

State of Wisconsin



2009 Senate Bill 112

Date of enactment: **August 13, 2009**
Date of publication*: **August 27, 2009**

2009 WISCONSIN ACT 38

AN ACT to repeal 29.539 (5) (b); to renumber and amend 29.351 (1) (b), 29.351 (1) (c), 29.539 (1m), 29.539 (4), 29.539 (5) (a) and 29.539 (7); to consolidate, renumber and amend 29.351 (1) (intro.) and (a); to amend 29.331 (1), 29.351 (2m), 29.539 (title), 29.539 (1) (a) (intro.), 29.539 (1) (a) 1., 29.539 (1) (b) and 29.539 (6); and to create 29.024 (5) (e), 29.351 (1m) (b), 29.539 (1) (a) 1m., 29.539 (1m) (a), 29.539 (1m) (b), 29.539 (1m) (c), 29.539 (1m) (g) and 29.539 (1m) (h) of the statutes; relating to: the possession of green skins of fur-bearing animals, the tagging of traps, and the sale, purchase, bartering, and trade of wild animals and their carcasses.

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

SECTION 1. 29.024 (5) (e) of the statutes is created to read:

29.024 (5) (e) *Identification numbers.* The department may issue customer identification numbers as part of its statewide automated system for issuing approvals.

SECTION 2. 29.331 (1) of the statutes is amended to read:

29.331 (1) **TAGS.** Each trap used under a trapping license shall be tagged with a metal tag stamped with the name and address or customer identification number of the owner operator of the trap. All untagged traps shall be seized and confiscated, and the owner or person using or attending the untagged traps shall be punished as provided under s. 29.971 (4) and (12).

SECTION 3. 29.351 (1) (intro.) and (a) of the statutes are consolidated, renumbered 29.351 (1g) and amended to read:

29.351 (1g) No person may ~~do any of the following:~~
(a) ~~Possess~~ possess or control the skin of any mink, muskrat, fisher, pine marten, or otter showing that the animal was shot.

SECTION 4. 29.351 (1) (b) of the statutes is renumbered 29.351 (1m) (a) and amended to read:

29.351 (1m) (a) Possess Except as provided in par. (b), or unless otherwise authorized by the department, no person may possess or control the green skin of any fur-bearing animal, ~~except beaver,~~ from the 5th day after the beginning of the closed season for that animal until the end of that closed season.

SECTION 5. 29.351 (1) (c) of the statutes is renumbered 29.351 (1r) and amended to read:

29.351 (1r) Possess No person may possess the raw skin of any muskrat, mink, otter, fisher, or pine marten at any time unless the person is the holder of a valid scientific collector permit, fur dealer license, trapping license, or resident conservation patron license. No license is required for a person breeding, raising, and producing domestic fur-bearing animals in captivity, as defined in s. 29.627, or for a person authorized to take muskrats on a cranberry marsh under a permit issued to the person by the department.

SECTION 6. 29.351 (1m) (b) of the statutes is created to read:

29.351 (1m) (b) Paragraph (a) does not apply to any of the following:

* Section 991.11, WISCONSIN STATUTES 2007-08 : 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].

1. A fur-bearing animal that was lawfully taken and that has a valid registration tag attached to it by the department.

2. A fur-bearing animal that is taken as authorized under s. 29.337.

3. A fur-bearing animal that was lawfully taken for which an open season is established by rule and for which no bag or possession limit is imposed by rule.

SECTION 7. 29.351 (2m) of the statutes is amended to read:

29.351 (2m) ~~Subsection (1) does~~ Subsections (1g) to (1r) do not apply to the skins of fur-bearing animals that are subject to regulation under ch. 169.

SECTION 8. 29.539 (title) of the statutes is amended to read:

29.539 (title) Sale of game or fish wild animals.

SECTION 9. 29.539 (1) (a) (intro.) of the statutes is amended to read:

29.539 (1) (a) (intro.) Except as otherwise expressly provided under this chapter, no person may sell, ~~buy purchase,~~ barter, or trade, or offer to sell, ~~buy purchase,~~ barter, or trade or have in possession or under control for the purpose of sale, barter, or trade any of the following:

SECTION 10. 29.539 (1) (a) 1. of the statutes is amended to read:

29.539 (1) (a) 1. ~~Deer~~ Any deer, elk, ~~bear,~~ squirrel, game bird, game fish, or the carcass of any ~~of these such~~ wild animals animal at any time.

SECTION 11. 29.539 (1) (a) 1m. of the statutes is created to read:

29.539 (1) (a) 1m. Any bear or any carcass of a bear at any time, including any head of a bear, bear claws, or bear teeth.

SECTION 12. 29.539 (1) (b) of the statutes is amended to read:

29.539 (1) (b) This subsection applies whether ~~the a~~ wild animals animal listed under par. (a) ~~were was~~ lawfully or unlawfully taken within or without the state.

SECTION 13. 29.539 (1m) of the statutes is renumbered 29.539 (1m) (intro.) and amended to read:

29.539 (1m) (intro.) Subsection (1) does not apply to ~~farm-raised any of the following:~~

(d) A ~~farm-raised~~ deer, a ~~farm-raised~~ fish, a ~~farm-raised~~ game birds bird, or a ~~wild animals,~~ animal that are ~~is~~ is subject to regulation under ch. 169 or the ~~carcasses of these animals~~ carcass of such a wild animal.

SECTION 14. 29.539 (1m) (a) of the statutes is created to read:

29.539 (1m) (a) A lawfully taken wild animal that is not listed in sub (1) (a) 1. or 1m. for which an open season

is established by rule and for which there is no bag or possession limit imposed by rule, or the carcass of such a wild animal.

SECTION 15. 29.539 (1m) (b) of the statutes is created to read:

29.539 (1m) (b) A fur-bearing animal, or the carcass of a fur-bearing animal, that was lawfully taken and that has a valid registration tag attached by the department.

SECTION 16. 29.539 (1m) (c) of the statutes is created to read:

29.539 (1m) (c) Liquid scent made from the carcass of a lawfully taken wild animal, other than the gallbladder of a bear.

SECTION 17. 29.539 (1m) (g) of the statutes is created to read:

29.539 (1m) (g) Any claws, head, or teeth that are part of the hide of a bear that is lawfully taken.

SECTION 18. 29.539 (1m) (h) of the statutes is created to read:

29.539 (1m) (h) A rabbit, or the carcass of a rabbit, that is taken as authorized under s. 29.337 or 29.885.

SECTION 19. 29.539 (4) of the statutes is renumbered 29.539 (1m) (i) and amended to read:

29.539 (1m) (i) ~~The tails and tail, claws, skull, or skin of any squirrel that is lawfully killed, when taken and that is severed from the rest of the carcass are exempted from this section.~~

SECTION 20. 29.539 (5) (a) of the statutes is renumbered 29.539 (1m) (f) and amended to read:

29.539 (1m) (f) The hide of any bear ~~which is that is lawfully killed is exempt from sub. (1) if the hide includes taken and that includes~~ the claws, head, and teeth of the bear.

SECTION 21. 29.539 (5) (b) of the statutes is repealed.

SECTION 22. 29.539 (6) of the statutes is amended to read:

29.539 (6) The sale ~~and purchase~~ of a species of fish specified under s. 29.506 (7m) (b) or of the carcass of any of these fish is exempt under this section if the sale ~~is and purchase are~~ are authorized by a permit issued under s. 29.506 (7m).

SECTION 23. 29.539 (7) of the statutes is renumbered 29.539 (1m) (e) and amended to read:

29.539 (1m) (e) ~~Subsection (1) does not apply to the tails and skulls~~ The tail or skull of any deer or elk ~~that is lawfully killed, to taken,~~ the antlers of any deer or elk ~~that are lawfully killed taken and~~ that are not in the velvet, and ~~to the skins skin~~ of any deer or elk ~~that is lawfully killed taken and~~ that ~~are is~~ is not in the spotted coat.