CHAPTER 169

CAPTIVE WILDLIFE

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Cross-reference: See also ch. NR 16, Wis. adm. code.

169.01 Definitions. In this chapter:

(1) "Animal" means any mammal, bird, reptile, amphibian, mollusk, or arthropod or any egg of any bird, reptile, amphibian, mollusk, or arthropod except that "animal" does not include any mollusk or arthropod, or any egg of any mollusk or arthropod, if the mollusk or arthropod is regulated under s. 93.07 (12) or (13), 94.01, 94.02, 94.03, or 94.76.

(2) "Captive" means any of the following:

(a) Restrained by a cage, pen, fence, or other enclosure.

(b) Restrained by physical alterations that limit movement or facilitate capture.

(c) Restrained by a leash or a tether or otherwise tied.

(d) Held in a controlled environment that is designed to prevent the departure from the controlled environment.

(3) "Carcass" means the dead body of any wild animal including the head, hair, skin, plumage, skeleton, meat, or any other part thereof.

(4) "Circus" means a scheduled event staged by a traveling company with mobile facilities in which entertainment consisting of a variety of performances by acrobats, clowns, or trained animals is the primary attraction or principal business.

(5) "Conservation warden" means a warden appointed under s. 23.10.

(6) "Department" means the department of natural resources.

(7) "Domestic animal" means a farm-raised deer, a pet bird, a farm-raised game bird, or an animal that is listed as a domestic animal by rule by the department of agriculture, trade and consumer protection.

(8) "Dressed fur" has the meaning given in s. 29.501 (1) (a).

(9) "Endangered or threatened species" means those species of wild animals that are indigenous to the United States or Canada and are identified on the federal list of endangered and threatened species or on the Wisconsin list of endangered and threatened species.

(11) "Exhibit" means to display for the purpose of public viewing, regardless of whether a fee is charged.

(12) "Farm-raised deer" has the meaning given in s. 95.001 (1) (ag).

(12m) "Farm-raised game bird" means a bird of a wild nature that is not native and that is held captive, but that is not possessed under the authority of a license issued under s. 169.15, 169.19, 169.20, or 169.21.

(13) "Free-roaming" means not captive.

(14) "Fur-bearing wild animal" includes badger, beaver, bobcat, coyote, fisher, red fox, gray fox, lynx, marten, mink, muskrat, opossum, otter, raccoon, skunk, weasel, and wolf.

(15) "Harm to the environment" includes adversely affecting the natural population dynamics of wild animals or wild plants, adversely affecting the habitat of wild animals or wild plants, or displacing wild animals or wild plants from any part of their habitat.

(15m) "Harmful wild animal" means a wild animal designated under s. 169.11 (1) (a).

(16) "Humane officer" means an officer appointed under s. 173.03.

(18) "Introduce" means to release for the purpose of allowing the animal to establish a population in an area in the wild where that species of animal is not naturally present at the time the wild animal is released.

(19) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c) and does not include a conservation warden.

(20) "License year" means the year during which a license is valid.

(20m) "Migratory bird" means a bird of a species on the list in 50 CFR 10.13 that is promulgated under 16 USC 701 to 715s.

(21) "Municipality" means a city, village, or town.

(22) "Native" means indigenous and occurring or having occurred naturally within the boundaries of this state.

(23) "Nonnative wild animal" means a wild animal that is not native.

(24) "Nonresident" means a person who is not a resident of this state.

(25) "Person" means any individual, partnership, firm, joint

stock company, corporation, association, trust, estate, or other legal entity.

(25m) "Pet bird" means a bird that is either a psittacine or a soft bill and that is not native, not identified on the federal list of endangered and threatened species, and not a migratory bird.

(26) "Possess" means to own, control, restrain, transport, or keep.

(27) "Propagate" means to breed, encourage, or facilitate for the purpose of generating offspring.

(28) "Public zoo or aquarium" means a zoo or aquarium that is operated by the state or by a city, village, or county or that is an accredited member of the American Zoo and Aquarium Association.

(29) "Purchase" means to acquire through a sale or through an exchange for consideration.

(30) "Raw fur" has the meaning given in s. 29.501 (1) (e).

(30m) "Rehabilitate" means to provide care or treatment to an orphaned, sick, or injured wild animal for the purpose of releasing it back into the wild.

(31) "Sell" means to transfer or exchange for consideration.

(32) "State resident" has the meaning given "resident" in s. 27.01 (10) (a).

(33) "Stock" means to release for the purpose of increasing or maintaining a population of the animal.

(34) "Take" means to capture, but does not include killing.

(35) "Veterinarian" means either of the following:

(a) A veterinarian who is licensed in this state to practice veterinary medicine under ch. 89 and who is certified under rules promulgated by the department of agriculture, trade and consumer protection.

(b) A veterinarian who is licensed by another state to practice veterinary medicine and who is accredited under 9 CFR ch. I subch. J.

(36) "Wild amphibian" means a wild animal that is an amphibian.

(37) "Wild animal" means any animal of a wild nature that is normally found in the wild and that is not a domestic animal.

(38) "Wild bird" means a wild animal that is a bird.

(39) "Wild reptile" means a wild animal that is a reptile.

History: 2001 a. 56; 2011 a. 258; 2015 a. 55; 2015 a. 197 s. 51.

169.02 Title to wild animals. (1) TITLE VESTED IN OWNER. Except as provided in sub. (3), legal title to a live captive wild animal or the carcass of a captive wild animal is vested in the person who owns the wild animal if the person is in compliance with this chapter and the rules promulgated under this chapter. A person holding legal title may transfer without consideration the live captive wild animal or the carcass of the captive wild animal to a person who is in compliance with this chapter and the rules promulgated under this chapter. A person holding legal title to a live captive wild animal may kill it, or have it killed, in a humane manner.

(2) TITLE WITH STATE. The department may assume on behalf of the state, or may sell or otherwise transfer to another person, legal title to any live captive wild animal, or the carcass of any captive wild animal, that is possessed by any person in violation of this chapter or the rules promulgated under this chapter.

(3) EXCEPTIONS. Legal title to a live captive wild animal or the carcass of a captive wild animal that is possessed as authorized under a rehabilitation license or a scientific research license remains with the state. A person holding a rehabilitation license or a scientific research license may transfer or dispose of a live captive wild animal or the carcass of a captive wild animal only as specifically authorized by the department.

History: 2001 a. 56.

169.03 Interagency cooperation. The department of natural resources and the department of agriculture, trade and consumer protection shall cooperate with each other with respect to any wild animal that is subject to regulation under this chapter and under ch. 93 or 95.

History: 2001 a. 56.

169.04 Possession of live wild animals. (1) RESTRICTIONS ON POSSESSION. (a) No person may possess any live wild animal unless the wild animal is legally obtained.

(b) No person may possess any live wild animal unless the person holds a license or other approval to possess the wild animal as required under this chapter or under s. 29.319 and the person is otherwise in compliance with this chapter and the rules promulgated under this chapter.

(2) TEMPORARY POSSESSION. (a) A person possessing a live native wild animal for a period not to exceed 24 hours is exempt from having a license or other approval as required under sub. (1) (b) if the person is possessing the wild animal for any of the following purposes:

1. To restrain or transport the wild animal for medical treatment by a veterinarian or by a person holding a rehabilitation license.

2. To remove or transport the wild animal from one location to a more appropriate location.

3. To restrain or transport the wild animal for game censuses or surveys, or other purposes authorized by the department.

(b) If a person possessing a live native wild animal under par. (a) determines that it is necessary to possess the wild animal for a period exceeding 24 hours after the time the wild animal was first possessed, the person shall request that the department approve an extension of the time period for the temporary possession. The department may either deny the requested extension or approve it for a specific period of time.

(d) If a live wild animal has been exposed to or infected with any contagious or infectious disease, as defined under rules promulgated by the department of agriculture, trade and consumer protection under s. 95.001 (2), during the time the wild animal is being temporarily possessed, the person possessing the wild animal shall ensure that a veterinarian files with the department of agriculture, trade and consumer protection a copy of a valid certificate of veterinary inspection that certifies that the wild animal is free of any such diseases before releasing it into the wild.

(e) No person may operate on a live skunk to remove its scent glands unless the person holds a Class A or Class B captive wild animal farm license or unless the person is a veterinarian and the person bringing the skunk to the veterinarian holds such a license. A veterinarian to whom a person brings a live skunk for removal of its scent glands shall verify whether the person holds a Class A or Class B captive wild animal farm license. If the person does not hold such a license, the veterinarian shall notify that person that possession of a live skunk is illegal and shall notify the department.

(3) WILD ANIMALS UNDER ANOTHER JURISDICTION. A live wild animal possessed by a nonresident under the legal authority of another state, province, or country may be possessed in this state by the nonresident for not more than 60 days from the date the wild animal enters the state if all of the following apply:

(a) The nonresident ensures that a veterinarian files a copy of a valid certificate of veterinary inspection for the wild animal with the department of agriculture, trade and consumer protection.

(b) The nonresident holds every license or other approval that is required by the other state, province, or country.

(4) EXEMPTION FOR CERTAIN WILD ANIMALS. (a) A person is exempt from holding a license or other approval as required under this chapter to possess live native wild animals if the wild animals are not endangered or threatened species and are any of the following:

1. Arthropods.
2. Chipmunks.
3. Pocket gophers.
4. Mice.
5. Moles.
6. Mollusks.
7. Opossums.
8. Pigeons.
9. Porcupines.
10. Rats.
11. Shrews.
12. English sparrows.
13. Starlings.
14. Ground squirrels.
15. Red squirrels.
16. Voles.
17. Weasels.

(b) A person is exempt from holding a license or other approval as required under this chapter to possess live nonnative wild animals that are not endangered or threatened species, except for any of the following:

1. Pheasants of the species Phasianus colchicus or Syrmaticus reevesii, chukar partridge, gray partridge, or red-legged partridge that are possessed for use under a bird hunting preserve license, a dog training license, a hound training license, a dog club training license, a dog trial license, or a hound trial license.

2. Nonnative wild birds of the family anatidae that are migratory birds.

3. Nonnative wild animals that are harmful wild animals.

(5) EXEMPTION FOR CERTAIN PERSONS AND INSTITUTIONS. (a) Each of the following is exempt from holding a license or other approval as required under this chapter to possess any wild animal:

1. A veterinarian, for the purpose of providing medical treatment to wild animals.

2. A public zoo or aquarium.

3. A circus or the Circus World Museum located in Baraboo, Wisconsin.

4. The department.

5. A person who is licensed under s. 95.68 or 95.71 and who is possessing the wild animal under the authority of the license.

6. A person who is licensed under s. 95.69 and who possesses wild animals for 10 days or less and solely for the purpose of resale or slaughter.

(b) For purposes of par. (a) 1., "medical treatment" does not include rehabilitation.

(5m) EXEMPTION FOR CERTAIN DEER. (a) A person holding a rehabilitation license who is rehabilitating white-tailed deer in Walworth County may possess these white-tailed deer after they have been rehabilitated without holding any other license or approval as required under this chapter and without being registered under s. 95.55 if all of the following conditions apply:

1. The deer were taken from the wild before August 1, 2003.

2. The license holder keeps the deer within a fenced area that has a double perimeter fence around the area and that complies with all of the requirements under the rules promulgated under s. 90.21 (6).

3. The license holder identifies the deer by tagging or by other means as required by the department of agriculture, trade and consumer protection.

4. The license holder does not propagate the deer or otherwise allow the deer to reproduce.

5. The license holder does not remove, or authorize the removal of, the deer from the facilities and premises that are approved for use under the rehabilitation license.

6. The license holder notifies the department of agriculture, trade and consumer protection of any illness found in any of the deer.

7. If any of the deer dies, the license holder shall have the carcass tested for chronic wasting disease and shall have the test results submitted to the department of natural resources and the department of agriculture, trade and consumer protection.

8. If any of the deer is found, as a result of testing, to have chronic wasting disease, the license holder shall have all of the deer destroyed.

(b) Legal title to the white-tailed deer subject to par. (a) remains with the state.

(c) The holder of the rehabilitation license who possesses the white-tailed deer as authorized under par. (a) shall immediately notify the department if any of the deer are not fenced as required under par. (a) 2., are not identified as required under par. (a) 3., reproduce, or are removed from the facilities and premises that are approved for use under the rehabilitation license.

(d) Upon notification under par. (c), or if the department determines that any of the conditions under par. (a) are not met, the holder of the rehabilitation license shall no longer be authorized to possess the white-tailed deer.

(e) If any of the deer escape from the facilities or premises that are approved for use under the rehabilitation license, the license holder shall notify the department immediately.

(f) The holder of the rehabilitation license may not release any of the deer subject to par. (a) into the wild without the prior approval of the department.

(6) INAPPLICABILITY TO CERTAIN WILD ANIMALS. (a) This section does not authorize the possession of harmful wild animals.

(b) The possession of native wild reptiles and native wild amphibians is subject to s. 169.12 and not to this section.

History: 2001 a. 56 ss. 75, 224; 2003 a. 179.

169.05 Taking of wild animals. (1) REQUIREMENT. No person may take any wild animal from the wild except as authorized under a bird hunting preserve license, a wild fur farm license, a rehabilitation license, or a scientific research license or under s. 29.319.

(2) EXEMPTION FOR CERTAIN WILD ANIMALS. A person is exempt from the requirement under sub. (1) if the wild animal that the person takes from the wild is a native wild animal that is exempt under s. 169.04 (4) (a).

(3) EXEMPTION FOR CERTAIN PERSONS AND INSTITUTIONS. (a) Each of the following is exempt from the requirement under sub. (1):

1. A veterinarian, for the purpose of providing medical treatment to wild animals.

2. The department.

(b) For purposes of par. (a) 1., "medical treatment" does not include rehabilitation.

(4) INAPPLICABILITY TO CERTAIN WILD ANIMALS. (a) This section does not authorize the taking of harmful wild animals.

(b) The taking of native wild reptiles and native wild amphibians is subject to s. 169.12 and not to this section.

History: 2001 a. 56.

169.06 Introduction, stocking, and release of wild animals. (1) REQUIREMENT; PERSONS OTHER THAN THE DEPARTMENT. (a) No person may introduce, stock, or release into the wild, or import into this state to introduce, stock, or release into the wild, any wild animal except as authorized under a bird hunting preserve license, a bird dog training license, a hound dog training license, a dog club training license, a bird dog trial license, a hound dog trial license, a stocking license, a rehabilitation license, or a scientific research license or under s. 29.319.

(b) No person may introduce, stock, or release into the wild, or import into this state for introducing, stocking, or releasing into the wild, any wild animal unless the department has given its authorization under par. (c) and the person has complied with the requirements under par. (d).

(c) The department may authorize the introducing, stocking, releasing into the wild, or importing of a species of wild animal only if the department has determined that the wild animal will not be detrimental in any manner to the conservation of the natural resources of this state.

(d) Introducing, stocking, or releasing a wild animal under this section is subject to all of the following requirements:

1. If a wild animal has been exposed to or infected with any contagious or infectious disease, as defined under rules promulgated by the department of agriculture, trade and consumer protection under s. 95.001 (2), the person introducing, stocking, or releasing the wild animal shall ensure that a veterinarian files a copy of a valid certificate of veterinary inspection with the department of agriculture, trade and consumer protection certifying that the wild animal is free of any such diseases before the introducing, stocking, or release.

2. A person introducing, stocking, or releasing wild birds under the authority of a stocking license, a bird hunting preserve license, a bird dog training license, or a bird dog trial license may only introduce, stock, or release wild birds that meet all of the following requirements:

a. The wild birds originate from a flock of a person participating in the national poultry improvement plan under 9 CFR part 145 and any other captive wild birds with which they have had contact originate from such a flock.

b. Within 30 days before the introducing, stocking, or release, the wild birds meet the requirements of any rules promulgated by the department under sub. (3m).

(2) REPORTS. At the request of a municipality in an area in which wild animals are introduced, stocked, or released under sub. (1), the department shall require a person who introduced, stocked, or released those wild animals to report to the municipality the number and species of wild animals introduced, stocked, or released and the location at which the animals were introduced, stocked, or released.

(3) BY THE DEPARTMENT. The department may import into this state to introduce, stock, or release into the wild, may introduce, stock, or release into the wild, or may authorize introducing, stocking, or releasing into the wild, a wild animal without holding a license as required under sub. (1) (a).

(3m) INTRODUCTION REQUIREMENTS. (a) The department may promulgate rules to establish the following:

1. Additional requirements that wild animals shall meet before they enter this state.

2. Additional requirements that any animals shall meet before they may be introduced, stocked, or released into the wild.

(b) The requirements under par. (a) may include mandatory testing of the animals for disease.

(4) EXEMPTION. Subsections (1) to (3m) do not apply to wild animals that are released into the wild after being accidentally trapped or confined.

History: 2001 a. 56.

169.07 Exhibition of live wild animals. (1) REQUIREMENT. (a) No person may exhibit any captive live native wild animal or any captive live nonnative wild animal of the family ursidae except as authorized under a captive wild animal farm license, a rehabilitation license, a nonprofit educational exhibiting license, or a nonresident temporary exhibiting license or under s. 29.319.

(b) If a person exhibits a wild animal subject to par. (a) under the authority of a captive wild animal farm license or a rehabilitation license, the person may exhibit only those species of wild animals that are specified by the department on the license.

(2) EXEMPTION FOR CERTAIN WILD ANIMALS. A person is exempt from the requirements under sub. (1) if the wild animal that the person exhibits is a wild animal that is exempt under s. 169.04 (4) (a) or (b).

(3) EXEMPTION FOR CERTAIN INSTITUTIONS. Each of the following is exempt from the requirements under sub. (1):

(a) A public zoo or aquarium.

(b) A circus or the Circus World Museum located in Baraboo, Wisconsin.

(c) The department.

(d) A person who is licensed under s. 95.68.

(e) A person who is licensed under s. 95.69 and who possesses wild animals for 10 days or less and solely for the purpose of resale or slaughter.

(4) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize the exhibiting of harmful wild animals.

History: 2001 a. 56.

169.08 Propagation of wild animals. (1) REQUIREMENT. No person may propagate any native wild animal or any nonnative wild animal of the family ursidae except as authorized under a captive wild animal farm license, a bird hunting preserve license, a wild fur farm license, a nonprofit educational exhibiting license, or a scientific research license.

(2) EXEMPTION FOR CERTAIN WILD ANIMALS. A person is exempt from the requirement under sub. (1) if the wild animal that the person propagates is a wild animal that is exempt under s. 169.04 (4) (a) or (b).

(3) EXEMPTION FOR CERTAIN INSTITUTIONS. Each of the following is exempt from the requirement under sub. (1):

(a) A public zoo or aquarium.

(b) A circus or the Circus World Museum located in Baraboo, Wisconsin.

(c) The department.

(4) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize the propagating of harmful wild animals.

History: 2001 a. 56.

169.085 Rehabilitation of wild animals. (1) REQUIREMENT. No person may rehabilitate any wild animal except as authorized under a rehabilitation license.

(2) INAPPLICABILITY TO CERTAIN WILD ANIMALS. This section does not authorize the rehabilitation of harmful wild animals.

History: 2001 a. 56.

169.09 Hunting of captive wild animals. (1) REQUIRE-

MENT; GENERALLY. No person may hunt a captive wild animal except as authorized under a bird hunting preserve license, a bird dog training license, a hound dog training license, a dog club training license, a bird dog trial license, or a hound dog trial license.

(1m) POSSESSION OF WEAPON WHILE HUNTING. Notwithstanding any authorization for hunting under this section, no person may do any of the following:

(a) Shoot or shoot at any wild animal that is or has been captive while hunting unless the person is in physical possession of the weapon.

(b) Provide or operate, or offer to provide or operate, a facility that allows a person the opportunity to hunt any wild animal that is or has been captive if the person who is hunting is in violation of par. (a).

(2) REQUIREMENT; COMMERCIAL HUNTING. (a) No person may sell or offer to sell or purchase or offer to purchase the opportunity to hunt any wild animal that is or has been captive except as authorized under one of the following:

1. A bird hunting preserve license.

2. A dog training license, if the hunting does not involve the release of a captive wild animal into the wild and does not include shooting, shooting at, intentional killing, or attempting to kill any wild animal.

(b) This subsection does not apply to any of the following:

1. Fees paid to enter into an organized competitive field trial event involving sporting dog breeds that is sanctioned, licensed, or recognized by a local, state, regional, or national dog organization and authorized under a valid bird dog trial license or hound dog trial license.

2. Membership fees paid to join a dog club.

History: 2001 a. 56; 2003 a. 239; 2005 a. 35.

169.10 Sale and purchase of live wild animals. (1) SALE. Except as authorized under a captive wild animal farm license, a bird hunting preserve license, a wild fur farm license, or a nonprofit educational exhibiting license or under s. 29.319, no person may sell or offer to sell any of the following:

(a) Any live native wild animal that is not exempt under s. 169.04 (4) (a).

(b) Any live nonnative wild animal that is not exempt under s. 169.04 (4) (b).

(2) PURCHASE. (a) Except as provided under par. (b) and except as authorized under a captive wild animal farm license, a bird hunting preserve license, a bird dog training license, a hound dog training license, a dog club training license, a bird dog trial license, a hound dog trial license, a nonprofit educational exhibiting license, or a stocking license or under s. 29.319, no person may purchase or offer to purchase any of the following:

1. Any live native wild animal that is not exempt under s. 169.04 (4) (a).

2. Any live nonnative wild animal that is not exempt under s. 169.04 (4) (b).

(b) A nonresident who purchases a live wild animal is exempt from holding a license under this chapter to possess the wild animal if the nonresident possesses the wild animal in this state for not more than 10 days after the date of purchase.

(4) EXEMPTION FOR CERTAIN INSTITUTIONS. Each of the following is exempt from the requirements under subs. (1) and (2):

(a) A public zoo or aquarium.

(b) A circus or the Circus World Museum located in Baraboo, Wisconsin.

(c) The department.

(d) A person who is licensed under s. 95.68 or 95.69.

(5) INAPPLICABILITY TO CERTAIN WILD ANIMALS. (a) This section does not authorize the selling or purchasing of harmful wild animals.

(b) The selling and purchasing of native wild reptiles and native wild amphibians is subject to s. 169.12 and not to this section.

History: 2001 a. 56.

169.11 Harmful wild animals. (1) DESIGNATION. (a) The department shall designate by rule cougars, members of the family ursidae, wild swine, and feral swine as harmful wild animals. After consulting with the department of agriculture, trade and consumer protection and the department of health services, the department of natural resources may designate by rule other species of wild animals as harmful wild animals if any of the following applies:

1. The wild animal is not a native wild animal and is capable of inflicting harm to the environment.

2. The wild animal is capable of creating a risk to public health or to the health of domestic animals.

3. The wild animal is capable of inflicting severe physical harm to humans or to domestic animals.

(b) No person may possess, take, propagate, sell, purchase, transfer, exhibit, or rehabilitate a live harmful wild animal unless specifically authorized to do so by the department.

(c) No person may introduce, stock, or release, or import into this state to introduce, stock, or release, any harmful wild animal unless specifically authorized to do so by the department under s. 169.06 (1) (c).

(3) EXEMPTIONS. (a) Public zoos and aquariums are exempt from the prohibition under sub. (1) (b).

(b) 1. Veterinarians are exempt from the prohibition under sub. (1) (b) for the purpose of providing medical treatment to harmful wild animals.

2. For purposes of subd. 1., "medical treatment" does not include rehabilitation.

History: 2001 a. 56; 2005 a. 253; 2007 a. 20 s. 9121 (6) (a); 2007 a. 119.

169.12 Sale and purchase of native wild reptiles and wild amphibians. (1) POSSESSION; GENERAL. No person may take from the wild or possess live native wild reptiles or live native wild amphibians unless the person is authorized to do so under rules promulgated by the department or unless sub. (3) applies.

(3) POSSESSION OF NATIVE FROGS. A person using native frogs for bait while fishing may take from the wild, possess, and kill more than 5 native frogs, but may not possess more than 5 of any subspecies of native frog for more than 24 hours.

(4) RESTRICTIONS ON SALES AND PURCHASES. Unless authorized to do so under rules promulgated by the department, no person may sell or purchase live native wild reptiles or live native wild amphibians except for the following:

(a) Color variants of these wild reptiles and wild amphibians that have been bred in captivity and have coloration that is clearly distinct from the normal morphological color patterns.

(b) Leopard frogs, mud puppies, and tiger salamanders that are sold or purchased under the authorization of a Class A captive wild animal farm license.

(c) Native reptiles or amphibians that are legally taken or reared outside this state and that are sold to educational institutions under the authorization of a Class A captive wild animal farm license.

(6) EXEMPTION FOR VETERINARIANS. (a) Veterinarians are exempt from the requirement under sub. (1) for the purpose of

providing medical treatment to native wild reptiles and native wild amphibians.

(b) For purposes of par. (a), "medical treatment" does not include rehabilitation.

History: 2001 a. 56.

169.14 Carcasses of captive wild animals. (1) RESTRICTIONS ON SALES AND PURCHASES. (a) No person may sell the carcass of any captive wild animal unless the seller provides to the purchaser written proof of origin.

(b) No person may purchase or possess the carcass of any captive wild animal unless the purchaser maintains written proof of origin during the time the purchaser possesses the carcass.

(c) No person may sell or purchase the gallbladder of a bear that was a captive wild animal.

(d) No person may preserve and mount a carcass of a captive wild animal for consideration unless that person holds a valid taxidermist permit issued under s. 29.506.

(2) TAGGING REQUIREMENTS FOR CAPTIVE WILD ANIMAL FARMS. (a) A person killing a wild animal under the authority of a captive wild animal farm license shall tag the carcass in the manner required by the department before removing the carcass from the farm. No person may remove the tag from the carcass except as provided in par. (b).

(b) A person acquiring a carcass tagged under par. (a) that is to be consumed for food may remove the tag at the time the carcass is prepared for final consumption. The person shall keep the tag in evidence until the carcass is consumed or otherwise disposed of.

(c) For purposes of pars. (a) and (b), for the carcasses of wild reptiles and wild amphibians, a person need not tag each carcass, but shall tag each shipment in the manner required by the department.

(3) INAPPLICABILITY TO CERTAIN CARCASSES. (a) Subsections (1) and (2) do not apply to the raw fur or dressed fur of fur-bearing wild animals that are possessed as authorized by a license issued under s. 169.18.

(c) The selling, purchasing, or possessing of carcasses of endangered or threatened species is subject to s. 29.604 and not to this section.

History: 2001 a. 56.

169.15 Captive wild animal farm licenses. (1) ISSUANCE. (a) The department shall issue a Class A captive wild animal farm license to operate a captive wild animal farm that grosses $10,000 or more in annual sales to any person who files a proper application for the license and who pays the applicable fee.

(b) The department shall issue a Class B captive wild animal farm license to operate a captive wild animal farm that grosses less than $10,000 in annual sales to any person who files a proper application for the license and who pays the applicable fee.

(d) The applicant shall specify the location of the enclosures for the wild animals on the application.

(2) AUTHORIZATION. (a) A captive wild animal farm license authorizes the holder of the license to possess, propagate, kill, exhibit, purchase, and sell live captive wild animals of the species specified by the department on the license.

(b) A captive wild animal farm license authorizes the killing of captive wild animals only by the holder of the license or an employee of the holder of the license.

(3) CALCULATION OF ANNUAL SALES. (a) The calculation of annual sales under sub. (1) and par. (b) shall be based on sales from the prior year that involve live captive wild animals that are any of the following:

1. Native wild animals.

3. Harmful wild animals.

4. Endangered or threatened species.

(b) For the first year that a person is issued a captive wild animal farm license, the person shall be issued a Class B captive wild animal farm license, unless one of the following applies:

1. The person operated a game bird and animal farm licensed under s. 29.867, 1999 stats., on January 1, 2003, that grossed $10,000 or more in annual sales.

2. The person elects to be issued a Class A captive wild animal farm license.

(4) CONTROL OF WILD ANIMALS. (a) A person holding a captive wild animal farm license shall control the wild animals at all times in the manner required by the department and shall keep the wild animals at the locations specified on the application for the license.

(b) If any member of the family ursidae, felidae, or canidae escapes from its enclosure or fenced area on a captive wild animal farm, the person holding the captive wild animal farm license shall notify the department within 24 hours after the escape.

(5) RULES. The department may promulgate rules to establish additional standards, limitations, and requirements for captive wild animal farm licenses and for captive wild animal farms, including fencing of the farms.

History: 2001 a. 56.

169.18 Wild fur farm license. (1) ISSUANCE. The department shall issue a wild fur farm license to any person who files a proper application and who pays the applicable fee.

(2) AUTHORIZATION; LIMITATIONS. (a) A wild fur farm license authorizes all of the following:

1. The holder of the license to possess and propagate live muskrat, beaver, coyote, raccoon, otter, and mink on the land subject to the license.

2. The holder of the license and other persons authorized by the holder to take the live fur-bearing wild animals specified in subd. 1. or kill by trapping the fur-bearing wild animals specified in subd. 1.

3. The holder of the license to sell the live fur-bearing wild animals specified in subd. 1. to persons authorized to possess the fur-bearing wild animals.

(b) Section 29.501 applies to the possession and selling of the raw furs and dressed furs of the fur-bearing wild animals that are possessed as authorized under a wild fur farm license.

(c) The number of otter that are taken or killed may not exceed the quota established by rule by the department under sub. (5) (a).

(3) ELIGIBLE LAND. (a) Except as provided in par. (b), a wild fur farm licensed under this section shall be in a single parcel and may not exceed 640 acres.

(b) Upon the request of the applicant for a license under this section, the department shall issue a single license for a wild fur farm that does not meet all of the requirements of par. (a) if the wild fur farm is licensed as a fur animal farm under s. 29.869, 1999 stats., on January 1, 2003.

(4) EXEMPTION FROM TRAPPING RESTRICTIONS. Except as provided in sub. (2) (c), a person trapping fur-bearing wild animals on a wild fur farm is exempt from having any trapping approval issued under ch. 29 and is exempt from any closed season restrictions, bag limits, or other conditions or restrictions established by the department under s. 29.014 (1) or 29.192.

(5) RULES. (a) The department shall promulgate by rule a quota for taking, or killing by trapping, otter for purposes of this section.

(b) The department shall promulgate rules for the purpose of determining whether a piece of land qualifies as a single parcel under sub. (3).

(c) The department may promulgate rules to establish additional standards, limitations, and requirements for wild fur farm licenses and for wild fur farms.

History: 2001 a. 56.

169.19 Bird hunting preserve licenses. (1) ISSUANCE. The department shall issue a Class A or a Class B bird hunting preserve license to any person who files a proper application and who pays the applicable fee.

(2) AUTHORIZATION. (a) A Class A or a Class B bird hunting preserve license authorizes all of the following:

1. Possessing, stocking, propagating, releasing into the wild, selling, and purchasing of live wild birds of the species authorized under par. (b) by the holder of the license.

2. Hunting or taking of released wild birds of those species that have been stocked in the preserve by the holder of the license and other persons authorized by the holder.

(b) The department may authorize any of the following species of live wild birds under a Class A or a Class B bird hunting preserve license:

1. Pheasants of the species Phasianus colchicus or the species Syrmaticus reevesii.

2. Quail that are of the subfamily Odontophorinae.

3. Gray partridge.

4. Chukar partridge.

5. Red-legged partridge.

6. Mallard ducks that are bred in captivity.

7. Wild turkeys, if the wild turkeys are located outside a wild turkey hunting zone established under s. 29.164.

(c) The department shall specify on the license the species of wild birds that the department authorizes under the license.

(3) REGULATION OF NUMBER OF BIRDS. (a) A person holding a bird hunting preserve license may not allow the number of wild birds of a given species in the preserve that are killed or taken in a given year to exceed the number of captive wild birds of that species that have been stocked in the preserve for that license year.

(b) A Class A bird hunting preserve license authorizes the person holding the license to possess any number of the species specified in sub. (2) (b) 2. to 7. and requires the person to stock at least 1,001 adult pheasants in the preserve during the license year.

(c) A Class B bird hunting preserve license authorizes the person holding the license to possess any number of the species specified in sub. (2) (b) 2. to 7. and prohibits the person from stocking more than 1,000 adult pheasants in the preserve. A holder of a Class B bird hunting preserve license possessing pheasants under the license shall stock a minimum of one adult pheasant per 4 acres that are within the boundaries of the licensed preserve during the license year.

(d) A municipality or county may not limit the number of wild birds that are released into the wild under the authority of a bird hunting preserve license.

(4) REQUIREMENTS FOR MALLARD DUCKS. A person possessing mallard ducks under the authority of a bird hunting preserve license may possess only mallard ducks that are bred in captivity and shall identify them as required under 50 CFR 21.13 (b). The person shall house the mallard ducks in pens that are covered and maintained to prevent free-roaming wild waterfowl from being attracted to the pens with the mallard ducks that are being bred.

(4m) RESTRICTIONS ON HEN PHEASANTS. A person holding a Class B bird hunting preserve license may not allow the hunting or taking of hen pheasants beginning on December 15 of each year and ending on the following March 31 within the boundaries of the licensed preserve if the preserve is located totally or partially within a pheasant management zone, as established by the department, for purposes of s. 29.191.

(5) EXEMPTION FROM HUNTING RESTRICTIONS. (a) A person hunting or taking wild birds on a bird hunting preserve that have been stocked on the preserve is exempt from having any approval issued under ch. 29.

(b) Except as provided in par. (c), a person hunting or taking wild birds on a bird hunting preserve that have been stocked on the preserve is exempt from any closed season restrictions, bag limits, or other conditions or restrictions established by the department under s. 29.014 (1) or 29.192.

(c) A person hunting mallard ducks shall comply with rules promulgated by the department under ss. 29.014 and 29.192 governing the hunting of waterfowl.

(6) RULES. The department may promulgate rules to establish additional standards, limitations, and requirements for bird hunting preserve licenses and for bird hunting preserves.

History: 2001 a. 56; 2011 a. 32.

169.20 Dog training licenses. (1) BIRD DOG TRAINING LICENSE. (a) The department shall issue a bird dog training license to any individual who is at least 10 years of age who files a proper application and pays the applicable fee. If the department issues a bird dog training license to an individual who is under 12 years of age, the individual is subject to the restrictions specified under s. 29.592.

(b) Except as provided in par. (c), a bird dog training license authorizes the holder of the license to purchase, possess, release into the wild, and hunt any of the live captive wild birds specified in s. 169.19 (2) (b) 1. to 6. solely for the purposes of training a dog to retrieve, point, flush, and track game.

(c) The department may restrict the possessing, releasing, and hunting of a species of wild birds specified in par. (b) by persons holding dog training licenses in zones or areas for which the department has by rule imposed special hunting restrictions for that species.

(d) A person training a bird dog in a bird hunting preserve for which the hunting of pheasant, quail, mallard ducks bred in captivity, or partridge has been authorized under a bird hunting preserve license is exempt from holding a bird dog training license to possess, release into the wild, and hunt live captive wild birds for the purposes of training the dog to retrieve, point, flush, and track wild birds.

(2) HOUND DOG TRAINING LICENSE. (a) The department shall issue a hound dog training license to any individual who is at least 10 years of age who files a proper application and pays the applicable fee. If the department issues a hound dog training license to an individual who is under 12 years of age, the individual is subject to the restrictions specified under s. 29.592.

(b) A hound dog training license authorizes the holder of the license to purchase, possess, release into the wild, and hunt any of the following wild animals for the purpose of teaching hound dogs to track game:

1. Live captive rabbit purchased or otherwise acquired from a person holding a captive wild animal farm license.

2. Live captive raccoon.

3. Live captive bear of the species Ursus americanus.

4. Live captive fox.

5. Live captive coyote.

6. Live captive bobcat.

(3) DOG CLUB TRAINING LICENSE. (a) The department may

issue a dog club training license to an organization that meets the conditions established by the department by rule for dog club training licenses, that files a proper application and that pays the applicable fee.

(b) A dog club training license authorizes the club or its members to purchase, possess, release into the wild, and hunt species of live captive wild animals that are authorized by the department on property owned or leased by the club for the purpose of teaching a bird dog or hound dog to retrieve, point, flush, or track game.

(4) RULES. The department may promulgate rules to establish additional standards, limitations, and requirements for licenses issued under this section. The rules may include standards that provide adequate protection for the wild animals that are authorized under a dog training license. The department shall issue a license to an applicant based on the rules in effect under this subsection on the date of the application and may not delay the issuance of a license pending promulgation of additional, modified, or new rules.

(5) RESTRICTIONS. (a) No person may sell wild animals under a license issued under this section, but a person holding a bird dog training license who has been contracted to train a dog may charge for the wild birds used in the training.

(b) A license under this section does not authorize organized competitive field events.

History: 2001 a. 56; 2003 a. 239; 2009 a. 39.
Cross-reference: See also ch. NR 17, Wis. adm. code.

169.21 Dog trial licenses. (1) BIRD DOG TRIAL LICENSE. (a) The department shall issue a bird dog trial license to any person who files a proper application and who pays the applicable fee.

(b) A bird dog trial license authorizes the holder of the license to purchase, possess, release into the wild, and hunt any live captive wild bird for any organized competitive field event that involves sporting dog breeds and that is sanctioned, licensed, or recognized by a local, state, regional, or national dog organization.

(2) HOUND DOG TRIAL LICENSE. (a) The department shall issue a hound dog trial license to any person who files a proper application and who pays the applicable fee.

(b) A hound dog trial license authorizes the holder of the license to purchase, possess, release into the wild, and hunt live captive raccoon, live captive rabbit, live captive fox, live captive coyote, live captive bobcat, and live captive bear of the species Ursus americanus for any organized competitive field event that involves sporting dog breeds and that is sanctioned, licensed, or recognized by a local, state, regional, or national dog organization.

(3) RULES. The department may promulgate rules to establish additional standards, limitations, and requirements for licenses issued under this section. The rules may include standards that provide adequate protection for the wild animals that are authorized under a dog trial license. The department shall issue a license to an applicant based on the rules in effect under this subsection on the date of the application and may not delay the issuance of a license pending promulgation of additional, modified, or new rules.

History: 2001 a. 56; 2003 a. 239.
Cross-reference: See also ch. NR 17, Wis. adm. code.

169.23 Stocking license. (1) ISSUANCE. The department may issue stocking licenses. If the department issues stocking licenses, it shall issue a stocking license to any person who files a proper application and who pays the applicable fee.

(2) AUTHORIZATION. A stocking license authorizes the holder of the license to purchase, possess, introduce, or stock wild animals.

(3) RULES. The department may promulgate rules to establish additional standards, limitations, and requirements for stocking licenses. The rules may include the species of wild animals that may be introduced or stocked and the locations at which those species of wild animals may be introduced or stocked.

History: 2001 a. 56.

169.24 Rehabilitation license. (1) ISSUANCE. The department shall issue a rehabilitation license to rehabilitate wild animals to any individual who is at least 18 years of age, who meets the qualifications under rules promulgated under sub. (2), and who files a proper application.

(2) QUALIFICATIONS; RULES. The department shall promulgate rules to establish the qualifications required to obtain a rehabilitation license, the types of activities authorized by a rehabilitation license and the standards, limitations, and requirements for rehabilitation licenses. The department may promulgate rules to establish standards for exempting an individual from any of these rules or from any provisions under this chapter.

History: 2001 a. 56.

169.25 Scientific research license. (1) ISSUANCE. (a) The department shall issue a scientific research license to any person who is engaged in a study or in research that the department determines will lead to increased, useful scientific knowledge and who files a proper application and who pays the applicable fee.

(b) The department may also require the person to submit with the license application a copy of any of the following:

1. The person's study plan or research proposal.
2. An approval received by the person under 9 CFR 2.31.

(2) AUTHORIZATION. A scientific research license authorizes the holder of the license to take from the wild, possess, kill, or propagate the species of native wild animals that the department authorizes under the license.

(3) SCOPE OF LICENSE; CONTENTS. A scientific research license shall contain the holder's name and address, the date of issuance, and all of the following conditions or limitations:

(a) The specific purposes for which it is issued.

(b) The species of wild animals and the number of each species to be studied.

(c) The locations from where the wild animals will be taken.

(d) The locations at which the wild animals will be kept and studied.

(e) The periods of time in which the wild animals may be studied.

(f) Any other conditions or limitations that the department considers reasonable.

(4) EQUIPMENT. A scientific research license may authorize the use of net guns, tranquilizer guns and other equipment or supplies for activities related to scientific research or study.

(5) TITLE TO; TRANSFER AND DISPOSAL OF WILD ANIMALS. (a) A person holding a scientific research license may not transfer any wild animal or its carcass held under the authority of the license unless the purpose of the transfer is to trade the wild animals for other animals for scientific research or classroom demonstrations and the transfer is specifically authorized by the department at the time of the transfer.

(b) A person holding a scientific research license shall release or dispose of a live wild animal possessed under the authority of the license, or its carcass, only in the manner specifically authorized by the department.

(6) RULES. The department may promulgate rules to establish additional standards, limitations, and requirements for scientific research licenses.

History: 2001 a. 56.

169.26 Nonprofit educational exhibiting license. (1) ISSUANCE. The department shall issue a nonprofit educational exhibiting license to any nature center, aquarium, or educational institution if the center, aquarium, or institution is a nonstock, nonprofit corporation described under section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation under section 501 (a) of the Internal Revenue Code and if the center, aquarium, or institution files a proper application and pays the applicable fee.

(2) AUTHORIZATION. A nonprofit educational exhibiting license authorizes the person holding the license to do all of the following:

(a) Possess and exhibit live wild animals.

(b) Purchase and propagate live wild animals subject to sub. (3) (a) for the purpose of exhibiting only.

(3) AUTHORIZATION: RESTRICTION; TRADING. (a) A person holding a nonprofit educational exhibiting license may purchase or propagate only those species of wild animals that the department specifically authorizes on the license.

(b) If a person holding a nonprofit educational exhibiting license determines that the person possesses more live wild animals than are necessary for exhibiting purposes, the person may sell the excess wild animals to another person who is not prohibited under this chapter from possessing the wild animals.

(4) RULES. The department may promulgate rules establishing standards, limitations, and requirements for nonprofit educational exhibiting licenses.

History: 2001 a. 56.

169.27 Nonresident temporary exhibiting license. (1) ISSUANCE. The department shall issue a nonresident temporary exhibiting license to any individual who is a nonresident or to any business organization that is not organized under the laws of this state, if the individual or organization meets the requirement under sub. (2), files a proper application, and pays the applicable fee.

(2) FEDERAL REQUIREMENT. An applicant for a nonresident temporary exhibiting license shall hold any license or permit that may be required under 7 USC 2131 to 2159 at the time the department issues the applicant the license.

(3) AUTHORIZATION. A person holding a nonresident temporary exhibiting license may do all of the following:

(a) Possess and exhibit live wild animals at locations designated by the department under the license for the production of motion pictures or television programs or as parts of theatrical acts, carnivals, or other animal attractions or displays.

(b) Move live wild animals in mobile facilities that do not meet the rules for housing under s. 169.39.

(4) RULES. The department may promulgate rules to establish additional standards, limitations, and requirements for nonresident temporary exhibiting licenses.

History: 2001 a. 56.

169.29 Validation licenses. (1) ELIGIBILITY. (a) *Initial validation license.* A person to whom all of the following conditions apply is eligible for an initial validation license:

1. The person has a license or permit under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on April 18, 2002.

2. The licenses available under ss. 169.15 to 169.27 do not permit the continuation of an activity that was allowed under the license or permit under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on April 18, 2002, at the location where the activity is being conducted on April 18, 2002.

3. The person obtains a license under this chapter for any activity that was allowed under the license or permit under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on April 18, 2002, and for which a license under ss. 169.15 to 169.27 is available.

(b) *Subsequent validation license.* A person who meets all of the following conditions is eligible for a subsequent validation license:

1. The person had a license or permit under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on April 18, 2002.

2. The person obtained a license under ss. 169.15 to 169.27 for an activity that was allowed under the license or permit under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on April 18, 2002.

3. Rules applicable to licenses available under ss. 169.15 to 169.27 are promulgated so as not to permit the continuation of an activity that was allowed under the license or permit under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., on April 18, 2002, at the location where the activity was conducted on April 18, 2002.

(2) APPLICATION. (a) *Initial validation license.* An eligible person may apply for an initial validation license no later than December 31, 2003.

(b) *Subsequent validation license.* An eligible person may apply for a subsequent license no later than 6 months after the promulgation of rules described under sub. (1) (b) 3.

(3) ISSUANCE. The department shall issue a single validation license to any eligible person who files a proper application for the license. The validation license shall apply to all activities described under sub. (4) (a). The department shall specify on the validation license the activities that are permitted under the license. The department shall combine a subsequent validation license with an initial validation license that has been previously issued to the same person.

(4) AUTHORIZATION; LIMITATIONS. (a) Except as provided in pars. (c) to (e) and sub. (5), a validation license authorizes the continuation of all activities that the holder of the validation license is authorized to conduct on April 18, 2002, under a license or permit issued under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., if the holder is actually engaged in those activities on April 18, 2002.

(b) The authorization under par. (a) applies even though the activity is prohibited or limited under this chapter or under the rules promulgated under this chapter.

(c) A validation license does not authorize the rehabilitation of wild animals.

(d) A validation license does not authorize the hunting of pheasants in excess of the number of pheasants stocked.

(e) Unless the holder of a validation license also holds a Class A bird hunting preserve license, a validation license does not authorize the hunting or taking of hen pheasants beginning on December 15 of each year and ending on the following March 31 within the boundaries of a pheasant and quail farm licensed under s. 29.865, 1999 stats., that is located totally or partially within

a pheasant management zone that is established by the department for purposes of s. 29.191.

(5) CONDITIONS. (a) The department shall impose all of the conditions, restrictions and regulations on the validation license that were applicable to the same activity under s. 29.863, 1999 stats., s. 29.865, 1999 stats., s. 29.867, 1999 stats., s. 29.869, 1999 stats., or s. 29.877, 1999 stats., and under any rules promulgated under those sections that were in effect on April 18, 2002.

(b) A validation license is subject to ss. 169.06 (3m), 169.09, 169.11, 169.30, 169.33, 169.34, 169.35, 169.36, 169.37, 169.39, 169.40, 169.42, 169.43, 169.45, and 169.46 and to any applicable provisions under chs. 93 and 95.

(6) RENEWAL; TRANSFERABILITY. (a) The department shall renew or transfer a validation license upon the same conditions as the original validation license.

(b) The department shall transfer a validation license, or any portion of a validation license, to any person who does all of the following:

1. Acquires the land that is subject to the validation license.

2. Meets the requirements of this section.

3. Applies to the department for transfer of the validation license, or any portion of the validation license, within 3 months after acquiring the land.

(c) If the holder of a validation license fails to renew the license within 45 days after the license's expiration date, the license expires and may never be renewed.

(d) If the land subject to a validation license is transferred and the validation license is not transferred as provided in par. (b), the license expires and may never be renewed.

History: 2001 a. 56.

169.30 Endangered or threatened species. No person may take from the wild, introduce, stock, release into the wild, exhibit, propagate, rehabilitate, hunt, sell, purchase, transfer, or engage in any other activity related to a live wild animal that is an endangered or threatened species unless the person is in compliance with this chapter, the rules promulgated under this chapter, and s. 29.604.

History: 2001 a. 56.

169.31 License and tag fees. (1) FEES. The following fees shall be paid to the department for the issuance or renewal of licenses:

(a) *Captive wild animal farm licenses.* 1. The fee for an initial Class A captive wild animal farm license is $200 and the fee for an initial Class B captive wild animal farm license is $50, except as provided in sub. (1m). The department shall waive the fee for an initial license under this subdivision for an individual who is under 14 years of age if the individual is a member of a 4-H club or a sporting club.

2. The fee for a renewal of a Class A captive wild animal farm license is $100, and the fee for a renewal of a Class B captive wild animal farm license is $25.

(d) *Wild fur farm license.* The fee for a wild fur farm license is $50, except as provided in sub. (1m).

(e) *Bird hunting preserve licenses.* 1. The fee for an initial Class A bird hunting preserve license is $300, and the fee for an initial Class B bird hunting preserve license is $200, except as provided in sub. (1m).

2. The fee for a renewal of a Class A bird hunting preserve license is $200, and the fee for a renewal of a Class B bird hunting preserve license is $100.

(f) *Dog training licenses.* 1. The fee for a bird dog training license is $25.

2. The fee for a hound dog training license is $25.

3. The fee for a dog club training license is $100.

(g) *Dog trial licenses.* 1. The fee for a bird dog trial license is $25.

2. The fee for a hound dog trial license is $25.

(i) *Stocking license.* The fee for a stocking license is $25.

(j) *Rehabilitation license.* There is no fee for a rehabilitation license.

(k) *Scientific research license.* The fee for a scientific research license is $25.

(L) *Nonprofit educational exhibiting license.* The fee for a nonprofit educational exhibiting license is $25.

(m) *Nonresident temporary exhibiting license.* The fee for a nonresident temporary exhibiting license is $50.

(o) *Validation license.* There is no fee for an initial or subsequent validation license.

(1m) FEE WAIVER FOR VETERANS. An individual who is eligible under the veterans fee waiver program for a fee waiver is not required to pay a fee for a captive wild animal farm license, a wild fur farm license, or a bird hunting preserve license.

(2) LATE FEE. The late fee for the renewal of any license issued under this chapter that is filed after the expiration date of the license is $20.

(3) APPLICABILITY OF LICENSE; CUMULATIVE FEES. (a) Except as provided in par. (b) or (bn), a license issued under this section authorizes the applicable activity on only one block of contiguous land.

(b) The department shall continue to issue one license under this chapter to a business or other operation that was licensed for certain activities as one legal entity with one set of records under one license under s. 29.865, 1999 stats., s. 29.867, 1999 stats., or s. 29.869, 1999 stats., if the activities for which the license was issued were conducted on noncontiguous land and there is one license that authorizes all of those activities. The department shall continue to issue the one license until the person holding that one license ceases to be issued a license for the activities or until the person holding the one license issued ceases to have a controlling interest in that business or operation.

(bn) Upon request of an applicant for a Class A bird hunting preserve license, the department shall issue a single license for a Class A bird hunting preserve that is not in one block of contiguous land if each parcel of the land is at least 80 acres in size and if all of the parcels are located in the same county or if each of the outlying parcels is either in the same county as the parcel on which the hunting preserve bases its operations or in a county that is adjacent to that county.

(c) A person applying for 2 or more licenses under this section that are necessary to engage in a single business or other operation shall pay a total fee that equals the fee for the required license with the highest fee that is required, plus 50 percent of the fee for each additional required license.

(4) TAGS. Any tags required by this chapter or rules promulgated under this chapter shall be provided by the department for a fee that is equal to the cost to the department.

History: 2001 a. 56; 2011 a. 209.

169.32 Licenses; effective periods. (1) CAPTIVE WILD ANIMAL FARM LICENSE. A captive wild animal farm license is valid from the date of issuance until the following December 31.

(4) WILD FUR FARM LICENSE. A wild fur farm license is valid from the date of issuance until the 3rd December 31 following the date of issuance.

(5) BIRD HUNTING PRESERVE LICENSE. A bird hunting preserve license is valid from the date of issuance until the following May 30.

(6) DOG TRAINING LICENSES. (a) A bird dog training license is valid from the date of issuance until the 3rd December 31 following the date of issuance.

(b) A hound dog training license is valid from the date of issuance until the 3rd December 31 following the date of issuance.

(c) A dog club training license is valid from the date of issuance until the 3rd December 31 following the date of issuance.

(7) DOG TRIAL LICENSES. (a) A bird dog trial license is valid from the date of issuance until the following December 31.

(b) A hound dog trial license is valid from the date of issuance until the following December 31.

(9) STOCKING LICENSE. A stocking license is valid for the period specified on the license, which may not exceed 30 days.

(10) REHABILITATION LICENSE. A rehabilitation license is valid for 3 consecutive years from the date of issuance.

(11) SCIENTIFIC RESEARCH LICENSE. A scientific research license is valid from the date of issuance until the following December 31.

(12) NONPROFIT EDUCATIONAL EXHIBITING LICENSE. A nonprofit educational exhibiting license is valid from the date of issuance until the following December 31.

(13) NONRESIDENT TEMPORARY EXHIBITING LICENSE. (a) Except as provided in par. (b), a nonresident temporary exhibiting license is valid for the period specified on the license, which may not exceed 30 days.

(b) Upon application, the department may grant extensions of the nonresident temporary exhibiting license beyond 30 days.

(15) VALIDATION LICENSES. An initial or subsequent validation license is valid from the date of issuance until the 5th December 31 after the date of issuance and may be renewed for 5-year periods thereafter.

History: 2001 a. 56.

169.33 Licenses; applications; renewals; terminations. (1) APPLICATION. The application for a license under this chapter shall be on a form provided by the department or in a format approved by the department, and shall request the information required by the department. The department may not issue a license unless the applicant provides the information required.

(2) ELIGIBILITY REQUIREMENTS FOR MINORS. (a) Each applicant for a license under this chapter who is less than 18 years of age shall have the application signed by a parent or guardian.

(b) Except as provided in pars. (c) and (d), an individual who applies for a license under this chapter shall be at least 14 years of age.

(c) An individual who applies for a captive wild animal farm license may be less than 14 years of age if the individual is a member of a 4-H club or a sporting club.

(d) An individual who applies for a bird dog training license or a hound dog training license shall be at least 10 years of age. If the applicant is under 12 years of age, the applicant is subject to the restrictions specified under s. 29.592.

(3) RENEWALS. (a) Except as provided in par. (b), a person applying to renew a license issued under this chapter shall file an application with the department on or before the expiration date of the license.

(b) A person may apply for a renewal of a license issued under this chapter not more than 45 days after the license's expiration date if the application is accompanied by the late fee specified under s. 169.31 (2), in addition to any regular renewal fee.

(4) INCORRECT INFORMATION. No person may provide information that the person knows to be incorrect in order to obtain a license issued under this chapter to which the person is not entitled.

(4m) INCORRECT RECORDS OR REPORTS. No person may fail to keep records or submit reports as required under this chapter.

(5) EXPIRATION OF LICENSE. A person holding a license issued under this section that expires or is revoked or suspended shall remove or cause to be removed from the land subject to the license any signs indicating that the land was so licensed within 45 days after the expiration, revocation, or suspension.

(6) COMPLIANCE. No person may violate any condition or limitation imposed by the department on a license issued under this chapter.

History: 2001 a. 56; 2009 a. 39.

169.34 Denial and revocation of licenses based on child support delinquency. (1) SOCIAL SECURITY NUMBERS REQUIRED. The department shall require an applicant who is an individual to provide his or her social security number as a condition of applying for, or applying to renew, any license issued under this chapter.

(2) DISCLOSURE OF SOCIAL SECURITY NUMBERS. The department of natural resources may not disclose any social security numbers received under sub. (1) to any person except to the department of children and families for the sole purpose of administering s. 49.22.

(3) DENIAL OF APPROVALS. (a) As provided in the memorandum of understanding required under s. 49.857 (2), the department of natural resources shall deny an application to issue or renew, to suspend if already issued, or to otherwise withhold or restrict a license issued under this chapter if the applicant for or the holder of the license is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or if the applicant or holder fails to comply with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings.

(b) As provided in the memorandum of understanding required under s. 49.857 (2), the department of natural resources shall deny an application to issue or renew a license issued under this chapter if the applicant for or the holder of the license fails to provide his or her social security number as required under sub. (1).

History: 2001 a. 56; 2007 a. 20.

169.35 Denial and revocation of licenses based on delinquent taxes or unemployment insurance contributions. (1) SOCIAL SECURITY AND IDENTIFICATION NUMBERS REQUIRED. The department shall require an applicant who is an individual to provide his or her social security number and an applicant who is not an individual to provide the applicant's federal employer identification number as a condition of applying for, or applying to renew, any of the following licenses:

(a) A captive wild animal farm license.

(b) A wild fur farm license.

(c) A bird hunting preserve license.

(2) DISCLOSURE OF NUMBERS. The department of natural resources may not disclose any information received under sub. (1) to any person except to the department of revenue for the sole purpose of making certifications required under s. 73.0301 and to the department of workforce development for the sole purpose of making certifications required under s. 108.227.

(3) DENIAL AND REVOCATION. The department of natural resources shall deny an application to issue or renew, or shall revoke if already issued, a license specified in sub. (1) if the appli-

cant for or the holder of the license fails to provide the information required under sub. (1), if the department of revenue certifies that the applicant or license holder is liable for delinquent taxes under s. 73.0301, or if the department of workforce development certifies that the applicant or license holder is liable for delinquent unemployment insurance contributions under s. 108.227.

History: 2001 a. 56; 2013 a. 36.

169.36 Record-keeping and reporting requirements. **(1)** CAPTIVE WILD ANIMAL FARM LICENSES, BIRD HUNTING PRESERVE LICENSES, AND NONPROFIT EDUCATIONAL EXHIBITING LICENSES. (a) *Records; generally.* Each person holding a captive wild animal farm license, a bird hunting preserve license, or a nonprofit educational exhibiting license shall keep a correct and complete record of all of the following information:

1. For each transaction in which live wild animals are purchased, sold, acquired, or transferred:

a. The complete name and address and the number of any license issued under this chapter of the person from whom the wild animals were purchased or acquired or of the person to whom the wild animals were sold or transferred.

b. The date of the transaction and the number and species of the wild animals.

2. All wild animals belonging to the holder of the license that have died, have been killed, or have escaped.

(b) *Records; additional requirements; exemptions.* 1. A person holding a bird hunting preserve license is exempt from keeping the records required under par. (a) 1. a. for those wild birds that are killed on the land subject to the license.

2. For the taking of wild reptiles or wild amphibians from the wild, a person required to hold a license for such taking under this chapter shall include in the person's records the date of the taking and the location of the taking.

(2) WILD FUR FARM LICENSES. Each person holding a wild fur farm license shall keep a correct and complete record of the complete name and address and the number of any license issued under this chapter of each person to whom the license holder sells a live fur-bearing wild animal.

(3) REHABILITATION LICENSES. Each person holding a rehabilitation license shall keep a correct and complete record of all of the following information for each wild animal:

(a) The date that the wild animal in need of rehabilitation is received and the species of the wild animal.

(b) The condition of the wild animal that requires rehabilitation.

(c) The disposition of the wild animal, including the date and location of its release into the wild or its transfer to the department.

(d) The cause of death, if known, for a wild animal that dies.

(e) Health records as required by the department.

(4) DOG TRAINING AND TRIAL LICENSES. Each person holding a bird dog training license, a hound dog training license, a dog club training license, a bird dog trial license, or a hound dog trial license shall keep a receipt of the purchase of each wild animal purchased under the authority of the license and a correct and complete record of any testing for disease on these wild animals that is required under rules promulgated under s. 169.06 (3m).

Cross-reference: See also ch. NR 17, Wis. adm. code.

(5) SCIENTIFIC RESEARCH LICENSES. Each person holding a scientific research license shall keep a correct and complete record of all of the following information for each wild animal:

(a) The disposition of the wild animal, including the date and location of its release into the wild or its transfer to the department.

(b) The cause of death, if known, for a wild animal that dies.

(7) ADDITIONAL INFORMATION. The department may impose additional record-keeping requirements on any holders of licenses under this chapter.

(8) ZOOS. If a zoo or aquarium is not an accredited member of the American Zoo and Aquarium Association, the governing body of the zoo or aquarium shall keep correct and complete records of all transactions involving the movement of wild animals that are native wild animals, nonnative wild animals of the family cervidae, harmful wild animals, or endangered or threatened species. The department shall determine the information to be kept in these records.

(9) RECORDS; TIMING. (a) A person holding a license subject to this section shall record all of the information required under this section within 7 days after the occurrence of the transaction or activity. A person holding a license subject to this section shall keep these records for 3 years after the last day of the year in which the record was entered.

(b) In addition to the requirements under par. (a), the person holding a license subject to this section shall provide a copy of the record required under this section to the department on a quarterly basis, as determined by the department, if the transaction or activity involved any live wild animal of the family canidae, ursidae, mustelidae, or felidae, or any harmful wild animal.

(d) The department may require, by rule, that submission of the records required under this section to the department be a condition for renewal of any license subject to this section.

(10) REPORTS. (a) Each person holding a license subject to this section shall submit an annual summary report for each license year to the department that contains all of the following information for each species of wild animal possessed by the person holding the license:

1. The number of wild animals that the person holding the license possesses on the date of the report.

2. The number of wild animals that the person holding the license has purchased or otherwise acquired during the reporting year.

3. The number of wild animals that the person holding the license has sold, released into the wild, or otherwise transferred during the reporting year.

4. The number of wild animals that have been killed or have escaped or died during the reporting year.

(b) The person holding the license shall submit the annual report under par. (a) within 30 days after the last day of the license year that the report covers.

(10m) PRIOR RECORDS. A person required to keep records or reports under s. 29.853 (3) (b), 1999 stats., s. 29.855 (3) (c), 1999 stats., s. 29.865 (4) (b), 1999 stats., s. 29.867 (8), 1999 stats., s. 29.869 (9), 1999 stats., s. 29.871, 1999 stats., or s. 29.877 (6), 1999 stats., shall maintain copies of the records and reports that are in existence on January 1, 2003 for a period of 3 years beginning on January 1, 2003.

(11) REQUIREMENTS AS TO FORM. The records and reports required under this section shall be in the English language and shall be on forms provided by the department or in a format approved by the department.

History: 2001 a. 56; 2021 a. 238 s. 45.

169.37 Inspections. **(1)** DEPARTMENTAL AUTHORITY. For purposes of enforcing this chapter and the rules promulgated under this chapter with respect to a person who is required to have a license or maintain records under this chapter, a conservation warden or representative of the department, upon presenting his or her credentials to that person, may do any of the following:

(a) Enter and inspect any land, vehicle, building, or other

structure where live wild animals are possessed or where carcasses of wild animals are possessed.

(b) Inspect any equipment, materials, or other activities related to the wild animals.

(c) Gain access to and inspect any records required to be kept under s. 169.36.

(d) Investigate and inspect any wild animal or any other animal to be introduced, stocked, or released into the wild. Inspection under this paragraph may include the removal of reasonable diagnostic samples from wild animals for biological examination.

(2) TIMES FOR INSPECTIONS. An inspection authorized under sub. (1) or (4) may be conducted during any of the following times:

(a) Normal business hours.

(b) During the time that the person who possesses wild animals or carcasses of wild animals is conducting business.

(c) At any time, if the inspection is necessary for public health, safety, or welfare.

(3) PROHIBITING INSPECTIONS. No person who has been requested to submit to an inspection under this section or s. 169.38 or an operator of a vehicle for such a person, or employee or person acting on behalf of such a person, may prohibit entry as authorized under this section or s. 169.38 unless a court restrains or enjoins the entry or inspection.

(4) INSPECTIONS OF INTRODUCED OR STOCKED ANIMALS. Only persons determined by the department to be experienced in wildlife disease may remove diagnostic samples under sub. (1) (d).

(5) TAXIDERMISTS. For an inspection of a taxidermist's place of business, this section does not apply, and the department shall conduct the inspection as authorized under s. 29.506 (7).

History: 2001 a. 56.

169.38 Inspections of items subject to regulation by the department of agriculture, trade and consumer protection. (1) DEPARTMENTAL AUTHORITY. For purposes of enforcing s. 90.21 and rules promulgated under that section and ch. 29 and rules promulgated under that chapter, with respect to a person who keeps farm-raised deer that are white-tailed deer, and for purposes of enforcing this chapter and ch. 29 and rules promulgated under this chapter and ch. 29, with respect to a person who keeps farm-raised game birds or wild animals under a license issued under s. 95.68, 95.69, or 95.71, a conservation warden or representative of the department, upon presenting his or her credentials to that person, may do any of the following:

(a) Enter and inspect any land, vehicle, building, or other structure where white-tailed deer, farm-raised game birds, or wild animals are possessed or where carcasses of white-tailed deer, farm-raised game birds, or wild animals are possessed.

(b) Inspect any equipment, materials, or other activities related to farm-raised deer that are white-tailed deer, farm-raised game birds, or wild animals.

(c) Gain access to and inspect any records that relate to farm-raised deer that are white-tailed deer and that are required to be kept under s. 93.07 (10), 95.55, or 169.36 (10m) or any rules promulgated under those sections.

(d) Gain access to and inspect any records relating to farm-raised game birds required to be kept under s. 93.07 (10) or 95.57 or any rules promulgated under those sections.

(e) Gain access to and inspect any records relating to wild animals required to be kept under s. 93.07 (10), 95.68, 95.69, 95.71, or 169.36 (10m) or any rules promulgated under those sections.

(2) TIMES FOR INSPECTIONS. An inspection authorized under sub. (1) may be conducted during any of the following times:

(a) Normal business hours.

(b) During the time that the person who keeps white-tailed deer, farm-raised game birds, or wild animals is conducting business.

(c) At any time, if the inspection is necessary for public health, safety, or welfare.

(d) At any time, if the inspection is limited to determining whether a fence that is used to contain farm-raised deer that are white-tailed deer complies with the requirements established by rule under s. 90.21 (6).

History: 2001 a. 56.

169.39 Humane care and housing. (1) COMPLIANCE WITH RULES. No license may be issued under this chapter unless the department determines that the applicant will comply with all of the rules promulgated under subs. (2) and (3).

(2) RULES; GENERAL. The department shall promulgate and enforce rules for the housing, care, treatment, enrichment, feeding, and sanitation of wild animals subject to regulation under this chapter to ensure all of the following:

(a) That the wild animals receive humane treatment and enrichment.

(b) That the wild animals are held under sanitary conditions.

(c) That the wild animals receive adequate housing, care, and food.

(d) That the public is protected from injury by the wild animals.

(3) RULES; HOUSING. The rules for housing under sub. (2) shall include requirements for the size and location of permanent enclosures and of temporary enclosures at locations other than those where the wild animals are permanently housed. The rules regulating the location of enclosures shall include the distance required between 2 enclosures. The rules for housing shall include specifications for enclosures for each species of harmful wild animal that the department designates under s. 169.11 (1).

(4) ORDERS. The department may issue an order requiring any person holding a license under this chapter to comply with the rules promulgated under sub. (2).

History: 2001 a. 56.
Cross-reference: See also ch. NR 17, Wis. adm. code.

169.40 Trespassing. A person who hunts, traps, kills, or takes a wild animal subject to regulation under this chapter on land subject to a license issued under this chapter without the permission of the license holder or of the holder's employee or agent is liable to the license holder for any damage that the person causes to any wild animal that is subject to regulation under this chapter or to any property or land that is subject to the license.

History: 2001 a. 56.

169.42 Taking custody of captive wild animals. (1) INTAKE OF WILD ANIMALS. A conservation warden may take into custody a wild animal that is subject to regulation under this chapter on behalf of the department if the conservation warden has reasonable grounds to believe that the wild animal is one of the following:

(a) An abandoned or stray captive wild animal.

(b) An unwanted captive wild animal delivered to the conservation warden.

(c) A wild animal possessed, taken, introduced, stocked, released, exhibited, propagated, rehabilitated, hunted, sold, or purchased in violation of this chapter, any rule promulgated under this chapter, or any ordinance enacted under s. 169.43.

(d) A captive wild animal that is not confined as required by a

quarantine under s. 93.07 (10) or any rule or ordinance relating to the control of any animal disease.

(e) A captive wild animal that has caused damage to persons or property.

(f) A participant in an animal fight intentionally instigated by any person.

(g) A captive wild animal that has been mistreated in violation of this chapter, any rule promulgated under this chapter, or ch. 951.

(h) A captive wild animal delivered by a veterinarian under s. 173.13 (2).

(i) A captive wild animal that is dead, dying, or sick and that has been exposed to, or is known to be infected with, a contagious or infectious disease as defined in the rules promulgated by the department of agriculture, trade and consumer protection under s. 95.001 (2) or with a disease or parasite that has pathological significance to humans or to any animals.

(j) A captive wild animal that has escaped and has not been returned to its owner or another person who is authorized to possess the animal.

(k) A wild animal that is being housed or held in violation of s. 169.39.

(2) TRANSFER OF WILD ANIMALS. (a) A conservation warden shall accept into custody any wild animal that is delivered by a law enforcement officer or humane officer.

(b) A conservation warden and the department shall comply with the applicable procedures under ss. 29.931, 29.934, and 968.20 as they relate to seized and confiscated wild animals, carcasses, vehicles, boats, or other objects or property.

History: 2001 a. 56.

169.43 Local ordinances. A municipality or county may enact and enforce an ordinance that prohibits the possession or selling of live wild animals.

History: 2001 a. 56.

169.45 Penalties; revocations. (1) DEFINITION. In this section, "violation of this chapter" means a violation of this chapter or any rule promulgated under this chapter.

(2) PENALTIES. For a violation of this chapter, a person shall be subject to a forfeiture of not more than $200, except as follows:

(a) *Possession.* For possessing any live wild animal, or a carcass of a wild animal, in violation of this chapter, a person shall forfeit not less than $100 nor more than $500.

(b) *Sale or purchase.* For selling or purchasing any live wild animal in violation of this chapter, a person shall be fined not less than $100 nor more than $2,000 or imprisoned for not more than 6 months or both.

(c) *Possession, sale, release, and descenting of live skunks.* For possessing, selling, purchasing, descenting, introducing, stocking, or releasing into the wild a live skunk in violation of this chapter, a person shall forfeit not less than $100 nor more than $1,000. This penalty shall apply in lieu of the penalties under pars. (a) and (b).

(d) *Taking of bear and deer.* For taking bear or deer from the wild in violation of s. 169.05, or a rule promulgated thereunder, a person shall be fined not less than $1,000 nor more than $2,000 or imprisoned for not more than 6 months or both.

(e) *Harmful wild animals.* For a violation of s. 169.11 (1) (b) or (c), a person shall be fined not less than $500 nor more than $5,000 or imprisoned for not more than 6 months or both.

(g) *Obtaining license during period of revocation.* For obtaining any license under this chapter during the period of time when that license is revoked or suspended by any court, a person shall be fined not more than $200 or imprisoned for not more than 90 days or both.

(3) PENALTY; VIOLATION OF ORDER. Any person who fails to comply with an order issued under s. 169.39 (4) within 10 days after its issuance is subject to a forfeiture of not more than $200.

(4) DIMINISHED PENALTIES. No penalty imposed under sub. (2) shall be held to be diminished because the violation for which it is imposed falls also within the scope of a more general prohibition.

(5) PENALTIES; REPEATERS. If a person is convicted of any violation of this chapter and it is alleged in the indictment, information, or complaint, and proved or admitted at trial or ascertained by the court after conviction that the person was previously convicted within a period of 5 years for a violation of this chapter, the person shall be subject to all of the following in addition to the penalty for the current violation:

(a) The person shall be fined not more than $100 or imprisoned for not more than 6 months or both.

(b) For violations under sub. (2) (a), (b), (d), and (e), the court shall revoke all of the licenses issued to the person under this chapter, and the department may not issue any license under this chapter to the person for a period of one year after the current conviction.

(6) COURT REVOCATIONS AND SUSPENSIONS. In addition to or in lieu of any other penalty for violation of this chapter, the court may revoke or suspend any privilege or license under this chapter for a period of up to 3 years.

(7) REVOCATIONS BY THE DEPARTMENT. In addition to revocations under subs. (5) (b) and (6), the department may revoke any license to which any of the following applies:

(a) The department determines that the license was fraudulently procured, erroneously issued, or otherwise prohibited by law.

(b) The department determines that the person holding the license is not in compliance with this chapter or with a rule promulgated under this chapter.

(8) PROHIBITIONS DURING PERIODS OF SUSPENSION OR REVOCATION. (a) Any person who has had a license or privilege under this chapter revoked or suspended and who engages in the activity authorized by the license or in the privilege during the period of revocation or suspension is subject to the following penalties, in addition to any other penalty imposed for failure to have a license:

1. For the first conviction, the person shall forfeit not less than $300 nor more than $500.

2. If the number of convictions in a 5-year period equals 2 or more, the person shall be fined not less than $500 nor more than $1,000.

(b) The 5-year period under par. (a) 2. shall be measured from the dates of the violations that resulted in the convictions.

(9) PARTIES TO A VIOLATION. (a) Whoever is concerned in the commission of a violation of this chapter is a principal and may be charged with and convicted of the violation of this chapter although he or she did not directly commit it and although the person who directly committed it has not been convicted of the violation of this chapter.

(b) A person is concerned in the commission of the violation of this chapter if the person does any of the following:

1. Directly commits the violation of this chapter.

2. Aids and abets the commission of the violation of this chapter.

3. Is a party to a conspiracy with another to commit the vio-

lation of this chapter or advises, hires, or counsels or otherwise procures another to commit it.

History: 2001 a. 56, 105.

169.46 Natural resources surcharges and restitution surcharges. (1) NATURAL RESOURCES SURCHARGES. (a) If a court imposes a fine or forfeiture for a violation of this chapter or a rule promulgated under this chapter, the court shall impose a natural resources surcharge under ch. 814 equal to 75 percent of the amount of the fine or forfeiture.

(b) If a fine or forfeiture is suspended in whole or in part, the natural resources surcharge shall be reduced in proportion to the suspension.

(c) If any deposit is made for an offense to which this subsection applies, the person making the deposit shall also deposit a sufficient amount to include the natural resources surcharge under this subsection. If the deposit is forfeited, the amount of the natural resources surcharge shall be transmitted to the secretary of administration under par. (d). If the deposit is returned, the natural resources surcharge shall also be returned.

(d) The clerk of the court shall collect and transmit to the county treasurer the natural resources surcharge and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration as provided in s. 59.25 (3) (f) 2. The secretary of administration shall deposit the amount of the natural resources surcharge in the conservation fund.

(e) All moneys collected from natural resources surcharges shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (3) (mu).

(2) NATURAL RESOURCES RESTITUTION SURCHARGES. (a) If a court imposes a fine or forfeiture for a violation of this chapter for failure to obtain a license required under this chapter, the court shall impose a natural resources restitution surcharge under ch. 814 equal to the amount of the fee for the license that was required and should have been obtained.

(b) If a fine or forfeiture is suspended in whole or in part, the natural resources restitution surcharge shall be reduced in proportion to the suspension unless the court directs otherwise.

(c) If any deposit is made for an offense to which this subsection applies, the person making the deposit shall also deposit a sufficient amount to include the natural resources restitution surcharge under this subsection. If the deposit is forfeited, the amount of the natural resources restitution surcharge shall be transmitted to the secretary of administration under par. (d). If the deposit is returned, the natural resources restitution surcharge shall also be returned.

(d) The clerk of the court shall collect and transmit to the county treasurer the natural resources restitution surcharge and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration as provided in s. 59.25 (3) (f) 2. The secretary of administration shall deposit the amount of the natural resources restitution surcharge in the conservation fund.

(e) All moneys collected from natural resources restitution surcharges shall be deposited in the conservation fund and credited to the appropriation account under s. 20.370 (3) (mu).

History: 2001 a. 56; 2003 a. 33, 139, 326.