



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 1209

Assembly Amendment 1

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Contact: Mark C. Patronsky, Senior Staff Attorney (266-9280)

Current law requires a person who keeps deer on a deer farm to register the deer farm with the Department of Agriculture, Trade and Consumer Protection (DATCP). The current statutes contain fencing requirements. A deer farm owner who keeps farm-raised deer other than white-tailed deer must comply with DATCP fencing requirements. A deer farm owner who keeps farm-raised white-tailed deer must receive a fence inspection certificate from the Department of Natural Resources (DNR) as a condition of registration with DATCP. In order to issue a fence inspection certificate, the DNR must determine that the fence is in compliance with DNR rules for fencing white-tailed deer farms. The current statute requires the farm-raised deer to be “contained in a fenced area for which the person holds a valid fence inspection certificate issued by the [DNR].” DNR does not have jurisdiction to inspect a fence located in another state, so that a white-tailed deer farm that crosses the state line must have the entire area in Wisconsin fenced under current law.

Assembly Bill 1209 provides that the owner of a deer farm that exists on the effective date of the legislation and that is located in Wisconsin and another state is not required to have the entire area within this state fenced if specific conditions are met. The conditions include a requirement to meet the applicable fencing requirements of this state or the adjoining state, whichever is most stringent, as determined by DNR and a requirement to comply with the most stringent disease prevention requirements of the two states. Also, the owner must immediately notify the DATCP and DNR of any escape of deer from the fenced area located in this state. The effect of this legislation is to allow the fenced area to cross the boundary into the other state, although DNR still has jurisdiction over only the portion of the fence in Wisconsin.

Assembly Amendment 1 provides that the DNR must issue a fence inspection certificate as the means of indicating compliance with the fencing requirements for a white-tailed deer farm that crosses state boundaries.

Legislative History

Assembly Amendment 1 was introduced by the Assembly Committee on Agriculture on May 2, 2006 and recommended for adoption by a vote of Ayes, 12; Noes, 0. The committee recommended passage of Assembly Bill 1209, as amended, on May 2, 2006, on a vote of Ayes, 12; Noes, 0.

MCP:rv:wu