

2003 Senate Bill 503

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2003 WISCONSIN ACT 179

AN ACT *to amend* 29.875 (1r) and 95.55 (1) (a); and *to create* 169.04 (5m) of the statutes; **relating to:** possession of certain white-tailed deer in Walworth County.

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

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

29.875 (1r) The department may seize and dispose of or may authorize the disposal of any deer that has escaped from land owned by a person registered under s. 95.55 or by a person who is subject to s. 169.04 (5m) if the escaped deer has traveled more than 3 miles from the land or if the licensee or person has not had the deer returned to the land within 24 hours of the discovery of the escape.

SECTION 2. 95.55 (1) (a) of the statutes is amended to read:

95.55 (1) (a) Except as provided in par. (b) and s. 169.04 (5m), no person may keep farm-raised deer unless the person is registered with the department under this section.

SECTION 3. 169.04 (5m) of the statutes is created to read:

169.04 (5m) EXEMPTION FOR CERTAIN DEER. (a) A person holding a rehabilitation license who is rehabilitating white-tailed deer in Walworth County may possess these white-tailed deer after they have been rehabilitated without holding any other license or approval as required under this chapter and without being registered under s. 95.55 if all of the following conditions apply:

1. The deer were taken from the wild before August 1, 2003.
 2. The license holder keeps the deer within a fenced area that has a double perimeter fence around the area and that complies with all of the requirements under the rules promulgated under s. 90.21 (6).
 3. The license holder identifies the deer by tagging or by other means as required by the department of agriculture, trade and consumer protection.
 4. The license holder does not propagate the deer or otherwise allow the deer to reproduce.
 5. The license holder does not remove, or authorize the removal of, the deer from the facilities and premises that are approved for use under the rehabilitation license.
 6. The license holder notifies the department of agriculture, trade and consumer protection of any illness found in any of the deer.
 7. If any of the deer dies, the license holder shall have the carcass tested for chronic wasting disease and shall have the test results submitted to the department of natural resources and the department of agriculture, trade and consumer protection.
 8. If any of the deer is found, as a result of testing, to have chronic wasting disease, the license holder shall have all of the deer destroyed.
- (b) Legal title to the white-tailed deer subject to par. (a) remains with the state.

* 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].

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(c) The holder of the rehabilitation license who possesses the white-tailed deer as authorized under par. (a) shall immediately notify the department if any of the deer are not fenced as required under par. (a) 2., are not identified as required under par. (a) 3., reproduce, or are removed from the facilities and premises that are approved for use under the rehabilitation license.

(d) Upon notification under par. (c), or if the department determines that any of the conditions under par. (a)

are not met, the holder of the rehabilitation license shall no longer be authorized to possess the white-tailed deer.

(e) If any of the deer escape from the facilities or premises that are approved for use under the rehabilitation license, the license holder shall notify the department immediately.

(f) The holder of the rehabilitation license may not release any of the deer subject to par. (a) into the wild without the prior approval of the department.
