2., 95.68 (5) (b), 95.68 (5) (c), 95.68 (7), 95.68 (8), 95.69
13 (title), 95.69 (1) (c) (intro.), 95.69 (1) (c) 1., 95.69 (1) (d), 95.69 (1) (e), 95.69 (1)
14 (f), 95.69 (2), 95.69 (4), 95.69 (5) (a) 1., 95.69 (5) (a) 2., 95.69 (5) (b), 95.69 (5) (c),
15 95.69 (7), 95.69 (8), 95.69 (8m), 95.71 (title), 95.71 (1) (e), 95.71 (1) (f), 95.71 (2),
16 95.71 (3), 95.71 (4), 95.71 (5) (a), 95.71 (5) (b), 95.71 (6) (a) (intro.), 95.71 (6) (a)
17 1., 95.71 (6) (a) 2., 95.71 (6) (b), 95.71 (6) (c), 95.71 (8), 95.72 (7) (a), 97.42 (1)
18 (dm), 97.44 (3), 100.04 (1), 167.31 (4) (b), 173.23 (1m) (b), 174.001 (3), 814.60 (2)
19 (e), 895.57 (3), 943.75 (3), 951.18 (4) (a) 2., 951.18 (4) (b) 1. and 973.05 (1); **to**
20 **repeal and recreate** 95.20, 95.22, 95.45 (title) and 95.68 (2m) (title); and **to**
21 **create** 23.51 (1d), 23.51 (9m), 23.795 (3), 23.795 (4), 29.001 (25m), 29.011 (3),
22 29.334 (3), 29.351 (2m), 29.354 (2) (b), 29.354 (5), 29.501 (9m), 29.931 (4), 29.974
23 (2) (a), 90.21, 93.07 (10m), 95.001 (1) (ad), 95.001 (1) (ah), 95.001 (1) (ai), 95.45
24 (4), 95.45 (5), 95.55 (1) (b) 2., 95.55 (3m), 95.55 (5), 95.55 (6), 95.57, 95.68 (1) (g),
25 95.68 (2m) (b), 95.68 (5) (a) 1m., 95.68 (5) (a) 2m., 95.69 (1) (c) 2m., 95.69 (1) (h),

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1 95.69 (2m), 95.69 (5) (a) 1m., 95.69 (5) (a) 2m., 95.71 (1) (i), 95.71 (6) (a) 1m.,
2 95.71 (6) (a) 2m., chapter 169, 951.01 (1m), 951.015 (2), 951.09 (2) and 951.09
3 (3) of the statutes; **relating to:** the possession of wild animals and their carcass
4 parts; farm-raised deer; farm-raised game birds; animal health and animal
5 markets, dealers, and truckers; participation in the national poultry
6 improvement plan; taking, removing, selling, and transporting certain wild
7 plants; granting rule-making authority; making appropriations; and providing
8 penalties.

Analysis by the Legislative Reference Bureau**LICENSING**

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

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

1. Class A and Class B captive wild animal farm licenses which authorize the possessing, propagating, killing, exhibiting, purchasing, and selling of live captive wild animals, except all species of captive deer, the keeping of which are regulated under the bill by DATCP.

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

3. Class A and Class B bird hunting preserve licenses which authorize the possessing, stocking, propagating, releasing, selling, purchasing, capturing, and hunting of live pheasants, quail, partridge, mallard ducks, and wild turkeys. These species of wild birds, when they are on hunting preserves, are exempt from current

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law that regulates the hunting and possession of these species when they are found in the wild.

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

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

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

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

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

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

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

The bill transfers the regulatory authority over deer farms from DNR to DATCP by requiring that farms with any species of deer be registered with DATCP. Under current law, only certain species of nonnative deer and farm-raised elk are subject to regulation as farm-raised deer by DATCP. The bill authorizes DATCP to exempt groups of persons or species of deer from this registration requirement.

Under the bill, the licensing requirements administered by DATCP for persons conducting livestock markets, dealing in livestock, or transporting livestock are expanded to apply to captive wild animals. The bill exempts persons who hold licenses created under this bill that authorize the sale and purchase of wild animals from the livestock dealer license. The bill also authorizes DATCP to exempt groups of persons from these licensing requirements.

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

TYPES OF WILD ANIMALS SUBJECT TO DNR LICENSING REQUIREMENTS

Under current law, all wild animals, including fish, mollusks, and insects, are subject to regulation as wildlife. This bill excludes fish entirely from the regulatory structure created in this bill, and the importing of fish for stocking and the stocking of fish are not affected by this bill. The bill also excludes domestic animals from this regulatory structure and excludes insects and mollusks that are regulated by DATCP. The bill defines "domestic animals" to be animals that are on a list of

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domestic animals promulgated by DATCP for purposes of this new regulatory structure. DATCP must include fur-bearing animals bred and raised in captivity on this list. The bill also defines “domestic animals” for purposes of captive wildlife regulation to include certain types of pet birds, farm-raised game birds, and any species of captive deer, the keeping of which is exclusively regulated by DATCP under the bill. The bill defines a “farm-raised game bird” to be a nonnative wild bird that is kept in captivity but not on a bird hunting preserve or a captive wild animal farm and not for the purpose of dog training or dog trials.

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

The bill authorizes DNR to promulgate rules to designate species of wild animals as harmful wild animals and imposes additional restrictions on the possession of these animals. Nonnative animals that may inflict harm on the environment, wild animals that are capable of creating a risk to public health or the health of domestic animals, and wild animals that are capable of inflicting severe physical harm to humans or domestic animals may be designated by DNR to be harmful. DNR must designate cougars and all species of bear as harmful under these rules.

Endangered and threatened species that are native to the United States or to Canada are subject to regulation both under this bill and the other state laws covering endangered and threatened species. Endangered and threatened species in this state that are not native to the United States or to Canada are not subject to regulation under the provisions created in this bill but are subject to other state laws covering endangered and threatened species.

The bill imposes specific regulatory schemes on native reptiles and amphibians. The bill also imposes some tagging, record-keeping, and labeling requirements for the sale and purchase of certain captive wild animal parts. The bill prohibits the sale of gall bladders taken from the carcasses of captive bear.

HUNTING AND KILLING CAPTIVE WILD ANIMALS

Under current law, hunting of wild animals that are enclosed in game farms is permitted on deer farms, pheasant and quail farms, and game animal and bird farms and trapping permitted on fur animal farms. For wild animals other than captive deer, the bill prohibits hunting except under the authority of a bird hunting preserve license, a dog training or trial license, or a validation license if hunting was authorized under the holder’s original license. For captive deer, the bill authorizes the hunting of all species of captive deer on deer farms registered with DATCP. The bill prohibits selling or purchasing the opportunity to hunt any captive wild animal except the hunting of certain wild birds as authorized under a bird hunting preserve license and the hunting of all species of deer on the deer farms registered by DATCP if the area in which the deer are confined is 80 or more contiguous acres.

Current law prohibits any person from killing or wounding with a deadly weapon any animal, wild or domesticated, that is intentionally confined.

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Confinement under current law includes being tied, staked out, or held captive in an enclosure, regardless of size. Current law provides an exception to this prohibition for game farms licensed by DNR. The bill provides an exception for deer farms registered with DATCP and bird hunting preserves licensed under provisions created in this bill. The bill also specifically exempts animals that are killed or wounded in accordance with normally accepted animal husbandry practices.

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

FENCING REQUIREMENTS FOR FARM-RAISED DEER

Under current law, persons who are required to be registered with DATCP to keep farm-raised deer must enclose the area where the deer are kept with fencing that meets certain statutory specifications, including specifications on strength and height. This bill requires persons who are keeping captive deer to receive a fence inspection certificate from DNR if any or all of the deer are white-tailed deer. To receive this certificate, the deer must be contained with fencing that complies with requirements promulgated by DNR. The bill provides a temporary exemption from this certification requirement for persons who held a deer farm license by DNR at the time this bill becomes law.

INTRODUCTION AND STOCKING OF WILD ANIMALS

Under current law, no person may import into this state a wild animal for stocking or releasing into the wild, or stock or release a wild animal, unless the person has a permit issued by DNR. Under the bill, a person may import and stock or release a wild animal if the person has a stocking permit issued by DNR or another type of license which authorizes the stocking or release. These licenses include bird hunting preserve licenses and dog training and trial licenses. In addition, DNR must determine that the wild animal is not detrimental to the state's natural resources. There are also special requirements if the wild animal has been exposed to, or infected with, any contagious disease. At the request of any city, village, or town (municipality) in an area in which wild animals are stocked or released, the person stocking or releasing the animals must report to the municipality the type, number, and location of the wild animals involved.

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

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

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

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

Under current law, DNR must require a person who is applying for any type of fish or game approval to provide DNR with his or her social security number. These

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approvals include recreational hunting and fishing licenses as well as all other fish and game licenses such as game farm licenses and fish dealer and taxidermist permits. DNR must deny the application if the person refuses to provide his or her social security number. DNR then discloses the number to the department of workforce development (DWD) and to the department of revenue (DOR) so that DWD and DOR may determine whether the person is delinquent in child support or in payment of certain state taxes. The disclosure requirement for purposes of determining child support delinquency applies to all of the licenses created in this bill. The disclosure requirement for purposes of tax delinquency applies to captive wild animal farm licenses, wild fur farm licenses, and bird hunting preserve licenses.

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

ANIMAL HEALTH AND TREATMENT

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

The bill expands the provisions authorizing DATCP to control diseases in domestic animals or livestock to cover all animals, including captive wildlife. These provisions include issuing quarantines, prohibiting and regulating the importation and movement of diseased animals, and condemning diseased animals for slaughter or destruction. The bill also expands DATCP's quarantine authority and regulation of movement and importation of animals so that DATCP may exercise this authority to protect the health of humans and all animals as well as the health of domestic animals.

The bill also defines "domestic animal" for purposes of the statutory provisions administered by DATCP that regulate animal health. The definition includes animals that are defined by rule by DATCP to be domestic animals. The definition also specifically includes farm-raised deer, farm-raised game birds, and fish reared on fish farms. The bill authorizes DATCP to require by rule that poultry and farm-raised game birds that are used for breeding purposes originate from a flock of a person participating in the national poultry improvement plan under federal law and requires that any fee DATCP requires for participation be set by rule. The national poultry improvement plan is a plan administered by the U.S. department

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of agriculture under which a state has the option of requiring participation by poultry producers in the plan in order to improve poultry health and to control diseases in poultry.

TAKING WILD ANIMALS INTO CUSTODY

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

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

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

LOCAL REGULATION

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

ENFORCEMENT AND PENALTIES

The bill gives DNR the specific authority to enter and inspect land, vehicles, and buildings for the purpose of enforcement of the laws regulating captive wild animals and to have access to the records that must be kept by persons keeping these animals. With the exception of inspections of deer farm fences, the bill limits this authority to normal business hours and other hours when the person keeping these animals is conducting business, unless the inspection is necessary for public health, safety, or welfare. Current law authorizes DNR inspections of the area subject to the license at any time.

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

MISCELLANEOUS PROVISIONS

Current law prohibits the taking, removal, sale or transporting from the the public waters of this state to any place outside this state any plant that is commonly known to furnish food for game birds. This bill deletes the provision stating that the plant must leave this state for the prohibition to apply.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.115 (2) (ha) of the statutes is amended to read:

2 20.115 (2) (ha) *Inspection, testing and enforcement.* All moneys received under
3 ss. 93.06 (1f) and (1g), 95.55, 95.57, 95.60 (5), 95.68, 95.69, 95.71 and 95.715, to be
4 used for animal health inspection and testing and for enforcement of animal health
5 laws.

6 **SECTION 2.** 20.370 (1) (mu) of the statutes is amended to read:

7 20.370 (1) (mu) *General program operations — state funds.* The amounts in
8 the schedule for general program operations that do not relate to the management
9 and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203
10 ~~and~~, 30.277, and 90.21, subch. VI of ch. 77 and chs. 26, 28 ~~and~~, 29, and 169 and for
11 transfers to the appropriation account under s. 20.285 (1) (kf).

12 **SECTION 3.** 20.370 (3) (mu) of the statutes is amended to read:

13 20.370 (3) (mu) *General program operations — state funds.* The amounts in
14 the schedule for law enforcement operations under ss. 23.09 to 23.11, 90.21, and
15 166.04 and chs. 29 ~~and~~, 30, and 169 and for review of environmental impact
16 requirements under ss. 1.11 and 23.40.

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

18 23.09 (2) (f) *Propagation, ~~game and of~~ fish.* Subject to s. 95.60, capture,
19 propagate, transport, sell or exchange any species of ~~game or~~ fish needed for stocking
20 or restocking any ~~lands or~~ waters of the state.

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

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1 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit
2 court to recover forfeitures, penalty assessments, jail assessments, applicable
3 weapons assessments, applicable environmental assessments, applicable wild
4 animal protection assessments, applicable natural resources assessments,
5 applicable fishing shelter removal assessments, applicable snowmobile registration
6 restitution payments and applicable natural resources restitution payments for
7 violations of ss. 77.09, 90.21, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33,
8 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI
9 of ch. 77, this chapter and chs. 26 to 31, ch. 169, and of ch. 350, and any
10 administrative rules promulgated thereunder, violations specified under s. 285.86,
11 violations of ch. 951 if the animal involved is a captive wild animal, violations of rules
12 of the Kickapoo reserve management board under s. 41.41 (7) (k) or violations of local
13 ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or
14 30.77.

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

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

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

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

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1 23.51 (1d) “Captive” has the meaning given in s. 169.01 (2).

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

3 23.51 (5) “Natural resources restitution payment” means the payment imposed
4 under s. 29.989 or 169.46 (2).

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

6 23.51 (9m) “Wild animal” has the meaning given in s. 169.01 (37).

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

8 23.65 (1) When it appears to the district attorney that a violation of s. 90.21,
9 134.60, 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08,
10 287.81 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31, 169, or 350, or any
11 administrative rule promulgated pursuant thereto, ~~or~~ a violation specified under s.
12 285.86, or a violation of ch. 951, if the animal involved is a captive wild animal, has
13 been committed the district attorney may proceed by complaint and summons.

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

15 23.795 (3) In lieu of an order of imprisonment under sub. (1) (a) for a violation
16 of ch. 169, the court may revoke or suspend any privilege or license granted under
17 ch. 169 as provided in s. 169.45 (6).

18 **SECTION 13.** 23.795 (4) of the statutes is created to read:

19 23.795 (4) In lieu of an order of imprisonment under sub. (1) (a) for a violation
20 of s. 90.21, the court may suspend any fence inspection certificate issued under s.
21 90.21, as provided in s. 90.21 (8) (b).

22 **SECTION 14.** 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. 26, 27, 28, 29, 169, 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

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1 to 30.55, 70.58, 71.10 (5) ~~and~~, 71.30 (10), and 90.21, including grants received from
2 the federal government or any of its agencies except as otherwise provided by law.

3 **SECTION 15.** 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. 29 or 169 or s. 90.21 may be expended or paid
6 for the enforcement of the treaty-based, off-reservation rights to fish held by
7 members of federally recognized American Indian tribes or bands domiciled in
8 Wisconsin.

9 **SECTION 16.** 29.001 (24) of the statutes is amended to read:

10 29.001 (24) “Farm-raised deer” has the meaning given in s. 95.001 (1) ~~(a)~~ (ag).

11 **SECTION 17.** 29.001 (25m) of the statutes is created to read:

12 29.001 (25m) “Farm-raised game bird” has the meaning given in s. 169.01
13 (12m).

14 **SECTION 18.** 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)~~ 95.001 (1) (aj),
16 except that “fish farm” does not include a state or municipal fish hatchery or a private
17 fishing preserve.

18 **SECTION 19.** 29.001 (39) of the statutes is amended to read:

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

24 **SECTION 20.** 29.001 (60) of the statutes is amended to read:

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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 21.** 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, farm-raised fish, or wild animals that are subject to regulation under ch. 169.

7 **SECTION 22.** 29.024 (1) of the statutes is amended to read:

8 29.024 **(1)** APPROVALS REQUIRED. Except as specifically provided in this chapter,
9 ch. 169, or s. 95.55 (5), no person may hunt or trap in this state, fish in the waters
10 of this state or engage in any of the activities regulated under this chapter unless the
11 appropriate approval is issued to the person. A person shall carry the required
12 approval with him or her at all times while hunting, trapping or fishing or engaged
13 in regulated activities unless otherwise required by this chapter or unless otherwise
14 authorized or required by the department. A person shall exhibit the approval to the
15 department or its wardens on demand.

16 **SECTION 23.** 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 24.** 29.024 (2r) (a) 17. of the statutes is repealed.

20 **SECTION 25.** 29.024 (2r) (a) 18. of the statutes is repealed.

21 **SECTION 26.** 29.024 (2r) (a) 19. of the statutes is repealed.

22 **SECTION 27.** 29.024 (2r) (a) 20. of the statutes is repealed.

23 **SECTION 28.** 29.024 (2r) (a) 21. of the statutes is repealed.

24 **SECTION 29.** 29.024 (2r) (am) of the statutes is amended to read:

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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 30.** 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 31.** 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. 169.

21 **SECTION 32.** 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

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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. 169.

7 **SECTION 33.** 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. 169.

13 **SECTION 34.** 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 this chapter or ch. 169.

18 **SECTION 35.** 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 36.** 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 37.** 29.321 of the statutes is repealed.

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1 **SECTION 38.** 29.334 (title) of the statutes is amended to read:

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

3 **SECTION 39.** 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 40.** 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. 169.

12 **SECTION 41.** 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 this chapter or ch. 169 at
16 any time, except as follows:

17 **SECTION 42.** 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.

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1 **SECTION 43.** 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 44.** 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. 169.

13 **SECTION 45.** 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 46.** 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~~

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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 47.** 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 48.** 29.354 (4) of the statutes is repealed.

8 **SECTION 49.** 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, farm-raised game birds, or wild animals that are subject to
11 regulation under ch. 169.

12 **SECTION 50.** 29.357 (5) (b) of the statutes is amended to read:

13 29.357 (5) (b) Subsections (1) to (4) do not apply to the possession,
14 transportation, delivery or receipt of farm-raised deer ~~or~~, farm-raised fish,
15 farm-raised game birds, or wild animals that are subject to regulation under ch. 169.

16 **SECTION 51.** 29.501 (9m) of the statutes is created to read:

17 29.501 (9m) This section applies to the raw furs and dressed furs of fur-bearing
18 animals that are subject to regulation under ch. 169.

19 **SECTION 52.** 29.506 (4) of the statutes is amended to read:

20 29.506 (4) AUTHORIZATION. Subject to this section, a taxidermist permit
21 authorizes the permit holder to possess and transport ~~wild animals or carcasses of~~
22 wild animals in connection with his or her business. This authority supersedes, to
23 the extent permitted under this section, restrictions on the possession and
24 transportation of ~~wild animals and carcasses of wild animals~~ of wild animals established under this

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1 chapter and ch. 169. A taxidermist permit entitles the permit holder to the same
2 privileges as a Class A fur dealer's license.

3 **SECTION 53.** 29.539 (1m) of the statutes is amended to read:

4 29.539 **(1m)** Subsection (1) does not apply to farm-raised deer ~~or~~, farm-raised
5 fish, farm-raised game birds, or wild animals that are subject to regulation under
6 ch. 169 or the carcasses of these animals.

7 **SECTION 54.** 29.541 (3) of the statutes is amended to read:

8 29.541 **(3)** EXEMPTION. This section does not apply to the meat from
9 farm-raised deer ~~or from~~, farm-raised fish, or farm-raised game birds or to meat
10 that is subject to regulation under s. 169.14.

11 **SECTION 55.** 29.563 (9) (intro.) and (a) (title) of the statutes are repealed.

12 **SECTION 56.** 29.563 (9) (a) 1. of the statutes is renumbered 29.563 (7) (c) 5m.

13 **SECTION 57.** 29.563 (9) (a) 2. to 10. and (b) of the statutes are repealed.

14 **SECTION 58.** 29.563 (9) (c) of the statutes is repealed.

15 **SECTION 59.** 29.614 (3) of the statutes is amended to read:

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

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1 Any person who is convicted of violating this chapter shall forfeit the person's permit
2 and the permit is thereby revoked, in addition to all other penalties. Any person so
3 convicted is not eligible for a permit under this section for one year following the
4 conviction.

5 **SECTION 60.** 29.741 (1) of the statutes is repealed.

6 **SECTION 61.** 29.741 (2) of the statutes is renumbered 29.741 and amended to
7 read:

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

14 **SECTION 62.** 29.745 of the statutes is repealed.

15 **SECTION 63.** 29.853 (title) of the statutes is repealed.

16 **SECTION 64.** 29.853 (1) of the statutes is repealed.

17 **SECTION 65.** 29.853 (2) of the statutes is repealed.

18 **SECTION 66.** 29.853 (3) of the statutes is repealed.

19 **SECTION 67.** 29.853 (4m) of the statutes is repealed.

20 **SECTION 68.** 29.853 (5) (title) of the statutes is repealed.

21 **SECTION 69.** 29.853 (5) of the statutes is renumbered 29.334 (2) and amended
22 to read:

23 29.334 (2) A person who violates this section sub. (1) shall forfeit not less than
24 \$100 nor more than \$1,000.

25 **SECTION 70.** 29.855 (title) of the statutes is repealed.

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1 **SECTION 71.** 29.855 (1) of the statutes is repealed.

2 **SECTION 72.** 29.855 (2) of the statutes is repealed.

3 **SECTION 73.** 29.855 (3) of the statutes is repealed.

4 **SECTION 74.** 29.855 (4) (title) of the statutes is repealed.

5 **SECTION 75.** 29.855 (4) of the statutes is renumbered 169.04 (2) (e) and
6 amended to read:

7 169.04 **(2)** (e) No person may operate on a live wild skunk to remove its scent
8 glands unless the person who ~~possesses~~ holds a Class A or Class B captive wild
9 animal farm license or unless the person is a veterinarian and the person bringing
10 the skunk is authorized under s. 29.857 or 29.869 to the veterinarian holds such a
11 license. A veterinarian to whom a person brings a live wild skunk for removal of its
12 scent glands ~~or for other treatment~~ shall verify whether the person holds a Class A
13 or Class B captive wild animal farm license. If the person does not hold such a license,
14 the veterinarian shall notify that person that possession of a live skunk is illegal and
15 shall notify the department.

16 **SECTION 76.** 29.855 (5) of the statutes is repealed.

17 **SECTION 77.** 29.855 (6) of the statutes is repealed.

18 **SECTION 78.** 29.855 (7) of the statutes is repealed.

19 **SECTION 79.** 29.857 of the statutes is repealed.

20 **SECTION 80.** 29.861 of the statutes is repealed.

21 **SECTION 81.** 29.863 of the statutes is repealed.

22 **SECTION 82.** 29.865 of the statutes is repealed.

23 **SECTION 83.** 29.867 of the statutes is repealed.

24 **SECTION 84.** 29.869 of the statutes is repealed.

25 **SECTION 85.** 29.871 of the statutes is repealed.

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1 **SECTION 86.** 29.873 of the statutes is renumbered 29.627.

2 **SECTION 87.** 29.875 (1) of the statutes is amended to read:

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

8 **SECTION 88.** 29.877 of the statutes is repealed.

9 **SECTION 89.** 29.879 of the statutes is repealed.

10 **SECTION 90.** 29.881 of the statutes is repealed.

11 **SECTION 91.** 29.885 (1) (f) of the statutes is amended to read:

12 29.885 (1) (f) Notwithstanding s. 29.001 (90), “wild animal” means any
13 undomesticated mammal or bird, but does not include farm-raised deer ~~fish,~~
14 farm-raised game birds, or wild animals that are subject to regulation under ch. 169.

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

16 29.889 (1) DEFINITION. (intro.) In this section, “wildlife damage” means damage
17 caused by any of the following ~~noncaptive~~ wild animals that are not subject to
18 regulation under ch. 169:

19 **SECTION 93.** 29.889 (1) (a) of the statutes is amended to read:

20 29.889 (1) (a) Deer that are not farm-raised deer.

21 **SECTION 94.** 29.924 (4) of the statutes is amended to read:

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

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1 The owner or occupant, or the agent or employee of the owner or occupant, shall
2 deliver to the officer any such wild animal or carcass, in his or her possession during
3 the closed season, whether taken within or without the state.

4 **SECTION 95.** 29.927 (5) of the statutes is amended to read:

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

7 **SECTION 96.** 29.931 (1) of the statutes is amended to read:

8 29.931 (1) SEIZURE AND CONFISCATION OF WILD ANIMALS OR PLANTS. The
9 department and its wardens shall seize and confiscate any wild animal, carcass or
10 plant caught, killed, taken, had in possession or under control, sold or transported
11 in violation of this chapter ~~and the~~ or ch. 169. The officer may, with or without
12 warrant, open, enter and examine all buildings, camps, boats on inland or outlying
13 waters, vehicles, valises, packages and other places where the officer has probable
14 cause to believe that wild animals, carcasses or plants, taken or held in violation of
15 this chapter or ch. 169, are to be found.

16 **SECTION 97.** 29.931 (2) (a) of the statutes is amended to read:

17 29.931 (2) (a) The department and its wardens shall seize and hold, subject to
18 the order of the court for the county in which the alleged offense was committed, any
19 vehicle, boat or object declared by this chapter to be a public nuisance, or which they
20 have probable cause to believe is being used in violation of this chapter or ch. 169 or
21 s. 167.31, 287.81, 940.24, 941.20, 948.60, 948.605 or 948.61, is being used in the
22 commission of a crime involving an animal normally found in the wild in violation
23 of s. 951.09, or is being used in the commission of a crime relating to a submerged
24 cultural resource in violation of s. 44.47. If it is proven that the vehicle, boat or object
25 is a public nuisance or that within 6 months previous to the seizure the vehicle, boat

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1 or object was used in violation of this chapter or ch. 169 or s. 167.31, 287.81, 940.24,
2 941.20, 948.60, 948.605 or 948.61, was used in the commission of a crime involving
3 an animal normally found in the wild in violation of s. 951.09, or was used in the
4 commission of a crime relating to a submerged cultural resource in violation of s.
5 44.47, it shall be confiscated if the court directs in its order for judgment.

6 **SECTION 98.** 29.931 (4) of the statutes is created to read:

7 29.931 (4) ORDINANCE VIOLATIONS. For purposes of this section, a violation of ch.
8 169 includes a violation of an ordinance enacted under s. 169.43.

9 **SECTION 99.** 29.934 (1) (a) of the statutes is amended to read:

10 29.934 (1) (a) All wild animals, carcasses or plants that are confiscated by the
11 department for a violation of this chapter or ch. 169 and all ~~confiscated~~ vehicles,
12 boats or objects confiscated by the department for a violation of this chapter or ch.
13 169 shall, if not destroyed as authorized by law, be sold at the highest price
14 obtainable, by the department, or by an agent on commission under supervision of
15 the department. The net proceeds of sales under this subsection, after deducting the
16 expense of seizure and sale and any commissions and any amounts owing to holders
17 of security interests under par. (c) or (d), shall be remitted to the department. The
18 remittance shall be accompanied by a report of the sales, supported by vouchers for
19 expenses and commissions, and shall be filed with the department.

20 **SECTION 100.** 29.957 of the statutes is amended to read:

21 **29.957 Breaking seals of department.** Any person who breaks, removes or
22 interferes with any seal or tag attached to any animal, carcass or object by the
23 department, or who interferes with any animal, carcass or object with a seal or tag
24 attached, or who counterfeits a seal or tag, attached or unattached, shall be fined not

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1 more than \$500 or imprisoned for not more than 90 days or both. This section applies
2 to seals and tags required by the department under this chapter or ch. 169.

3 **SECTION 101.** 29.969 of the statutes is amended to read:

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

9 **SECTION 102.** 29.971 (14) of the statutes amended is to read:

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

20 **SECTION 103.** 29.974 (2) of the statutes is renumbered 29.974 (2) (b).

21 **SECTION 104.** 29.974 (2) (a) of the statutes is created to read:

22 29.974 **(2)** (a) In this subsection, “wild animal” does not include a farm-raised
23 deer, a farm-raised fish, a farm-raised game bird, or a wild animal subject to
24 regulation under ch. 169.

25 **SECTION 105.** 29.977 (1) (g) of the statutes is amended to read:

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

3 **SECTION 106.** 29.983 (1) (b) 7. of the statutes is amended to read:

4 29.983 (1) (b) 7. For any pheasant, ~~Hungarian~~ gray partridge, quail, rail,
5 Wilson's snipe, woodcock or shore bird, or protected song bird or harmless bird,
6 \$17.50.

7 **SECTION 107.** 49.857 (1) (d) 2. of the statutes is amended to read:

8 49.857 (1) (d) 2. An approval specified in s.29.024 (2g) or a license issued under
9 ch. 169.

10 **SECTION 108.** 59.25 (3) (f) 2. of the statutes is amended to read:

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

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1 driver improvement surcharge, the amounts required by s. 102.85 (4) for the
2 uninsured employer assessment, the amounts required by s. 299.93 for the
3 environmental assessment, the amounts required by s. 29.983 for the wild animal
4 protection assessment, the amounts required by ~~s.~~ ss. 29.987 and 169.46 (1) for the
5 natural resources assessment surcharge, the amounts required by s. 29.985 for the
6 fishing shelter removal assessment, the amounts required by s. 350.115 for the
7 snowmobile registration restitution payment and the amounts required by ~~s.~~ ss.
8 29.989 and 169.46 (2) for natural resources restitution payments, transmit to the
9 state treasurer a statement of all moneys required by law to be paid on the actions
10 entered during the preceding month on or before the first day of the next succeeding
11 month, certified by the county treasurer's personal signature affixed or attached
12 thereto, and at the same time pay to the state treasurer the amount thereof.

13 **SECTION 109.** 59.40 (2) (m) of the statutes is amended to read:

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

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1 surcharge, the amounts required by s. 100.261 for the consumer information
2 assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055
3 for the domestic abuse assessment surcharge, the amounts required by s. 253.06 (4)
4 (c) for the enforcement assessment under the supplemental food program for women,
5 infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r)
6 for the railroad crossing improvement assessment, the amounts required by s.
7 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4)
8 for the uninsured employer assessment, the amounts required by s. 299.93 for the
9 environmental assessment, the amounts required under s. 29.983 for the wild
10 animal protection assessment, the amounts required under ~~s. ss.~~ 29.987 (1) (d) and
11 169.46 (1) (d) for the natural resources assessment surcharge, the amounts required
12 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.
13 350.115 for the snowmobile registration restitution payment and the amounts
14 required under ~~s. ss.~~ 29.989 (1) (d) and 169.46 (2) (d) for the natural resources
15 restitution payments. The payments shall be made by the 15th day of the month
16 following receipt thereof.

17 **SECTION 110.** 73.0301 (1) (d) 1. of the statutes is amended to read:

18 73.0301 (1) (d) 1. An approval specified in s. 29.024 (2r) or a license specified
19 in s. 169.35.

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

21 **90.20 (title) Fencing of farm-raised deer that are not white-tailed deer.**

22 **SECTION 112.** 90.20 (1) (a) of the statutes is amended to read:

23 90.20 (1) (a) “Farm-raised deer” has the meaning given in s. 95.001 (1) (a) ~~(a)~~ (ag).

24 **SECTION 113.** 90.20 (2) (intro.) of the statutes is amended to read:

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1 **90.20 (2) SPECIFICATIONS.** (intro.) ~~Any~~ Unless s. 90.21 applies, any person who
2 keeps farm-raised deer shall keep the farm-raised deer enclosed by a fence that
3 meets all of the following requirements:

4 **SECTION 114.** 90.21 of the statutes is created to read:

5 **90.21 Fencing of farm-raised deer; white-tailed deer. (1) DEFINITIONS.**

6 In this section:

7 (a) “Department” means the department of natural resources.

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

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

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

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

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

23 (b) If a person expands a fenced area that is less than 80 acres in size during
24 the period that the fence inspection certificate issued under this section is valid so

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1 that the fenced area is 80 acres or more in size, the person shall apply for a new fence
2 inspection certificate and pay an additional fee of \$50.

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

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

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

23 **(6) RULES.** The department shall promulgate rules to establish requirements
24 for fences for which fence inspection certificates are issued under this section. If the

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1 rules include provisions authorizing the placement of fences in navigable bodies of
2 water, s. 30.12 does not apply to fences placed in compliance with these rules.

3 (7) ENFORCEMENT AUTHORITY. If a fence fails to comply with the requirements
4 established by rule under sub. (6), the department may issue an order directing the
5 person who is required to maintain the fence to bring the fence into compliance
6 within 10 days after the issuance of the order. If the person fails to comply with the
7 order within 10 days of its issuance, the department may revoke the applicable fence
8 inspection certificate.

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

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

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

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

20 **SECTION 115.** 93.06 (1g) of the statutes is amended to read:

21 93.06 (1g) ~~INTERSTATE HEALTH CERTIFICATES~~ CERTIFICATES OF VETERINARY
22 INSPECTION. Furnish, to veterinarians in this state, forms to be used by them in
23 issuing ~~interstate health certificates~~ or certificates of veterinary inspection. The
24 department may charge a \$2 fee for each form unless the department specifies a
25 different fee by rule.

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1 **SECTION 116.** 93.07 (10) (a) of the statutes is repealed.

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

4 **93.07 (10)** ANIMAL HEALTH; QUARANTINE. To protect the health of domestic
5 animals ~~of the~~ located in this state; and of humans residing in this state and to
6 determine and employ the most efficient and practical means for the prevention,
7 suppression, control, and eradication of communicable diseases among domestic
8 animals, ~~and for.~~ For these purposes ~~it~~ the department may establish, maintain,
9 enforce, and regulate such quarantine and such other measures relating to the
10 importation, movement, and care of animals and their products, the disinfection of
11 suspected localities and articles, and the disposition of animals, as the department
12 may deem necessary. The definition of “communicable disease” in s. 990.01 (5g) does
13 not apply to this paragraph.

14 **SECTION 118.** 93.07 (10m) of the statutes is created to read:

15 **93.07 (10m)** RULES FOR DOMESTIC ANIMALS. To promulgate rules specifying
16 which animals are domestic animals for purposes of s. 169.01 (7). The rules shall
17 specify that fur-bearing animals to which s. 29.627 applies are domestic animals.

18 **SECTION 119.** 95.001 (1) (a) of the statutes is renumbered 95.001 (1) (ag) and
19 amended to read:

20 **95.001 (1) (ag)** “Farm-raised deer” means ~~an animal that is a member of the~~
21 ~~family cervidae and of the genus dama, the genus rangifer or the genus cervus, except~~
22 ~~for an elk~~ a cervid that is kept in captivity or a cervid that is present in the wild and
23 that ~~does not have~~ has an ear tag or other mark identifying it as being raised on a
24 farm.

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

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

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

4 2. A farm–raised deer, farm–raised game bird, or farm–raised fish.

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

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

7 95.001 (1) (ah) “Farm–raised fish” means any fish egg that is present on a fish
8 farm or any fish that is reared on a fish farm.

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

10 95.001 (1) (ai) “Farm–raised game bird” has the meaning given in s. 169.01
11 (12m).

12 **SECTION 123.** 95.10 (5) of the statutes is amended to read:

13 95.10 (5) No person shall remove or permit the removal of any swine from any
14 premises where public or commercial garbage is received, except to federally
15 inspected slaughtering establishments and other slaughtering establishments
16 approved by the state to receive diseased animals, and only if such swine are
17 accompanied by a health certificate issued by a veterinarian of veterinary inspection.

18 **SECTION 124.** 95.12 of the statutes is amended to read:

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

25 **SECTION 125.** 95.13 of the statutes is amended to read:

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1 **95.13 Misrepresenting breed of domestic animal.** No person shall sell or
2 barter or cause to be sold or bartered any domestic animal and represent, or cause
3 to be represented that such domestic animal is a pure bred domestic animal, when
4 in fact such domestic animal is not registered, or entitled to registry, in any pure
5 breed registry maintained for such domestic animals; nor shall any person
6 knowingly utter, pass or deliver to any person as true, any false, or altered pedigree;
7 nor shall any person refuse to deliver proper certificate of registry for any domestic
8 animal sold or transferred by the person, having represented at the time of sale or
9 transfer, and as an inducement thereto, that such domestic animal was registered
10 and that the person possessed and would deliver a certificate of registry as evidence
11 thereof, or that such domestic animal was entitled to registry and that the person
12 would secure such certificate and deliver the same.

13 **SECTION 126.** 95.17 of the statutes is amended to read:

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

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1 necessary in the suppression of such diseases as may be agreed upon and adopted
2 by the department and the state constitutional officers with the representatives of
3 the U.S. department of agriculture. Within the amount which may, subsequent to
4 March 23, 1915, be appropriated for this purpose, the state shall pay such proportion
5 of the expense incurred in suppressing or combating any such disease and in
6 compensating owners of animals slaughtered under this section as shall be
7 determined by and mutually agreed upon with the U.S. department of agriculture.

8 **SECTION 127.** 95.20 of the statutes is repealed and recreated to read:

9 **95.20 Import and movement of animals.** The department may prohibit or
10 regulate the importing of animals into this state or the movement of animals within
11 this state if the department has reasonable grounds to believe that regulation or
12 prohibition is necessary to prevent the introduction or spread of a disease in this
13 state that threatens the health of animals or of humans.

14 **SECTION 128.** 95.22 of the statutes is repealed and recreated to read:

15 **95.22 Reporting animal diseases. (1)** A veterinarian and the department
16 of natural resources shall report to the department of agriculture, trade and
17 consumer protection any disease specified in the rules promulgated under sub. (2)
18 (a) each time a veterinarian or the department of natural resources discovers that
19 such a disease is present in any animal in this state.

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

21 (a) The diseases that a veterinarian or the department of natural resources
22 must report under this section.

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

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

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

4 **(3)** The department of agriculture, trade and consumer protection shall notify
5 the department of natural resources of the contents of any report submitted under
6 sub. (1) by a veterinarian if the department of agriculture, trade and consumer
7 protection determines that the disease that is the subject of the report may present
8 a threat to any wild animals present in this state.

9 **SECTION 129.** 95.24 (3) (a) (intro.) of the statutes is amended to read:

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

17 **SECTION 130.** 95.24 (3) (a) 1. of the statutes is amended to read:

18 95.24 **(3)** (a) 1. The domestic animals to be so treated are infected.

19 **SECTION 131.** 95.24 (3) (a) 2. of the statutes is amended to read:

20 95.24 **(3)** (a) 2. The domestic animals to be so treated are on premises known
21 to be contaminated.

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

23 95.24 **(3)** (a) 3. The domestic animals to be so treated have been exposed within
24 40 days to infection with the disease for which the living vaccine is prescribed as a
25 proper immunizing agent.

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1 **SECTION 133.** 95.31 (1) of the statutes is amended to read:

2 95.31 (1) The department shall ~~have general power and authority to~~ may
3 ~~condemn and order the slaughter or destruction of animals~~ that are affected with or
4 exposed to a contagious and or infectious diseases as disease if the department
5 determines that it is necessary to do so to prevent or control the spread of ~~dangerous~~
6 ~~diseases among domestic animals of this state.~~ The department shall pay
7 ~~indemnities to the owners of animals condemned and destroyed as provided in this~~
8 ~~chapter~~ the disease. Condemned animals shall be slaughtered or destroyed as
9 directed by the department.

10 **SECTION 134.** 95.31 (2) of the statutes is amended to read:

11 95.31 (2) ~~Whenever~~ If the department determines that it is necessary to
12 ~~condemn diseased animals~~ an animal under sub. (1), the department shall, in all
13 cases where the payment of indemnities is authorized under this chapter, appraise
14 ~~the condemned animals~~ animal as provided in s. 95.32 and shall notify the owner in
15 writing of the appraised value. The notice shall include the number and description
16 of the animals and the name of the owner.

17 **SECTION 135.** 95.31 (3) of the statutes is amended to read:

18 95.31 (3) In addition to the indemnities for specific animal diseases provided
19 under ss. 95.25, 95.26 and 95.27 or under special emergency programs and subject
20 to s. 95.36, the department shall pay indemnities on livestock condemned and
21 ~~slaughtered or destroyed~~ because of other diseases if the department determines
22 that the condemnation and slaughter or destruction is necessary to protect public
23 health or the livestock industry. The indemnity under this subsection shall be
24 two-thirds of the difference between net salvage value and appraised value, but may
25 not exceed \$1,500 for an animal. As used in this subsection, “livestock” means

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1 animals of species raised primarily to produce food for human consumption,
2 including farm-raised deer.

3 **SECTION 136.** 95.31 (4) of the statutes is amended to read:

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

16 **SECTION 137.** 95.38 (1) of the statutes is amended to read:

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

24 **SECTION 138.** 95.45 (title) of the statutes is repealed and recreated to read:

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1 **95.45 (title) Certificates of veterinary inspection; tests for interstate**
2 **shipment.**

3 **SECTION 139.** 95.45 (2) of the statutes is repealed.

4 **SECTION 140.** 95.45 (3) of the statutes is repealed.

5 **SECTION 141.** 95.45 (4) of the statutes is created to read:

6 95.45 (4) (a) If the department requires that a certificate of veterinary
7 inspection accompany an animal imported into this state, the veterinarian who
8 issues the certificate shall file a copy of the certificate with the department.

9 (b) If a certificate of veterinary inspection is required for a wild animal under
10 s. 169.04 (2) (d) and (3) (a) or 169.06 (1) (d) 1., the veterinarian who issues the
11 certificate shall file a copy of the certificate with the department of agriculture, trade
12 and consumer protection. The department of agriculture, trade and consumer
13 protection shall provide a copy of the certificate to the department of natural
14 resources.

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

17 **SECTION 142.** 95.45 (5) of the statutes is created to read:

18 95.45 (5) Any certificate of veterinary inspection prepared under this chapter
19 or ch. 169 shall comply with any rules that are promulgated by the department.

20 **SECTION 143.** 95.49 (1) (e) of the statutes is amended to read:

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

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

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

4 **SECTION 145.** 95.49 (2) of the statutes is amended to read:

5 95.49 **(2)** Animals moved to the premises of ~~a livestock~~ an animal market or
6 animal dealer pursuant to the exemption from brucellosis test in sub. (1) (e) or (1m)
7 (e) may be removed only in compliance with the brucellosis test requirements in sub.
8 (1) or (1m).

9 **SECTION 146.** 95.55 (title) of the statutes is amended to read:

10 **95.55 Farm-raised deer; registration.**

11 **SECTION 147.** 95.55 (1) (b) of the statutes is renumbered 95.55 (1) (b) 1.

12 **SECTION 148.** 95.55 (1) (b) 2. of the statutes is created to read:

13 95.55 **(1)** (b) 2. The department may promulgate rules to exempt groups of
14 persons or species of farm-raised deer from the registration requirement under this
15 section.

16 **SECTION 149.** 95.55 (3m) of the statutes is created to read:

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

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

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

22 **SECTION 150.** 95.55 (5) of the statutes is created to read:

23 95.55 **(5)** HUNTING. (a) A person hunting farm-raised deer is exempt from
24 having any hunting approval issued under ch. 29 and is exempt from any closed
25 season restrictions or bag limits established by the department of natural resources.

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1 In order to regulate the hunting of farm-raised deer, the department of agriculture,
2 trade and consumer protection may promulgate rules to establish tagging
3 requirements or other methods for identifying dead farm-raised deer that have been
4 legally hunted or killed and to impose other conditions or requirements regulating
5 the hunting of farm-raised deer. Section 29.314 applies to the hunting of
6 farm-raised deer.

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

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

13 **SECTION 151.** 95.55 (6) of the statutes is created to read:

14 95.55 (6) RULES. (a) The department shall promulgate rules to regulate
15 persons who keep farm-raised deer. The rules shall establish disease testing
16 requirements for bovine tuberculosis and chronic wasting disease and may establish
17 testing requirements for other diseases.

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

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

22 2. Provisions requiring that registration under this section be on an annual
23 basis.

24 3. Exemptions from any annual registration requirements established under
25 subd. 2.

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1 **SECTION 152.** 95.57 of the statutes is created to read:

2 **95.57 Poultry and farm-raised game birds; national poultry**
3 **improvement program. (1) PARTICIPATION IN PROGRAM.** The department may
4 promulgate rules to require that any of the following originate from a flock of a person
5 participating in the national poultry improvement plan under 9 CFR part 145:

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

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

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

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) (aj).

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:

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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. 169.

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.

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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:

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.

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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

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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) (c) 2m. of the statutes is created to read:

18 95.69 (1) (c) 2m. A person holding a license issued under s. 169.15, 169.18,
19 169.19, or 169.26 who sells wild animals if the person keeps them solely for breeding
20 or feeding purposes and the person is not otherwise engaged in the business of buying
21 them for resale, slaughter, sale or exchange.

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

23 95.69 (1) (d) “Livestock Animal dealer employee” means an employee of a
24 licensed livestock animal dealer, who does business in the name of the licensed
25 livestock animal dealer.

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

2 95.69 (1) (e) “Livestock Animal market” has the meaning given in s. 95.68 (1)
3 ~~(e)~~ (ag).

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

5 95.69 (1) (f) “Livestock Animal transport vehicle” has the meaning given in s.
6 95.71 (1) ~~(g)~~ (dm).

7 **SECTION 185.** 95.69 (1) (h) of the statutes is created to read:

8 95.69 (1) (h) “Wild animal” has the meaning given in s. 95.68 (1) (g).

9 **SECTION 186.** 95.69 (2) of the statutes is amended to read:

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

15 **SECTION 187.** 95.69 (2m) of the statutes is created to read:

16 95.69 (2m) EXEMPTION. The department may promulgate rules to exempt
17 groups of persons from the licensing requirement under sub. (2) or the registration
18 requirement under sub. (7) or both.

19 **SECTION 188.** 95.69 (4) of the statutes is amended to read:

20 95.69 (4) FEES. Unless the department specifies a different fee by rule, the fee
21 for ~~a livestock~~ an animal dealer license is \$75.

22 **SECTION 189.** 95.69 (5) (a) 1. of the statutes is amended to read:

23 95.69 (5) (a) 1. Operated as ~~a livestock~~ an animal dealer without a license in
24 violation of sub. (2).

25 **SECTION 190.** 95.69 (5) (a) 1m. of the statutes is created to read:

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

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

4 95.69 (5) (a) 2. Operated an unregistered livestock animal transport vehicle in
5 violation of sub. (7).

6 **SECTION 192.** 95.69 (5) (a) 2m. of the statutes is created to read:

7 95.69 (5) (a) 2m. Operated an unregistered livestock vehicle, as defined in s.
8 95.71 (1) (g), 1999 stats., in violation of s. 95.69 (7), 1999 stats.

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

10 95.69 (5) (b) In addition to the surcharge under par. (a), an applicant for a
11 license under sub. (2) shall pay the fees due for the year in which the applicant was
12 in violation of ~~sub. (2) or (7)~~.

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

14 95.69 (5) (c) The payment of the surcharge and fees under this subsection does
15 not relieve the applicant of other civil or criminal liability that may result from the
16 failure to obtain a license or from the operation of an unregistered livestock vehicle
17 but does not constitute evidence of a violation of a law.

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

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

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

2 **95.69 (8) RULES.** The department may promulgate rules to specify license fees
3 under sub. (4) or to regulate ~~livestock~~ animal dealers, including rules related to
4 ~~livestock~~ animal dealer qualifications, construction and maintenance of ~~livestock~~
5 animal transport vehicles, identification of ~~livestock~~ animal transport vehicles,
6 disease sanitation, humane treatment of animals, identification of animals, record
7 keeping, reports to the department and compliance with applicable financial
8 security requirements under state or federal law.

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

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

14 **SECTION 198.** 95.71 (title) of the statutes is amended to read:

15 **95.71 (title) Livestock Animal truckers.**

16 **SECTION 199.** 95.71 (1) (b) of the statutes is renumbered 95.71 (1) (h).

17 **SECTION 200.** 95.71 (1) (c) of the statutes is repealed.

18 **SECTION 201.** 95.71 (1) (d) of the statutes is repealed.

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

20 **95.71 (1) (e)** “~~Livestock~~ Animal trucker” means a person engaged in the
21 business of transporting for hire, by means of ~~a livestock~~ an animal transport
22 vehicle, livestock and wild animals, except that it “animal trucker” does not include
23 ~~a livestock~~ an animal trucker employee.

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

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1 95.71 (1) (f) “~~Livestock~~ Animal trucker employee” means the employee of a
2 person who holds ~~a livestock~~ an animal trucker license if the employee, in the name
3 of the licensed ~~livestock~~ animal trucker, operates ~~a livestock~~ an animal transport
4 vehicle which is registered by the ~~livestock~~ animal trucker and on which the name
5 and the business address of the licensed animal livestock trucker are prominently
6 displayed.

7 **SECTION 204.** 95.71 (1) (g) of the statutes is renumbered 95.71 (1) (dm) and
8 amended to read:

9 95.71 (1) (dm) “~~Livestock~~ Animal transport vehicle” means any vehicle used to
10 transport livestock or wild animals.

11 **SECTION 205.** 95.71 (1) (i) of the statutes is created to read:

12 95.71 (1) (i) “Wild animal” has the meaning given in s. 95.68 (1) (g).

13 **SECTION 206.** 95.71 (2) of the statutes is amended to read:

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

20 **SECTION 207.** 95.71 (3) of the statutes is amended to read:

21 95.71 (3) APPLICATION. An application for ~~a livestock~~ an animal trucker license
22 under sub. (2) shall be made on a form provided by the department. The application
23 shall include information reasonably required by the department for licensing
24 purposes. As part of the application, the applicant shall register every ~~livestock~~
25 animal transport vehicle operated by the applicant as provided under sub. (4). An

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1 application shall be accompanied by the applicable fees and surcharges required
2 under subs. (5) and (6).

3 **SECTION 208.** 95.71 (4) of the statutes is amended to read:

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

10 **SECTION 209.** 95.71 (5) (a) of the statutes is amended to read:

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

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

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

21 **SECTION 211.** 95.71 (6) (a) (intro.) of the statutes is amended to read:

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

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

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

4 **SECTION 213.** 95.71 (6) (a) 1m. of the statutes is created to read:

5 95.71 **(6)** (a) 1m. Operated as a livestock trucker, as defined in s. 95.71 (1) (e),
6 1999 stats., without a license in violation of s. 95.71 (2), 1999 stats.

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

8 95.71 **(6)** (a) 2. Operated an unregistered ~~livestock~~ animal transport vehicle in
9 violation of sub. (4).

10 **SECTION 215.** 95.71 (6) (a) 2m. of the statutes is created to read:

11 95.71 **(6)** (a) 2m. Operated an unregistered livestock vehicle, as defined in s.
12 95.71 (1) (g), 1999 stats., in violation of s. 95.71 (4), 1999 stats.

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

14 95.71 **(6)** (b) In addition to the surcharge under par. (a), an applicant for a
15 license under sub. (2) shall pay the fees due for the year in which the applicant was
16 in violation of ~~sub. (2) or (4)~~.

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

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

22 **SECTION 218.** 95.71 (8) of the statutes is amended to read:

23 95.71 **(8)** RULES. The department may promulgate rules to specify license fees
24 under sub. (5) or to regulate ~~livestock~~ animal truckers, including rules related to
25 ~~livestock~~ animal trucker qualifications, construction and maintenance of ~~livestock~~

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

5 **SECTION 219.** 95.72 (7) (a) of the statutes is amended to read:

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

17 **SECTION 220.** 97.42 (1) (dm) of the statutes is amended to read:

18 97.42 (1) (dm) “Farm–raised deer” has the meaning given in s. 95.001 (1) (a)
19 (ag).

20 **SECTION 221.** 97.44 (3) of the statutes is amended to read:

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

24 **SECTION 222.** 100.04 (1) of the statutes is amended to read:

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

3 **SECTION 223.** 167.31 (4) (b) of the statutes is amended to read:

4 167.31 (4) (b) Subsections (2) (a), (b) and (c) and (3) (a) and (b) do not apply to
5 the holder of a scientific research license under s. 169.25 or a scientific collector
6 permit under s. 29.614 who is using a net gun or tranquilizer gun in an activity
7 related to the purpose for which the license or permit was issued.

8 **SECTION 224.** Chapter 169 of the statutes is created to read:

9 **CHAPTER 169**

10 **CAPTIVE WILDLIFE**

11 **169.01 Definitions.** In this chapter:

12 (1) “Animal” means any mammal, bird, reptile, amphibian, mollusk, or
13 arthropod or any egg of any bird, reptile, amphibian, mollusk, or arthropod except
14 that “animal” does not include any mollusk or arthropod, or any egg of any mollusk
15 or arthropod, if the mollusk or arthropod is regulated under s. 93.07 (12) or (13),
16 94.01, 94.02, 94.03, or 94.76.

17 (2) “Captive” means any of the following:

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

19 (b) Restrained by physical alterations that limit movement or facilitate
20 capture.

21 (c) Restrained by a leash or a tether or otherwise tied.

22 (d) Held in a controlled environment that is designed to prevent the departure
23 from the controlled environment.

24 (3) “Carcass” means the dead body of any wild animal including the head, hair,
25 skin, plumage, skeleton, meat, or any other part thereof.

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1 **(4)** “Circus” means a scheduled event staged by a traveling company with
2 mobile facilities in which entertainment consisting of a variety of performances by
3 acrobats, clowns, or trained animals is the primary attraction or principal business.

4 **(5)** “Conservation warden” means a warden appointed under s. 23.10.

5 **(6)** “Department” means the department of natural resources.

6 **(7)** “Domestic animal” means a farm–raised deer, a pet bird, a farm–raised
7 game bird, or an animal that is listed as a domestic animal by rule by the department
8 of agriculture, trade and consumer protection.

9 **(8)** “Dressed fur” has the meaning given in s. 29.501 (1) (a).

10 **(9)** “Endangered or threatened species” means those species of wild animals
11 that are indigenous to the United States or Canada and are identified on the federal
12 list of endangered and threatened species or on the Wisconsin list of endangered and
13 threatened species.

14 **(11)** “Exhibit” means to display for the purpose of public viewing, regardless
15 of whether a fee is charged.

16 **(12)** “Farm–raised deer” has the meaning given in 95.001 (1) (ag).

17 **(12m)** “Farm–raised game bird” means a bird of a wild nature that is not native
18 that is held captive, but that is not possessed under the authority of a license issued
19 under s. 169.15, 169.19, 169.20, or 169.21.

20 **(13)** “Free–roaming” means not captive.

21 **(14)** “Fur–bearing wild animal” includes badger, beaver, bobcat, coyote, fisher,
22 red fox, gray fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, skunk,
23 weasel, and wolf.

24 **(15)** “Harm to the environment” includes adversely affecting the natural
25 population dynamics of wild animals or wild plants, adversely affecting the habitat

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1 of wild animals or wild plants, or displacing wild animals or wild plants from any part
2 of their habitat.

3 **(15m)** “Harmful wild animal” means a wild animal designated under s. 169.11
4 (1) (a).

5 **(16)** “Humane officer” means an officer appointed under s. 173.03.

6 **(18)** “Introduce” means to release for the purpose of allowing the animal to
7 establish a population in an area in the wild where that species of animal is not
8 naturally present at the time the wild animal is released.

9 **(19)** “Law enforcement officer” has the meaning given in s. 165.85 (2) (c) and
10 does not include a conservation warden.

11 **(20)** “License year” means the year during which a license is valid.

12 **(20m)** “Migratory bird” means a bird of a species on the list in 50 CFR 10.13
13 that is promulgated under 16 USC 701 to 715s.

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

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

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

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

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

21 **(25m)** “Pet bird” means a bird that is either a psittacine or a soft bill and that
22 is not native, not identified on the federal list of endangered and threatened species,
23 and not a migratory bird.

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

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

3 **(28)** “Public zoo or aquarium” means a zoo or aquarium that is operated by the
4 state or by a city, village, or county or that is an accredited member of the American
5 Zoo and Aquarium Association.

6 **(29)** “Purchase” means to acquire through a sale or through an exchange for
7 consideration.

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

9 **(30m)** “Rehabilitate” means to provide care or treatment to an orphaned, sick,
10 or injured wild animal for the purpose of releasing it back into the wild.

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

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

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

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

16 **(35)** “Veterinarian” means either of the following:

17 (a) A veterinarian who is licensed in this state to practice veterinary medicine
18 under ch. 453 and who is certified under rules promulgated by the department of
19 agriculture, trade and consumer protection.

20 (b) A veterinarian who is licensed by another state to practice veterinary
21 medicine and who is accredited under 9 CFR ch. I subch. J.

22 **(36)** “Wild amphibian” means a wild animal that is an amphibian.

23 **(37)** “Wild animal” means any animal of a wild nature that is normally found
24 in the wild and that is not a domestic animal.

25 **(38)** “Wild bird” means a wild animal that is a bird.

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1 **(39)** “Wild reptile” means a wild animal that is a reptile.

2 **169.02 Title to wild animals. (1)** TITLE VESTED IN OWNER. Except as provided
3 in sub. (3), legal title to a live captive wild animal or the carcass of a captive wild
4 animal is vested in the person who owns the wild animal if the person is in
5 compliance with this chapter and the rules promulgated under this chapter. A
6 person holding legal title may transfer without consideration the live captive wild
7 animal or the carcass of the captive wild animal to a person who is in compliance with
8 this chapter and the rules promulgated under this chapter. A person holding legal
9 title to a live captive wild animal may kill it, or have it killed, in a humane manner.

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

14 **(3)** EXCEPTIONS. Legal title to a live captive wild animal or the carcass of a
15 captive wild animal that is possessed as authorized under a rehabilitation license or
16 a scientific research license remains with the state. A person holding a rehabilitation
17 license or a scientific research license may transfer or dispose of a live captive wild
18 animal or the carcass of a captive wild animal only as specifically authorized by the
19 department.

20 **169.03 Interagency cooperation.** The department of natural resources and
21 the department of agriculture, trade and consumer protection shall cooperate with
22 each other with respect to any wild animal that is subject to regulation under this
23 chapter and under ch. 93 or 95.

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1 **169.04 Possession of live wild animals. (1) RESTRICTIONS ON POSSESSION.**

2 (a) No person may possess any live wild animal unless the wild animal is legally
3 obtained.

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

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

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

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

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

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

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

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1 agriculture, trade and consumer protection under s. 95.001 (2), during the time the
2 wild animal is being temporarily possessed, the person possessing the wild animal
3 shall ensure that a veterinarian files with the department of agriculture, trade and
4 consumer protection a copy of a valid certificate of veterinary inspection that certifies
5 that the wild animal is free of any such diseases before releasing it into the wild.

6 **(3) WILD ANIMALS UNDER ANOTHER JURISDICTION.** A live wild animal possessed
7 by a nonresident under the legal authority of another state, province, or country may
8 be possessed in this state by the nonresident for not more than 60 days from the date
9 the wild animal enters the state if all of the following apply:

10 (a) The nonresident ensures that a veterinarian files a copy of a valid certificate
11 of veterinary inspection for the wild animal with the department of agriculture,
12 trade and consumer protection.

13 (b) The nonresident holds every license or other approval that is required by
14 the other state, province, or country.

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

- 19 1. Arthropods.
- 20 2. Chipmunks.
- 21 3. Pocket gophers.
- 22 4. Mice.
- 23 5. Moles.
- 24 6. Mollusks.
- 25 7. Opossums.

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

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

- 14 1. Pheasants of the species *Phasianus colchicus* or *Syrmaticus reevesii*, chukar
15 partridge, gray partridge, or red–legged partridge that are possessed for use under
16 a bird hunting preserve license, a dog training license, a hound training license, a
17 dog club training license, a dog trial license, or a hound trial license.
- 18 2. Nonnative wild birds of the family anatidae that are migratory birds.
- 19 3. Nonnative wild animals that are harmful wild animals.

20 **(5) EXEMPTION FOR CERTAIN PERSONS AND INSTITUTIONS.** (a) Each of the following
21 is exempt from holding a license or other approval as required under this chapter to
22 possess any wild animal:

- 23 1. A veterinarian, for the purpose of providing medical treatment to wild
24 animals.
- 25 2. A public zoo or aquarium.

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1 3. A circus or the Circus World Museum located in Baraboo, Wisconsin.

2 4. The department.

3 5. A person who is licensed under s. 95.68 or 95.71 and who is possessing the
4 wild animal under the authority of the license.

5 6. A person who is licensed under s. 95.69 and who possesses wild animals for
6 10 days or less and solely for the purpose of resale or slaughter.

7 (b) For purposes of par. (a) 1., “medical treatment” does not include
8 rehabilitation.

9 **(6) INAPPLICABILITY TO CERTAIN WILD ANIMALS.** (a) This section does not authorize
10 the possession of harmful wild animals.

11 (b) The possession of native wild reptiles and native wild amphibians is subject
12 to s. 169.12 and not to this section.

13 **169.05 Taking of wild animals. (1) REQUIREMENT.** No person may take any
14 wild animal from the wild except as authorized under a bird hunting preserve
15 license, a wild fur farm license, a rehabilitation license, or a scientific research
16 license or under s. 29.319.

17 **(2) EXEMPTION FOR CERTAIN WILD ANIMALS.** A person is exempt from the
18 requirement under sub. (1) if the wild animal that the person takes from the wild is
19 a native wild animal that is exempt under s. 169.04 (4) (a).

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

22 1. A veterinarian, for the purpose of providing medical treatment to wild
23 animals.

24 2. The department.

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

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

5 (b) The taking of native wild reptiles and native wild amphibians is subject to
6 s. 169.12 and not to this section.

7 **169.06 Introduction, stocking, and release of wild animals. (1)**
8 **REQUIREMENT; PERSONS OTHER THAN THE DEPARTMENT.** (a) No person may introduce,
9 stock, or release into the wild, or import into this state to introduce, stock, or release
10 into the wild, any wild animal except as authorized under a bird hunting preserve
11 license, a bird dog training license, a hound dog training license, a dog club training
12 license, a bird dog trial license, a hound dog trial license, a stocking license, a
13 rehabilitation license, or a scientific research license or under s. 29.319.

14 (b) No person may introduce, stock, or release into the wild, or import into this
15 state for introducing, stocking, or releasing into the wild, any wild animal unless the
16 department has given its authorization under par. (c) and the person has complied
17 with the requirements under par. (d).

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

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

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

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1 agriculture, trade and consumer protection under s. 95.001 (2), the person
2 introducing, stocking, or releasing the wild animal shall ensure that a veterinarian
3 files a copy of a valid certificate of veterinary inspection with the department of
4 agriculture, trade and consumer protection certifying that the wild animal is free of
5 any such diseases before the introducing, stocking, or release.

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

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

13 b. Within 30 days before the introducing, stocking, or release, the wild birds
14 meet the requirements of any rules promulgated by the department under sub. (3m).

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

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

24 **(3m) INTRODUCTION REQUIREMENTS.** (a) The department may promulgate rules
25 to establish the following:

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

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

5 (b) The requirements under par. (a) may include mandatory testing of the
6 animals for disease.

7 **(4) EXEMPTION.** Subsections (1) to (3m) do not apply to wild animals that are
8 released into the wild after being accidentally trapped or confined.

9 **169.07 Exhibition of live wild animals. (1) REQUIREMENT.** (a) No person
10 may exhibit any captive live native wild animal or any captive live nonnative wild
11 animal of the family ursidae except as authorized under a captive wild animal farm
12 license, a rehabilitation license, a nonprofit educational exhibiting license, or a
13 nonresident temporary exhibiting license or under s. 29.319.

14 (b) If a person exhibits a wild animal subject to par. (a) under the authority of
15 a captive wild animal farm license or a rehabilitation license, the person may exhibit
16 only those species of wild animals that are specified by the department on the license.

17 **(2) EXEMPTION FOR CERTAIN WILD ANIMALS.** A person is exempt from the
18 requirements under sub. (1) if the wild animal that the person exhibits is a wild
19 animal that is exempt under s. 169.04 (4) (a) or (b).

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

22 (a) A public zoo or aquarium.

23 (b) A circus or the Circus World Museum located in Baraboo, Wisconsin.

24 (c) The department.

25 (d) A person who is licensed under s. 95.68.

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1 (e) A person who is licensed under s. 95.69 and who possesses wild animals for
2 10 days or less and solely for the purpose of resale or slaughter.

3 (4) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize
4 the exhibiting of harmful wild animals.

5 **169.08 Propagation of wild animals. (1) REQUIREMENT.** No person may
6 propagate any native wild animal or any nonnative wild animal of the family ursidae
7 except as authorized under a captive wild animal farm license, a bird hunting
8 preserve license, a wild fur farm license, a nonprofit educational exhibiting license,
9 or a scientific research license.

10 (2) EXEMPTION FOR CERTAIN WILD ANIMALS. A person is exempt from the
11 requirement under sub. (1) if the wild animal that the person propagates is a wild
12 animal that is exempt under s. 169.04 (4) (a) or (b).

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

15 (a) A public zoo or aquarium.

16 (b) A circus or the Circus World Museum located in Baraboo, Wisconsin.

17 (c) The department.

18 (4) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize
19 the propagating of harmful wild animals.

20 **169.085 Rehabilitation of wild animals. (1) REQUIREMENT.** No person may
21 rehabilitate any wild animal except as authorized under a rehabilitation license.

22 (2) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize
23 the rehabilitation of harmful wild animals.

24 **169.09 Hunting of captive wild animals. (1) REQUIREMENT; GENERALLY.** No
25 person may hunt a captive wild animal except as authorized under a bird hunting

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1 preserve license, a bird dog training license, a hound dog training license, a dog club
2 training license, a bird dog trial license, or a hound dog trial license.

3 **(2) REQUIREMENT; COMMERCIAL HUNTING.** No person may sell or offer to sell or
4 purchase or offer to purchase the opportunity to hunt any wild animal that is or has
5 been captive except as authorized under a bird hunting preserve license.

6 **169.10 Sale and purchase of live wild animals. (1) SALE.** Except as
7 authorized under a captive wild animal farm license, a bird hunting preserve license,
8 a wild fur farm license, or a nonprofit educational exhibiting license or under s.
9 29.319, no person may sell or offer to sell any of the following:

10 (a) Any live native wild animal that is not exempt under s. 169.04 (4) (a).

11 (b) Any live nonnative wild animal that is not exempt under s. 169.04 (4) (b).

12 **(2) PURCHASE.** (a) Except as provided under par. (b) and except as authorized
13 under a captive wild animal farm license, a bird hunting preserve license, a bird dog
14 training license, a hound dog training license, a dog club training license, a bird dog
15 trial license, a hound dog trial license, a nonprofit educational exhibiting license, or
16 a stocking license or under s. 29.319, no person may purchase or offer to purchase
17 any of the following:

18 1. Any live native wild animal that is not exempt under s. 169.04 (4) (a).

19 2. Any live nonnative wild animal that is not exempt under s. 169.04 (4) (b).

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

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

25 (a) A public zoo or aquarium.

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1 (b) A circus or the Circus World Museum located in Baraboo, Wisconsin.

2 (c) The department.

3 (d) A person who is licensed under s. 95.68 or 95.69.

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

6 (b) The selling and purchasing of native wild reptiles and native wild
7 amphibians is subject to s. 169.12 and not to this section.

8 **169.11 Harmful wild animals. (1) DESIGNATION.** (a) The department shall
9 designate by rule cougars and members of the family ursidae as harmful wild
10 animals. After consulting with the department of agriculture, trade and consumer
11 protection and the department of health and family services, the department of
12 natural resources may designate by rule other species of wild animals as harmful
13 wild animals if any of the following apply:

14 1. The wild animal is not a native wild animal and is capable of inflicting harm
15 to the environment.

16 2. The wild animal is capable of creating a risk to public health or to the health
17 of domestic animals.

18 3. The wild animal is capable of inflicting severe physical harm to humans or
19 to domestic animals.

20 (b) No person may possess, take, propagate, sell, purchase, transfer, exhibit,
21 or rehabilitate a live harmful wild animal unless specifically authorized to do so by
22 the department.

23 (c) No person may introduce, stock, or release, or import into this state to
24 introduce, stock, or release, any harmful wild animal unless specifically authorized
25 to do so by the department under s. 169.06 (1) (c).

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1 **(3) EXEMPTIONS.** (a) Public zoos and aquariums are exempt from the
2 prohibition under sub. (1) (b).

3 (b) 1. Veterinarians are exempt from the prohibition under sub. (1) (b) for the
4 purpose of providing medical treatment to harmful wild animals.

5 2. For purposes of subd. 1., “medical treatment” does not include rehabilitation.

6 **169.12 Sale and purchase of native wild reptiles and wild amphibians.**

7 **(1) POSSESSION; GENERAL.** No person may take from the wild or possess live native
8 wild reptiles or live native wild amphibians unless the person is authorized to do so
9 under rules promulgated by the department or unless sub. (3) applies.

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

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

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

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

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

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

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

5 **169.14 Carcasses of captive wild animals. (1) RESTRICTIONS ON SALES AND**
6 PURCHASES. (a) No person may sell the carcass of any captive wild animal unless the
7 seller provides to the purchaser written proof of origin.

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

11 (c) No person may sell or purchase the gallbladder of a bear that was a captive
12 wild animal.

13 (d) No person may preserve and mount a carcass of a captive wild animal for
14 consideration unless that person holds a valid taxidermist permit issued under s.
15 29.506.

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

20 (b).

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

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

4 **(3) INAPPLICABILITY TO CERTAIN CARCASSES.** (a) Subsections (1) and (2) do not
5 apply to the raw fur or dressed fur of fur-bearing wild animals that are possessed
6 as authorized by a license issued under s. 169.18.

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

9 **169.15 Captive wild animal farm licenses. (1) ISSUANCE.** (a) The
10 department shall issue a Class A captive wild animal farm license to operate a
11 captive wild animal farm that grosses \$10,000 or more in annual sales to any person
12 who files a proper application for the license and who pays the applicable fee.

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

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

19 **(2) AUTHORIZATION.** (a) A captive wild animal farm license authorizes the
20 holder of the license to possess, propagate, kill, exhibit, purchase, and sell live
21 captive wild animals of the species specified by the department on the license.

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

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

- 4 1. Native wild animals.
- 5 3. Harmful wild animals.
- 6 4. Endangered or threatened species.

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

- 10 1. The person operated a game bird and animal farm licensed under s. 29.867,
11 1999 stats., on the effective date of this subdivision [revisor inserts date], that
12 grossed \$10,000 or more in annual sales.
- 13 2. The person elects to be issued a Class A captive wild animal farm license.

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

18 (b) If any member of the family ursidae, felidae, or canidae escapes from its
19 enclosure or fenced area on a captive wild animal farm, the person holding the
20 captive wild animal farm license shall notify the department within 24 hours after
21 the escape.

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

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1 **169.18 Wild fur farm license. (1) ISSUANCE.** The department shall issue a
2 wild fur farm license to any person who files a proper application and who pays the
3 applicable fee.

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

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

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

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

13 (b) Section 29.501 applies to the possession and selling of the raw furs and
14 dressed furs of the fur-bearing wild animals that are possessed as authorized under
15 a wild fur farm license.

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

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

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

24 **(4) EXEMPTION FROM TRAPPING RESTRICTIONS.** Except as provided in sub. (2) (c),
25 a person trapping fur-bearing wild animals on a wild fur farm is exempt from having

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1 any trapping approval issued under ch. 29 and is exempt from any closed season
2 restrictions, bag limits, or other conditions or restrictions established by the
3 department under s. 29.014 (1) or 29.192.

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

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

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

10 **169.19 Bird hunting preserve licenses. (1) ISSUANCE.** The department
11 shall issue a Class A or a Class B bird hunting preserve license to any person who
12 files a proper application and who pays the applicable fee.

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

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

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

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

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

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

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1 3. Gray partridge.

2 4. Chukar partridge.

3 5. Red-legged partridge.

4 6. Mallard ducks that are bred in captivity.

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

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

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

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

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

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

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1 21.13 (b). The person shall house the mallard ducks in pens that are covered and
2 maintained to prevent free-roaming wild waterfowl from being attracted to the pens
3 with the mallard ducks that are being bred.

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

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

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

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

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

22 **169.20 Dog training licenses. (1) BIRD DOG TRAINING LICENSE.** (a) The
23 department shall issue a bird dog training license to any individual who is at least
24 12 years of age who files a proper application and who pays the applicable fee.

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1 (b) Except as provided in par. (c), a bird dog training license authorizes the
2 holder of the license to purchase, possess, release into the wild, and hunt any of the
3 live captive wild birds specified in s. 169.19 (2) (b) 1. to 6. solely for the purposes of
4 training a dog to retrieve, point, flush, and track game.

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

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

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

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

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

22 2. Live captive raccoon.

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

24 **(3) DOG CLUB TRAINING LICENSE.** (a) The department may issue a dog club
25 training license to an organization that meets the conditions established by the

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1 department by rule for dog club training licenses, that files a proper application and
2 that pays the applicable fee.

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

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

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

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

16 **169.21 Dog trial licenses. (1) BIRD DOG TRIAL LICENSE.** (a) The department
17 shall issue a bird dog trial license to any person who files a proper application and
18 who pays the applicable fee.

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

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

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1 (b) A hound dog trial license authorizes the holder of the license to purchase,
2 possess, release into the wild, and hunt live captive raccoon, live captive rabbit, and
3 live captive bear of the species *Ursus americanus* for any organized competitive field
4 event that involves sporting dog breeds and that is sanctioned, licensed, or
5 recognized by a local, state, regional, or national dog organization.

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

10 **169.23 Stocking license. (1) ISSUANCE.** The department may issue stocking
11 licenses. If the department issues stocking licenses, it shall issue a stocking license
12 to any person who files a proper application and who pays the applicable fee.

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

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

19 **169.24 Rehabilitation license. (1) ISSUANCE.** The department shall issue
20 a rehabilitation license to rehabilitate wild animals to any individual who is at least
21 18 years of age, who meets the qualifications under rules promulgated under sub. (2),
22 and who files a proper application.

23 (2) QUALIFICATIONS; RULES. The department shall promulgate rules to establish
24 the qualifications required to obtain a rehabilitation license, the types of activities
25 authorized by a rehabilitation license and the standards, limitations, and

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1 requirements for rehabilitation licenses. The department may promulgate rules to
2 establish standards for exempting an individual from any of these rules or from any
3 provisions under this chapter.

4 **169.25 Scientific research license. (1) ISSUANCE.** (a) The department shall
5 issue a scientific research license to any person who is engaged in a study or in
6 research that the department determines will lead to increased, useful scientific
7 knowledge and who files a proper application and who pays the applicable fee.

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

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

12 **(2) AUTHORIZATION.** A scientific research license authorizes the holder of the
13 license to take from the wild, possess, kill, or propagate the species of native wild
14 animals that the department authorizes under the license.

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

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

24 reasonable.

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

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

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

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

14 **169.26 Nonprofit educational exhibiting license. (1) ISSUANCE.** The
15 department shall issue a nonprofit educational exhibiting license to any nature
16 center, aquarium, or educational institution if the center, aquarium, or institution
17 is a nonstock, nonprofit corporation described under section 501 (c) (3) or (4) of the
18 Internal Revenue Code and exempt from taxation under section 501 (a) of the
19 Internal Revenue Code and if the center, aquarium, or institution files a proper
20 application and pays the applicable fee.

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

23 (a) Possess and exhibit live wild animals.

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

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

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

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

10 **169.27 Nonresident temporary exhibiting license. (1) ISSUANCE.** The
11 department shall issue a nonresident temporary exhibiting license to any individual
12 who is a nonresident or to any business organization that is not organized under the
13 laws of this state, if the individual or organization meets the requirement under sub.
14 (2), files a proper application, and pays the applicable fee.

15 **(2) FEDERAL REQUIREMENT.** An applicant for a nonresident temporary exhibiting
16 license shall hold any license or permit that may be required under 7 USC 2131 to
17 2159 at the time the department issues the applicant the license.

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

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

24 (b) Move live wild animals in mobile facilities that do not meet the rules for
25 housing under s. 169.39.

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1 **(4) RULES.** The department may promulgate rules to establish additional
2 standards, limitations, and requirements for nonresident temporary exhibiting
3 licenses.

4 **169.29 Validation licenses. (1) ELIGIBILITY. (a) *Initial validation license.***
5 A person to whom all of the following conditions apply is eligible for an initial
6 validation license:

7 1. The person has a license or permit under s. 29.863, 1999 stats., s. 29.865,
8 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on
9 the effective date of this subdivision [revisor inserts date].

10 2. The licenses available under ss. 169.15 to 169.27 do not permit the
11 continuation of an activity that was allowed under the license or permit under s.
12 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats.,
13 or s. 29.877, 1999 stats., on the effective date of this subdivision [revisor inserts
14 date], at the location where the activity is being conducted on the effective date of this
15 subdivision [revisor inserts date].

16 3. The person obtains a license under this chapter for any activity that was
17 allowed under the license or permit under s. 29.863, 1999 stats., s. 29.865, 1999
18 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on the
19 effective date of this subdivision [revisor inserts date], and for which a license
20 under ss. 169.15 to 169.27 is available.

21 **(b) *Subsequent validation license.*** A person who meets all of the following
22 conditions is eligible for a subsequent validation license:

23 1. The person had a license or permit under s. 29.863, 1999 stats., s. 29.865,
24 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on
25 the effective date of this subdivision [revisor inserts date].

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1 2. The person obtained a license under ss. 169.15 to 169.27 for an activity that
2 was allowed under the license or permit under s. 29.863, 1999 stats., s. 29.865, 1999
3 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on the
4 effective date of this subdivision [revisor inserts date].

5 3. Rules applicable to licenses available under ss. 169.15 to 169.27 are
6 promulgated so as not to permit the continuation of an activity that was allowed
7 under the license or permit under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s.
8 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on on the effective
9 date of this subdivision [revisor inserts date], at the location where the activity
10 was conducted on the effective date of this subdivision [revisor inserts date].

11 **(2) APPLICATION.** (a) *Initial validation license.* An eligible person may apply
12 for an initial validation license no later than December 31, 2003.

13 (b) *Subsequent validation license.* An eligible person may apply for a
14 subsequent license no later than 6 months after the promulgation of rules described
15 under sub. (1) (b) 3.

16 **(3) ISSUANCE.** The department shall issue a single validation license to any
17 eligible person who files a proper application for the license. The validation license
18 shall apply to all activities described under sub. (4) (a). The department shall specify
19 on the validation license the activities that are permitted under the license. The
20 department shall combine a subsequent validation license with an initial validation
21 license that has been previously issued to the same person.

22 **(4) AUTHORIZATION; LIMITATIONS.** (a) Except as provided in pars. (c) to (e) and
23 sub. (5), a validation license authorizes the continuation of all activities that the
24 holder of the validation license is authorized to conduct on the effective date of this
25 paragraph [revisor inserts date], under a license or permit issued under s. 29.863,

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1 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s.
2 29.877, 1999 stats., if the holder is actually engaged in those activities on the
3 effective date of this paragraph [revisor inserts date].

4 (b) The authorization under par. (a) applies even though the activity is
5 prohibited or limited under this chapter or under the rules promulgated under this
6 chapter.

7 (c) A validation license does not authorize the rehabilitation of wild animals.

8 (d) A validation license does not authorize the hunting of pheasants in excess
9 of the number of pheasants stocked.

10 (e) Unless the holder of a validation license also holds a Class A bird hunting
11 preserve license, a validation license does not authorize the hunting or taking of hen
12 pheasants beginning on December 15 of each year and ending on the following March
13 31 within the boundaries of a pheasant and quail farm licensed under s. 29.865, 1999
14 stats., that is located totally or partially within a pheasant management zone that
15 is established by the department for purposes of s. 29.191.

16 **(5) CONDITIONS.** (a) The department shall impose all of the conditions,
17 restrictions and regulations on the validation license that were applicable to the
18 same activity under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999
19 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., and under any rules
20 promulgated under those sections that were in effect on the effective date of this
21 paragraph [revisor inserts date].

22 (b) A validation license is subject to ss. 169.06 (3m), 169.09, 169.11, 169.30,
23 169.33, 169.34, 169.35, 169.36, 169.37, 169.39, 169.40, 169.42, 169.43, 169.45, and
24 169.46 and to any applicable provisions under chs. 93 and 95.

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1 **(6) RENEWAL; TRANSFERABILITY.** (a) The department shall renew or transfer a
2 validation license upon the same conditions as the original validation license.

3 (b) The department shall transfer a validation license, or any portion of a
4 validation license, to any person who does all of the following:

5 1. Acquires the land that is subject to the validation license.

6 2. Meets the requirements of this section.

7 3. Applies to the department for transfer of the validation license, or any
8 portion of the validation license, within 3 months after acquiring the land.

9 (c) If the holder of a validation license fails to renew the license within 45 days
10 after the license's expiration date, the license expires and may never be renewed.

11 (d) If the land subject to a validation license is transferred and the validation
12 license is not transferred as provided in par. (b), the license expires and may never
13 be renewed.

14 **169.30 Endangered or threatened species.** No person may take from the
15 wild, introduce, stock, release into the wild, exhibit, propagate, rehabilitate, hunt,
16 sell, purchase, transfer, or engage in any other activity related to a live wild animal
17 that is an endangered or threatened species unless the person is in compliance with
18 this chapter, the rules promulgated under this chapter, and s. 29.604.

19 **169.31 License and tag fees. (1) FEES.** The following fees shall be paid to
20 the department for the issuance or renewal of licenses:

21 (a) *Captive wild animal farm licenses.* 1. The fee for an initial Class A captive
22 wild animal farm license is \$200 and the fee for an initial Class B captive wild
23 animal farm license is \$50. The department shall waive the fee for an initial license
24 under this subdivision for an individual who is under 14 years of age if the individual
25 is a member of a 4-H club or a sporting club.

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1 2. The fee for a renewal of a Class A captive wild animal farm license is \$100,
2 and the fee for a renewal of a Class B captive wild animal farm license is \$25.

3 (d) *Wild fur farm license.* The fee for a wild fur farm license is \$50.

4 (e) *Bird hunting preserve licenses.* 1. The fee for an initial Class A bird hunting
5 preserve license is \$300, and the fee for an initial Class B bird hunting preserve
6 license is \$200.

7 2. The fee for a renewal of a Class A bird hunting preserve license is \$200, and
8 the fee for a renewal of a Class B bird hunting preserve license is \$100.

9 (f) *Dog training licenses.* 1. The fee for a bird dog training license is \$25.

10 2. The fee for a hound dog training license is \$25.

11 3. The fee for a dog club training license is \$100.

12 (g) *Dog trial licenses.* 1. The fee for a bird dog trial license is \$25.

13 2. The fee for a hound dog trial license is \$25.

14 (i) *Stocking license.* The fee for a stocking license is \$25.

15 (j) *Rehabilitation license.* There is no fee for a rehabilitation license.

16 (k) *Scientific research license.* The fee for a scientific research license is \$25.

17 (L) *Nonprofit educational exhibiting license.* The fee for a nonprofit
18 educational exhibiting license is \$25.

19 (m) *Nonresident temporary exhibiting license.* The fee for a nonresident
20 temporary exhibiting license is \$50.

21 (o) *Validation license.* There is no fee for an initial or subsequent validation
22 license.

23 **(2) LATE FEE.** The late fee for the renewal of any license issued under this
24 chapter that is filed after the expiration date of the license is \$20.

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1 **(3) APPLICABILITY OF LICENSE; CUMULATIVE FEES.** (a) Except as provided in par.
2 (b) or (bn), a license issued under this section authorizes the applicable activity on
3 only one block of contiguous land.

4 (b) The department shall continue to issue one license under this chapter to a
5 business or other operation that was licensed for certain activities as one legal entity
6 with one set of records under one license under s. 29.865, 1999 stats., s. 29.867, 1999
7 stats., or s. 29.869, 1999 stats., if the activities for which the license was issued were
8 conducted on noncontiguous land and there is one license that authorizes all of those
9 activities. The department shall continue to issue the one license until the person
10 holding that one license ceases to be issued a license for the activities or until the
11 person holding the one license issued ceases to have a controlling interest in that
12 business or operation.

13 (bn) Upon request of an applicant for a Class A bird hunting preserve license,
14 the department shall issue a single license for a Class A bird hunting preserve that
15 is not in one block of contiguous land if each parcel of the land is at least 80 acres in
16 size and if all of the parcels are located in the same county or if each of the outlying
17 parcels is either in the same county as the parcel on which the hunting preserve bases
18 its operations or in a county that is adjacent to that county.

19 (c) A person applying for 2 or more licenses under this section that are
20 necessary to engage in a single business or other operation shall pay a total fee that
21 equals the fee for the required license with the highest fee that is required, plus 50%
22 of the fee for each additional required license.

23 **(4) TAGS.** Any tags required by this chapter or rules promulgated under this
24 chapter shall be provided by the department for a fee that is equal to the cost to the
25 department.

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1 **169.32 Licenses; effective periods. (1) CAPTIVE WILD ANIMAL FARM LICENSE.**

2 A captive wild animal farm license is valid from the date of issuance until the
3 following December 31.

4 **(4) WILD FUR FARM LICENSE.** A wild fur farm license is valid from the date of
5 issuance until the 3rd December 31 following the date of issuance.

6 **(5) BIRD HUNTING PRESERVE LICENSE.** A bird hunting preserve license is valid
7 from the date of issuance until the following May 30.

8 **(6) DOG TRAINING LICENSES.** (a) A bird dog training license is valid from the date
9 of issuance until the 3rd December 31 following the date of issuance.

10 (b) A hound dog training license is valid from the date of issuance until the 3rd
11 December 31 following the date of issuance.

12 (c) A dog club training license is valid from the date of issuance until the 3rd
13 December 31 following the date of issuance.

14 **(7) DOG TRIAL LICENSES.** (a) A bird dog trial license is valid from the date of
15 issuance until the following December 31.

16 (b) A hound dog trial license is valid from the date of issuance until the
17 following December 31.

18 **(9) STOCKING LICENSE.** A stocking license is valid for the period specified on the
19 license, which may not exceed 30 days.

20 **(10) REHABILITATION LICENSE.** A rehabilitation license is valid for 3 consecutive
21 years from the date of issuance.

22 **(11) SCIENTIFIC RESEARCH LICENSE.** A scientific research license is valid from the
23 date of issuance until the following December 31.

24 **(12) NONPROFIT EDUCATIONAL EXHIBITING LICENSE.** A nonprofit educational
25 exhibiting license is valid from the date of issuance until the following December 31.

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1 **(13) NONRESIDENT TEMPORARY EXHIBITING LICENSE.** (a) Except as provided in par.
2 (b), a nonresident temporary exhibiting license is valid for the period specified on the
3 license, which may not exceed 30 days.

4 (b) Upon application, the department may grant extensions of the nonresident
5 temporary exhibiting license beyond 30 days.

6 **(15) VALIDATION LICENSES.** An initial or subsequent validation license is valid
7 from the date of issuance until the 5th December 31 after the date of issuance and
8 may be renewed for 5-year periods thereafter.

9 **169.33 Licenses; applications; renewals; terminations. (1) APPLICATION.**
10 The application for a license under this chapter shall be on a form provided by the
11 department or in a format approved by the department, and shall request the
12 information required by the department. The department may not issue a license
13 unless the applicant provides the information required.

14 **(2) ELIGIBILITY REQUIREMENTS FOR MINORS.** (a) Each applicant for a license under
15 this chapter who is less than 18 years of age shall have the application signed by a
16 parent or guardian.

17 (b) Except as provided in pars. (c) and (d), an individual who applies for a
18 license under this chapter shall be at least 14 years of age.

19 (c) An individual who applies for a captive wild animal farm license may be less
20 than 14 years of age if the individual is a member of a 4-H club or a sporting club.

21 (d) An individual who applies for a bird dog training license or a hound dog
22 training license shall be at least 12 years of age.

23 **(3) RENEWALS.** (a) Except as provided in par. (b), a person applying to renew
24 a license issued under this chapter shall file an application with the department on
25 or before the expiration date of the license.

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1 (b) A person may apply for a renewal of a license issued under this chapter not
2 more than 45 days after the license's expiration date if the application is
3 accompanied by the late fee specified under s. 169.31 (2), in addition to any regular
4 renewal fee.

5 (4) INCORRECT INFORMATION. No person may provide information that the
6 person knows to be incorrect in order to obtain a license issued under this chapter
7 to which the person is not entitled.

8 (4m) INCORRECT RECORDS OR REPORTS. No person may fail to keep records or
9 submit reports as required under this chapter.

10 (5) EXPIRATION OF LICENSE. A person holding a license issued under this section
11 that expires or is revoked or suspended shall remove or cause to be removed from the
12 land subject to the license any signs indicating that the land was so licensed within
13 45 days after the expiration, revocation, or suspension.

14 (6) COMPLIANCE. No person may violate any condition or limitation imposed by
15 the department on a license issued under this chapter.

16 **169.34 Denial and revocation of licenses based on child support**
17 **delinquency.** (1) SOCIAL SECURITY NUMBERS REQUIRED. The department shall
18 require an applicant who is an individual to provide his or her social security number
19 as a condition of applying for, or applying to renew, any license issued under this
20 chapter.

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

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

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

15 **169.35 Denial and revocation of licenses based on tax delinquency. (1)**

16 SOCIAL SECURITY AND IDENTIFICATION NUMBERS REQUIRED. The department shall
17 require an applicant who is an individual to provide his or her social security number
18 and an applicant who is not an individual to provide the applicant's federal employer
19 identification number as a condition of applying for, or applying to renew, any of the
20 following licenses:

21 (a) A captive wild animal farm license.

22 (b) A wild fur farm license.

23 (c) A bird hunting preserve license.

24 **(2) DISCLOSURE OF NUMBERS.** The department of natural resources may not
25 disclose any information received under sub. (1) to any person except to the

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1 department of revenue for the sole purpose of making certifications required under
2 s. 73.0301.

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

8 **169.36 Record-keeping and reporting requirements. (1) CAPTIVE WILD**
9 ANIMAL FARM LICENSES, BIRD HUNTING PRESERVE LICENSES, AND NONPROFIT EDUCATIONAL
10 EXHIBITING LICENSES. (a) *Records; generally.* Each person holding a captive wild
11 animal farm license, a bird hunting preserve license, or a nonprofit educational
12 exhibiting license shall keep a correct and complete record of all of the following
13 information:

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

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

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

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

22 (b) *Records; additional requirements; exemptions.* 1. A person holding a bird
23 hunting preserve license is exempt from keeping the records required under par. (a)

24 1. a. for those wild birds that are killed on the land subject to the license.

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

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

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

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

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

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

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

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

18 **(4) DOG TRAINING AND TRIAL LICENSES.** Each person holding a bird dog training
19 license, a hound dog training license, a dog club training license, a bird dog trial
20 license, or a hound dog trial license shall keep a receipt of the purchase of each wild
21 animal purchased under the authority of the license and a correct and complete
22 record of any testing for disease on these wild animals that is required under rules
23 promulgated under s. 169.06 (3m).

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

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

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

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

9 **(8) ZOOS.** If a zoo or aquarium is not an accredited member of the American Zoo
10 and Aquarium Association, the governing body of the zoo or aquarium shall keep
11 correct and complete records of all transactions involving the movement of wild
12 animals that are native wild animals, nonnative wild animals of the family cervidae,
13 harmful wild animals, or endangered or threatened species. The department shall
14 determine the information to be kept in these records.

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

20 (b) In addition to the requirements under par. (a), the person holding a license
21 subject to this section shall provide a copy of the record required under this section
22 to the department on a quarterly basis, as determined by the department, if the
23 transaction or activity involved any live wild animal of the family canidae, ursidae,
24 mustelidae, or felidae, or any harmful wild animal.

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

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

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

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

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

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

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

18 **(10m) PRIOR RECORDS.** A person required to keep records or reports under s.
19 29.853 (3) (b), 1999 stats., 29.855 (3) (c), 1999 stats., s. 29.865 (4) (b), 1999 stats.,
20 29.867 (8), 1999 stats., s. 29.869 (9), 1999 stats., s. 29.871, 1999 stats., or s. 29.877
21 (6), 1999 stats., shall maintain copies of the records and reports that are in existence
22 on the effective date of this subsection [revisor inserts date] for a period of 3 years
23 beginning on the effective date of this subsection [revisor inserts date].

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

4 **169.37 Inspections. (1) DEPARTMENTAL AUTHORITY.** For purposes of enforcing
5 this chapter and the rules promulgated under this chapter with respect to a person
6 who is required to have a license or maintain records under this chapter, a
7 conservation warden or representative of the department, upon presenting his or her
8 credentials to that person, may do any of the following:

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

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

13 (c) Gain access to and inspect any records required to be kept under s. 169.36.

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

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

20 (a) Normal business hours.

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

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

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1 **(3) PROHIBITING INSPECTIONS.** No person who has been requested to submit to
2 an inspection under this section or s. 169.38 or an operator of a vehicle for such a
3 person, or employee or person acting on behalf of such a person, may prohibit entry
4 as authorized under this section or s. 169.38 unless a court restrains or enjoins the
5 entry or inspection.

6 **(4) INSPECTIONS OF INTRODUCED OR STOCKED ANIMALS.** Only persons determined
7 by the department to be experienced in wildlife disease may remove diagnostic
8 samples under sub. (1) (d).

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

12 **169.38 Inspections of items subject to regulation by the department of**
13 **agriculture, trade and consumer protection. (1) DEPARTMENTAL AUTHORITY.** For
14 purposes of enforcing s. 90.21 and rules promulgated under that section and ch. 29
15 and rules promulgated under that chapter, with respect to a person who keeps
16 farm-raised deer that are white-tailed deer, and for purposes of enforcing this
17 chapter and ch. 29 and rules promulgated under this chapter and ch. 29, with respect
18 to a person who keeps farm-raised game birds or wild animals under a license issued
19 under s. 95.68, 95.69, or 95.71, a conservation warden or representative of the
20 department, upon presenting his or her credentials to that person, may do any of the
21 following:

22 (a) Enter and inspect any land, vehicle, building, or other structure where
23 white-tailed deer, farm-raised game birds, or wild animals are possessed or where
24 carcasses of white-tailed deer, farm-raised game birds, or wild animals are
25 possessed.

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1 (b) Inspect any equipment, materials, or other activities related to farm-raised
2 deer that are white-tailed deer, farm-raised game birds, or wild animals.

3 (c) Gain access to and inspect any records that relate to farm-raised deer that
4 are white-tailed deer and that are required to be kept under s. 93.07 (10), 95.55, or
5 169.36 (10m) or any rules promulgated under those sections.

6 (d) Gain access to and inspect any records relating to farm-raised game birds
7 required to be kept under s. 93.07 (10) or 95.57 or any rules promulgated under those
8 sections.

9 (e) Gain access to and inspect any records relating to wild animals required to
10 be kept under s. 93.07 (10), 95.68, 95.69, 95.71, or 169.36 (10m) or any rules
11 promulgated under those sections.

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

14 (a) Normal business hours.

15 (b) During the time that the person who keeps white-tailed deer, farm-raised
16 game birds, or wild animals is conducting business.

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

19 (d) At any time, if the inspection is limited to determining whether a fence that
20 is used to contain farm-raised deer that are white-tailed deer complies with the
21 requirements established by rule under s. 90.21 (6).

22 **169.39 Humane care and housing. (1) COMPLIANCE WITH RULES.** No license
23 may be issued under this chapter unless the department determines that the
24 applicant will comply with all of the rules promulgated under subs. (2) and (3).

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

4 (a) That the wild animals receive humane treatment and enrichment.

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

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

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

8 **(3) RULES; HOUSING.** The rules for housing under sub. (2) shall include
9 requirements for the size and location of permanent enclosures and of temporary
10 enclosures at locations other than those where the wild animals are permanently
11 housed. The rules regulating the location of enclosures shall include the distance
12 required between 2 enclosures. The rules for housing shall include specifications for
13 enclosures for each species of harmful wild animal that the department designates
14 under s. 169.11 (1).

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

17 **169.40 Trespassing.** A person who hunts, traps, kills, or takes a wild animal
18 subject to regulation under this chapter on land subject to a license issued under this
19 chapter without the permission of the license holder or of the holder's employee or
20 agent is liable to the license holder for any damage that the person causes to any wild
21 animal that is subject to regulation under this chapter or to any property or land that
22 is subject to the license.

23 **169.42 Taking custody of captive wild animals. (1) INTAKE OF WILD**
24 **ANIMALS.** A conservation warden may take into custody a wild animal that is subject
25 to regulation under this chapter on behalf of the department if the conservation

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1 warden has reasonable grounds to believe that the wild animal is one of the
2 following:

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

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

5 (c) A wild animal possessed, taken, introduced, stocked, released, exhibited,
6 propagated, rehabilitated, hunted, sold, or purchased in violation of this chapter, any
7 rule promulgated under this chapter, or any ordinance enacted under s. 169.43.

8 (d) A captive wild animal that is not confined as required by a quarantine under
9 s. 93.07 (10) or any rule or ordinance relating to the control of any animal disease.

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

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

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

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

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

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

22 (k) A wild animal that is being housed or held in violation of s. 169.39.

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

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

4 **169.43 Local ordinances.** A municipality or county may enact and enforce
5 an ordinance that prohibits the possession or selling of live wild animals.

6 **169.45 Penalties; revocations. (1) DEFINITION.** In this section, “violation of
7 this chapter” means a violation of this chapter or any rule promulgated under this
8 chapter.

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

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

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

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

22 (d) *Taking of bear and deer.* For taking bear or deer from the wild in violation
23 of s. 169.05, or a rule promulgated thereunder, a person shall be fined not less than
24 \$1,000 nor more than \$2,000 or imprisoned for not more than 6 months or both.

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1 (e) *Harmful wild animals.* For a violation of s. 169.11 (2) (b) or (c), a person shall
2 be fined not less than \$500 nor more than \$5,000 or imprisoned for not more than
3 6 months or both.

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

8 **(3) PENALTY; VIOLATION OF ORDER.** Any person who fails to comply with an order
9 issued under s. 169.39 (4) within 10 days after its issuance is subject to a forfeiture
10 of not more than \$200.

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

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

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

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

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

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

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

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

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

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

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

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

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

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1 the person who directly committed it has not been convicted of the violation of this
2 chapter.

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

5 1. Directly commits the violation of this chapter.

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

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

9 **169.46 Natural resources assessments and restitution payments. (1)**

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

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

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

22 (d) The clerk of the court shall collect and transmit to the county treasurer the
23 natural resources assessment and other amounts required under s. 59.40 (2) (m).
24 The county treasurer shall then make payment to the state treasurer as provided in

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1 s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the natural
2 resources assessment in the conservation fund.

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

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

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

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

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

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

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

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

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

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

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

13 **SECTION 228.** 814.60 (2) (e) of the statutes is amended to read:

14 814.60 **(2)** (e) Natural resources restitution payment imposed by s. 169.46 (2)
15 or 29.989.

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

17 895.57 **(3)** Subsection (2) does not apply to any humane officer, local health
18 officer, peace officer, employee of the department of natural resources while on any
19 land licensed under s. ~~29.865, 29.867, 29.869 or 29.871~~ 169.15, 169.18, or 169.19,
20 subject to certification under s. 90.21, or designated as a wildlife refuge under s.
21 29.621 (1) or employee of the department of agriculture, trade and consumer
22 protection if the officer’s or employee’s acts are in good faith and in an apparently
23 authorized and reasonable fulfillment of his or her duties.

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

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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~~ 169.15, 169.18, or
4 169.19, subject to certification under s. 90.21, or designated as a wildlife refuge under
5 s. 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 231.** 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 232.** 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. 169, the taking of
15 ~~a 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 233.** 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. 169, a conservation warden has the same powers and duties
21 that a law enforcement officer has under this chapter.

22 **SECTION 234.** 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~~

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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 235.** 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 236.** 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. 169.19.

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

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

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1 **SECTION 237.** 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 238.** 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. 169 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)

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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 239.** 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. 29.987 or 169.46 (1) and any applicable natural resources
19 restitution payment imposed by s. 29.989 or 169.46 (2) to be made within a period
20 not to exceed 60 days. If no such permission is embodied in the sentence, the fine,
21 the 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

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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.

SECTION 240. Nonstatutory provisions.

6 (1) In this SECTION:

7 (a) “Livestock” means bovine animals, sheep, goats, swine, farm-raised deer,
8 and equine animals.

9 (b) “Wild animal” means a wild animal that is subject to regulation under
10 chapter 169 of the statutes, as created by this act.

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

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

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

23 **SECTION 241. Effective dates.** This act takes effect on January 1, 2003, except
24 as follows:
25

