

2005 Assembly Bill 345

Date of enactment: **April 19, 2006**

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2005 WISCONSIN ACT 359

AN ACT *to amend* 95.55 (2) and 95.55 (5) (b); and *to create* 95.55 (3c), 95.55 (5) (bg), 95.55 (5) (bk), 95.55 (5) (bm) and 95.55 (5) (br) of the statutes; **relating to:** acreage requirements for areas in which farm-raised deer that may be hunted are kept and transfers of registration certificates for keeping farm-raised deer.

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

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

95.55 (2) APPLICATION. A person shall register under this section using a form provided by the department. The form shall be accompanied by the fee specified under sub. (3). Upon registration, the department shall issue the person a registration certificate.

SECTION 2. 95.55 (3c) of the statutes is created to read:

95.55 (3c) TRANSFERS. (a) No person may transfer a registration certificate issued under this section or an ownership interest in a farm registered under this section except as provided in par. (b).

(b) An individual may transfer his or her registration certificate or his or her ownership interest in a farm registered under this section to a member of his or her immediate family.

SECTION 3. 95.55 (5) (b) of the statutes is amended to read:

95.55 (5) (b) No owner of farm-raised deer may sell, or offer to sell, the opportunity to hunt farm-raised deer unless the farm-raised deer to be hunted are confined in

an area of 80 contiguous acres or more, except as provided in pars. (bg) and (br).

SECTION 4. 95.55 (5) (bg) of the statutes is created to read:

95.55 (5) (bg) The area required under par. (b) may be less than 80 contiguous acres if all of the following applies:

1. The owner subject to par. (b) had a license for a deer farm issued under s. 29.871, 1999 stats., that was in effect on December 31, 2002, and that authorized persons other than the licensee or the licensee's employees to hunt deer.

2. The owner was in compliance with the requirement to register with the department under this section beginning on January 1, 2003, and has been registered continuously since that date.

3. The deer are confined in an area that is not less than the acreage subject to the deer farm license on December 31, 2002.

4. Before to January 1, 2003, the owner offered for sale the opportunity to hunt as authorized under the license.

5. The owner submits to the department evidence that demonstrates that the owner meets the requirements of this paragraph, and the department verifies the evidence.

* Section 991.11, WISCONSIN STATUTES 2003-04 : 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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SECTION 4g. 95.55 (5) (bk) of the statutes is created to read:

95.55 (5) (bk) The evidence required under par. (bg) 5. that relates to par. (bg) 4. may include any of the following:

1. A copy of the notice given by the owner to the department of natural resources before the taking of deer, as required under s. 29.871 (7), 1999 stats.

2. The acknowledgement by the department of natural resources of the notice submitted by the owner before the taking of deer, as required under s. 29.871 (7), 1999 stats.

3. An annual report submitted by the owner to the department of natural resources under s. 29.871 (12), 1999 stats.

4. State or federal income tax records or sales tax records.

5. A conditional use permit or other regulation imposed by a political subdivision.

6. Receipts or other business records.

7. Brochures, advertisements, Internet sites, or other promotional information.

SECTION 4m. 95.55 (5) (bm) of the statutes is created to read:

95.55 (5) (bm) An owner who wishes to demonstrate compliance with par. (bg) shall make application to the department no later than the first day of the 6th month after the effective date of this paragraph [revisor inserts date].

SECTION 5. 95.55 (5) (br) of the statutes is created to read:

95.55 (5) (br) If an individual under this section to whom par. (bg) applies transfers his or her registration certificate or his or her ownership interest to a member of his or her immediate family under sub. (3c) (b), the area required under par. (b) may be less than 80 contiguous acres but may not be less than the acreage subject to the deer farm license on December 31, 2002.
