

2003 Senate Bill 63

Date of enactment:  
Date of publication\*:

## 2003 WISCONSIN ACT

AN ACT *to renumber* 29.501 (1) (a); *to renumber and amend* 29.501 (1) (f) and 29.501 (1) (g); *to amend* 29.501 (2), 29.501 (3), 29.501 (5), 29.501 (6), 29.501 (6m) (a), 29.506 (4), 29.563 (6) (a) 2., 29.563 (6) (a) 3. and 169.01 (8); *to repeal and recreate* 29.501 (title); and *to create* 29.501 (1) (af) 2., 29.501 (1) (ag) 2., 29.501 (1) (dm), 29.501 (1) (h), 29.501 (2m) and 29.501 (9g) of the statutes; **relating to:** the buying, selling, bartering, and trading of nonedible parts from upland game birds.

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

**SECTION 1.** 29.501 (title) of the statutes is repealed and recreated to read:

**29.501 (title) Regulation of dealers in furs and nonedible bird parts.**

**SECTION 2.** 29.501 (1) (a) of the statutes is renumbered 29.501 (1) (am).

**SECTION 3.** 29.501 (1) (af) 2. of the statutes is created to read:

29.501 (1) (af) 2. Buying, selling, bartering, or trading nonedible parts of upland game birds.

**SECTION 4.** 29.501 (1) (ag) 2. of the statutes is created to read:

29.501 (1) (ag) 2. Buying, selling, bartering, or trading nonedible parts of upland game birds.

**SECTION 5.** 29.501 (1) (dm) of the statutes is created to read:

29.501 (1) (dm) “Nonedible part” means a part of an animal that is not bought, sold, bartered, or traded for the purpose of being eaten.

**SECTION 6.** 29.501 (1) (f) of the statutes is renumbered 29.501 (1) (af) (intro.) and amended to read:

29.501 (1) (af) (intro.) “Resident fur dealer, Class A” “Class A resident fur and feather dealer” means persons a person having an established post or place of business in the state where they carry the person carries on the a business of buying, to the amount of \$2,000 or more each year, doing any combination of the following:

1. Buying, bartering, trading and, or otherwise obtaining raw or dressed furs, to the amount of \$2,000 or more each year.

**SECTION 7.** 29.501 (1) (g) of the statutes is renumbered 29.501 (1) (ag) (intro.) and amended to read:

29.501 (1) (ag) (intro.) “Resident fur dealer, Class B” “Class B resident fur and feather dealer” means persons a person having an established post or place of business in the state where they carry the person carries on the a business of buying, to the amount of less than \$2,000, doing any combination of the following:

1. Buying, bartering, bargaining, trading and, or otherwise obtaining raw or dressed furs, to the amount of less than \$2,000 each year.

**SECTION 8.** 29.501 (1) (h) of the statutes is created to read:

29.501 (1) (h) “Upland game bird” means a grouse, partridge, pheasant, quail, or wild turkey that is present

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\* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

in the wild and that does not have a leg band or other mark identifying it as being held in captivity.

**SECTION 9.** 29.501 (2) of the statutes is amended to read:

29.501 (2) No person may engage in the business of buying, bartering, ~~bargaining,~~ trading, or otherwise obtaining raw furs ~~until~~ unless he or she has a license issued under this section.

**SECTION 10.** 29.501 (2m) of the statutes is created to read:

29.501 (2m) No person may engage in the business of buying, selling, bartering, or trading nonedible parts of upland game birds unless he or she is a Class A resident fur and feather dealer or a Class B resident fur and feather dealer and he or she holds a license issued under this section. A resident fur dealer, Class A, as defined in s. 29.501 (1) (f), 2001 stats., or a resident fur dealer, Class B, as defined in s. 29.501 (1) (g), 2001 stats., may engage in the business of buying, selling, bartering, and trading nonedible parts of upland game birds under the authority of a license issued before the effective date of the subsection .... [revisor inserts date], and may continue to do so until the expiration date of the license. The exemption under sub. (9g) applies to a transaction under which a nonedible part of an upland game bird is bought or otherwise acquired by a holder of such a fur dealer license or a taxidermist permit issued under s. 29.506. A holder of such a fur dealer license shall be subject all of the other applicable provisions under this section until the expiration date of the license.

**SECTION 11.** 29.501 (3) of the statutes is amended to read:

29.501 (3) ~~Licenses shall be issued, subject to s. 29.024 (2g) and (2r), by the department upon application. Upon application, the department shall issue, subject to s. 29.024 (2g) and (2r), licenses to fur auctioneers, fur dressers or dyers, itinerant fur buyers, and Class A resident fur and feather dealers and Class B resident fur and feather dealers.~~ The form of application and license shall be prescribed by the department.

**SECTION 12.** 29.501 (5) of the statutes is amended to read:

29.501 (5) Persons who apply for a license under this section in order to buy, barter, trade, or otherwise obtain furs and who have not had a place of business in the state for at least one year immediately preceding the date of application for ~~such~~ the license, shall be issued itinerant fur buyers' licenses only.

**SECTION 13.** 29.501 (6) of the statutes is amended to read:

29.501 (6) Each ~~resident fur dealer, Class A; resident fur dealer, Class B; fur dresser or dyer; itinerant fur dealer or fur auctioneer~~ license issued under this section

shall bear upon its face the date of issuance. The license shall be shown to the department upon request.

**SECTION 14.** 29.501 (6m) (a) of the statutes is amended to read:

29.501 (6m) (a) Every person licensed under this section shall keep records of all transactions in the buying, selling, dressing, dyeing, or tanning of raw furs by the person. ~~This record and of all transactions in the buying, selling, bartering, or trading of nonedible parts of upland game birds by the person.~~ These records shall show the name and address of each person from whom the furs or nonedible parts were purchased bought and to whom sold, together with the date of receipt and shipment, and a detailed account as to the number and kinds of raw furs or nonedible parts in each shipment received or sold. This record The records shall be open to the inspection of the department at all reasonable hours. The records shall be kept intact for a period of 2 years after the expiration of any license issued under this section, as to all transactions carried on while the license was effective.

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

29.501 (9g) This section does not apply to a transaction under which a person sells, barter, or trades a nonedible part of upland game bird that he or she has lawfully killed under this chapter.

**SECTION 16.** 29.506 (4) of the statutes is amended to read:

29.506 (4) AUTHORIZATION. Subject to this section, a taxidermist permit authorizes the permit holder to possess and transport carcasses of wild animals in connection with his or her business. This authority supersedes, to the extent permitted under this section, restrictions on the possession and transportation of carcasses of wild animals established under this chapter and ch. 169. A taxidermist permit entitles the permit holder to the same privileges as a Class A or Class B resident fur and feather dealer's license.

**SECTION 17.** 29.563 (6) (a) 2. of the statutes is amended to read:

29.563 (6) (a) 2. Class A resident fur and feather dealer: \$25.

**SECTION 18.** 29.563 (6) (a) 3. of the statutes is amended to read:

29.563 (6) (a) 3. Class B resident fur and feather dealer: \$10.

**SECTION 19.** 169.01 (8) of the statutes is amended to read:

169.01 (8) "Dressed fur" has the meaning given in s. 29.501 (1) ~~(a)~~ (am).

**SECTION 20. Initial applicability.**

(1) This act first applies to nonedible parts of upland game birds that are killed on the effective date of this subsection.