



2001 ASSEMBLY BILL 403

May 18, 2001 - Introduced by Representatives OWENS, TOWNSEND, OTT, WADE, VRAKAS, MUSSER, LIPPERT, HAHN and KRAWCZYK, cosponsored by Senators ROESSLER, BRESKE, COWLES and BAUMGART. Referred to Committee on Natural Resources.

1 **AN ACT to create** 29.867 (2d), 29.867 (2t), 29.877 (2t) and 29.877 (3m) of the
2 statutes; **relating to:** requirements for applying for and issuing licenses for
3 game bird and animal farms and wildlife exhibits having bears, cougars, or
4 wolves.

Analysis by the Legislative Reference Bureau

Under current law, a person who wants to breed, propagate, kill, or sell game birds and game animals may operate a game bird and animal farm (game farm) for those purposes by obtaining a license from the department of natural resources (DNR). Current law defines game to include all varieties of wild birds or mammals, including bear, cougar, and wolf. Current law also authorizes a person to maintain a wildlife exhibit for the purpose of exhibiting or advertising wild animals provided that the person obtains a wildlife exhibit license from DNR. Wild animals are generally those that are not domestic animals.

This bill requires a person who applies for a license for a game farm on which the person proposes to have a bear, cougar, or wolf, or who applies for a license for a wildlife exhibit at which the person proposes to exhibit a bear, cougar, or wolf, to submit a statement to DNR that the governing body of the city, village, or town where the game farm will be located has enacted a zoning ordinance or adopted a resolution that permits the establishment and maintenance of such a game farm or wildlife exhibit. The bill imposes the same requirements on a person who applies for the renewal of a license if the original license was issued before the effective date of the bill or if, under the original license, the licensee was not authorized to have a bear,

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cougar, or wolf. The bill provides that DNR may issue or renew a license for a game farm on which there is a bear, cougar, or wolf, or a license for a wildlife exhibit that exhibits a bear, cougar, or wolf, only if DNR determines from the statement submitted by the applicant that the governing body of the applicable city, village, or town has enacted a zoning ordinance or adopted a resolution that permits the establishment and maintenance of such a farm or exhibit.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 29.867 (2d) of the statutes is created to read:

2 29.867 (2d) (a) The department shall require a person who files an application
3 under sub. (2) for a license for a game bird and animal farm that contains a bear,
4 cougar, or wolf to submit a statement from an authorized representative of the
5 governing body of the city, village, or town where the lands described on the
6 application are located that either of the following apply:

7 1. The governing body of the city, village, or town has enacted a zoning
8 ordinance that permits the establishment and maintenance of a game bird and
9 animal farm containing a bear, cougar, or wolf.

10 2. The governing body of the city, village, or town has adopted a resolution that
11 permits the establishment and maintenance of a game bird and animal farm
12 containing a bear, cougar, or wolf. The resolution may impose conditions on the
13 establishment or maintenance of the game bird and animal farm.

14 (b) The department shall require a person who files an application under sub.
15 (2) for the renewal of a license for a game bird and animal farm that contains a bear,
16 cougar, or wolf to submit a statement as required under par. (a) if any of the following
17 applies:

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1 1. The person is applying to renew a license that was issued before the effective
2 date of this subdivision [revisor inserts date].

3 2. The original license that the person is applying to renew did not authorize
4 the person to breed, propagate, kill, or sell bear, cougar, or wolf on the lands described
5 in the license.

6 **SECTION 2.** 29.867 (2t) of the statutes is created to read:

7 29.867 (2t) The department may issue or renew a license under sub. (2m) for
8 a game bird and animal farm that contains a bear, cougar, or wolf only if the
9 department determines, from the statement submitted by the applicant under sub.
10 (2d) (a) or (b), that the city, town, or village where the game bird and animal farm will
11 be located will allow the establishment and maintenance of such a game bird and
12 animal farm.

13 **SECTION 3.** 29.877 (2t) of the statutes is created to read:

14 29.877 (2t) (a) The department shall require a person who files an application
15 for a license for a wildlife exhibit that contains a bear, cougar, or wolf to submit a
16 statement from an authorized representative of the governing body of the city,
17 village, or town where the lands described on the application are located that either
18 of the following apply:

19 1. The governing body of the city, village, or town has enacted a zoning
20 ordinance that permits the establishment and maintenance of a wildlife exhibit
21 containing a bear, cougar, or wolf.

22 2. The governing body of the city, village, or town has adopted a resolution that
23 permits the establishment and maintenance of a wildlife exhibit containing a bear,
24 cougar, or wolf. The resolution may impose conditions on the establishment or
25 maintenance of the wildlife exhibit.

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1 (b) The department shall require a person who files an application for the
2 renewal of a license for a wildlife exhibit containing a bear, cougar, or wolf to submit
3 a statement as required under par. (a) if any of the following applies:

4 1. The person is applying to renew a license that was issued before the effective
5 date of this subdivision [revisor inserts date].

6 2. The original license that the person is applying to renew did not authorize
7 the person to exhibit bear, cougar, or wolf on the lands described in the license.

8 **SECTION 4.** 29.877 (3m) of the statutes is created to read:

9 29.877 **(3m)** The department may issue or renew a license for a wildlife exhibit,
10 containing a bear, cougar, or wolf only if the department determines, from the
11 statement submitted by the applicant under sub. (2t) (a) or (b), that the city, town,
12 or village where the wildlife exhibit will be located will allow the establishment and
13 maintenance of such a wildlife exhibit.

14 **SECTION 5. Initial applicability.**

15 (1) This act first applies to license applications and license renewal
16 applications that are filed on the effective date of this subsection.

17 (END)