

CHAPTER 342, Laws of 1979

AN ACT to repeal 97.17 (7), 97.19 and 100.38 (4); to amend 100.38 (6) and 134.60; and to repeal and recreate 29.136 (1) of the statutes, relating to eliminating license requirements for taxidermists, limburger cheesemakers, antifreeze dealers and Christmas tree dealers.

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

SECTION 1. 29.136 (1) of the statutes is repealed and recreated to read:

29.136 (1) In this section, "taxidermist" means a person who, for a consideration, mounts, preserves or prepares the dead body of any bird, animal or fish or any part thereof.

SECTION 2. 97.17 (7) of the statutes is repealed.

SECTION 3. 97.19 of the statutes is repealed.

SECTION 4. 100.38 (4) of the statutes is repealed.

SECTION 5. 100.38 (6) of the statutes is amended to read:

100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze ~~unless a permit has been issued for such antifreeze or to sell any antifreeze~~ which is adulterated or misbranded. In addition to the penalties provided herein under sub. (7), the department may bring an action to enjoin violations of this section.

SECTION 6. 134.60 of the statutes is amended to read:

134.60 Christmas trees, cutting, transportation, etc. No person may cut for sale in its natural condition and untrimmed, with or without roots, any evergreen or coniferous tree, branch, bough, bush, sapling or shrub, from the lands of another without the written consent of the owner, whether such land ~~be~~ is publicly or privately owned. ~~Such~~ The written consent shall contain the legal description of the land where ~~such the~~ tree, branch, bough, bush, sapling or shrub was cut, as well as the name of the legal owner ~~thereof; and such.~~ The written consent or a certified copy thereof ~~certified as a true copy by the person to whom such consent was given or by the register of deeds of the county in which the land is situated~~ of the consent shall be carried by every person in charge of the cutting or removing ~~any such~~ of the trees, branches, boughs, bushes, saplings or shrubs, and shall be exhibited to any officer of the law, forest ranger, forest ~~patrolman~~ patrol officer, conservation warden, or other officer of the department of natural resources at the officer's request at any time. ~~Any such~~ The officer may inspect ~~any such the~~ trees, branches, boughs, bushes, saplings or shrubs when being transported in any vehicle or other means of conveyance ~~or by common carrier, and may make such investigation with reference thereto as is necessary~~ investigate to determine whether or not this section has been complied with; ~~and.~~ The officer may stop any vehicle or means of conveyance found carrying any trees, branches, boughs, bushes, saplings or shrubs upon any public highway of this state, for the purpose of making such inspection and investigation, and may seize and hold, subject to the order of the court, any such trees, bushes, saplings or shrubs found being cut, removed or transported in violation of this section. No person may ship or transport any such trees, bushes, saplings or shrubs outside the county where ~~the same~~ they were cut unless the person has first obtained from the department of natural resources a license as a Christmas tree dealer. ~~The annual fee for such license is \$5. Such dealer may not purchase or receive any Christmas trees from any person until such vendor has given the dealer either a statement in writing that the trees were cut from the vendor's~~

~~lands or has filed with such dealer written consents from the owners of the lands from which such trees were cut. Such statements and consents shall be kept by the dealer for not less than 6 months and shall be open to inspection by the department of natural resources and its deputies at all reasonable hours. In making a shipment of Christmas trees, by railroad or truck, such dealer shall attach attaches to the outside of each package, box, bale or, truckload or carload so shipped, a tag or label on which shall appear appears the dealer's person's name and address and license number. No common carrier, or truck hauler, or agent thereof, shall may receive for shipment or transportation any such trees, bushes, saplings or shrubs unless such the tag or label is attached thereto. Any person who violates this section shall be fined not less than \$10 nor more than \$100. Every written consent for any purpose specified in this section and every certified copy of such consent is a written instrument, and any. Any person who signs any such written consent or certified copy under this section who is not authorized to do so, and any person who lends or transfers or offers to lend or transfer any such written consent or certified copy thereof to another person who is not entitled to use the same it, and any person not entitled to use any such written consent or certified copy thereof, or who borrows, receives or solicits from another any such written consent or certified copy thereof shall be fined not less than \$100 nor more than \$500. This section, other than the requirement that no person may cut or remove trees, branches, boughs, bushes or shrubs from the lands of another without written consent, does not modify or nullify s. 94.10 relating to the inspection and sale of nursery stock.~~

SECTION 7. Effective dates. (1) **TAXIDERMISTS.** The treatment of section 29.136 (1) of the statutes by this act takes effect September 30, 1980.

(2) **LIMBURGER CHEESEMAKERS.** The repeal of sections 97.17 (7) and 97.19 of the statutes by this act takes effect August 31, 1980.

(3) **ANTIFREEZE DEALERS.** The repeal of section 100.38 (4) and the treatment of section 100.38 (6) of the statutes by this act take effect June 30, 1980.
