



## 2011 SENATE BILL 415

January 31, 2012 - Introduced by Senator SCHULTZ, cosponsored by Representatives BROOKS, TRANEL and PETRYK. Referred to Committee on Natural Resources and Environment.

1     **AN ACT** *to renumber* 29.501 (1) (a); *to renumber and amend* 29.501 (1) (f) and  
2           29.501 (1) (g); *to amend* 29.351 (1r), 29.501 (1) (d), 29.501 (2), 29.501 (3), 29.501  
3           (5), 29.501 (6), 29.501 (6m) (a), 29.506 (4), 29.563 (6) (intro.), 29.563 (6) (a) 2.,  
4           29.563 (6) (a) 3. and 169.01 (8); *to repeal and recreate* 29.501 (title); and *to*  
5           **create** 29.501 (1) (af) 2., 29.501 (1) (ag) 2., 29.501 (1) (dm), 29.501 (1) (h), 29.501  
6           (2m), 29.501 (9g) and 29.539 (2m) of the statutes; **relating to:** buying, selling,  
7           bartering, and trading of nonedible parts from upland game birds.

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### ***Analysis by the Legislative Reference Bureau***

Current law, with limited exceptions, generally prohibits the purchase, sale, and trading of wild animals, or parts of wild animals. Also, under current law, a person may engage in the business of purchasing, selling, and trading furs if the person has been issued a fur dealer license by the Department of Natural Resources.

This bill renames this license to a fur and feather dealer license and expands the authorization under this license for a business to buy, sell, and trade the feathers and other nonedible parts of upland game birds. If the feather or bird part from a bird that has been killed in compliance with the hunting laws is being sold, bartered, or traded by the individual who killed the game bird, the transaction is exempt under the general prohibition against dealing in wild animal parts, and also no fur and

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feather dealer license is needed. The bill defines an upland game bird to be a grouse, partridge, pheasant, quail, or wild turkey.

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

1           **SECTION 1.** 29.351 (1r) of the statutes is amended to read:

2           29.351 (1r) No person may possess the raw skin of any muskrat, mink, otter,  
3           fisher, or pine marten at any time unless the person is the holder of a valid scientific  
4           collector permit, ~~fur dealer license, a~~ trapping license, ~~or a~~ resident conservation  
5           patron license, or a license authorizing dealing in furs. No license is required for a  
6           person breeding, raising, and producing domestic fur-bearing animals in captivity,  
7           as defined in s. 29.627, or for a person authorized to take muskrats on a cranberry  
8           marsh under a permit issued to the person by the department.

9           **SECTION 2.** 29.501 (title) of the statutes is repealed and recreated to read:

10          **29.501 (title) Regulation of dealers in furs and nonedible bird parts.**

11          **SECTION 3.** 29.501 (1) (a) of the statutes is renumbered 29.501 (1) (am).

12          **SECTION 4.** 29.501 (1) (af) 2. of the statutes is created to read:

13          29.501 (1) (af) 2. Buying, selling, bartering, or trading nonedible parts of  
14          upland game birds.

15          **SECTION 5.** 29.501 (1) (ag) 2. of the statutes is created to read:

16          29.501 (1) (ag) 2. Buying, selling, bartering, or trading nonedible parts of  
17          upland game birds.

18          **SECTION 6.** 29.501 (1) (d) of the statutes is amended to read:

19          29.501 (1) (d) “Itinerant fur buyers” means persons, ~~other than resident fur~~  
20          dealers residents holding licenses authorizing the dealing in furs, who engage in the  
21          business of buying, bartering, trading or otherwise obtaining raw furs from trappers

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1 or from fur buyers or fur dealers in retail lots for purposes of resale, except those  
2 buying furs at a nationally advertised public auction conducted by a regularly  
3 licensed fur auctioneer.

4 **SECTION 7.** 29.501 (1) (dm) of the statutes is created to read:

5 29.501 (1) (dm) “Nonedible part” means a part of an animal that is not bought,  
6 sold, bartered, or traded for the purpose of being eaten.

7 **SECTION 8.** 29.501 (1) (f) of the statutes is renumbered 29.501 (1) (af) (intro.)  
8 and amended to read:

9 29.501 (1) (af) (intro.) ~~“Resident fur dealer, Class A”~~ “Class A resident fur and  
10 feather dealer” means ~~persons~~ a person having an established post or place of  
11 business in the state where ~~they carry~~ the person carries on the a business of ~~buying,~~  
12 to the amount of \$2,000 or more each year, doing any combination of the following:

13 1. Buying, bartering, bargaining for, trading ~~and,~~ or otherwise obtaining raw  
14 or dressed furs, ~~to the amount of \$2,000 or more each year.~~

15 **SECTION 9.** 29.501 (1) (g) of the statutes is renumbered 29.501 (1) (ag) (intro.)  
16 and amended to read:

17 29.501 (1) (ag) (intro.) ~~“Resident fur dealer, Class B”~~ “Class B resident fur and  
18 feather dealer” means ~~persons~~ a person having an established post or place of  
19 business in the state where ~~they carry~~ the person carries on the a business of ~~buying,~~  
20 to the amount of less than \$2,000, doing any combination of the following:

21 1. Buying, bartering, bargaining for, trading ~~and,~~ or otherwise obtaining raw  
22 or dressed furs, ~~to the amount of less than \$2,000 each year.~~

23 **SECTION 10.** 29.501 (1) (h) of the statutes is created to read:

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1           29.501 (1) (h) “Upland game bird” means a grouse, partridge, pheasant, quail,  
2 or wild turkey that is present in the wild and that does not have a leg band or other  
3 mark identifying it as being held in captivity.

4           **SECTION 11.** 29.501 (2) of the statutes is amended to read:

5           29.501 (2) No person may engage in the business of buying, bartering,  
6 ~~bargaining~~, trading, or otherwise obtaining raw furs ~~until~~ unless he or she has a  
7 license issued under this section.

8           **SECTION 12.** 29.501 (2m) of the statutes is created to read:

9           29.501 (2m) No person may engage in the business of buying, selling,  
10 bartering, or trading nonedible parts of upland game birds unless he or she is a Class  
11 A resident fur and feather dealer or a Class B resident fur and feather dealer and he  
12 or she holds a license issued under this section. A resident fur dealer, Class A, as  
13 defined in s. 29.501 (1) (f), 2009 stats., or a resident fur dealer, Class B, as defined  
14 in s. 29.501 (1) (g), 2009 stats., may engage in the business of buying, selling,  
15 bartering, and trading nonedible parts of upland game birds under the authority of  
16 a license issued before the effective date of the subsection .... [LRB inserts date], and  
17 may continue to do so until the expiration date of the license. The exemption under  
18 sub. (9g) applies to a transaction under which a nonedible part of an upland game  
19 bird is bought or otherwise acquired by a holder of such a fur dealer license or a  
20 taxidermist permit issued under s. 29.506. A holder of such a fur dealer license shall  
21 be subject all of the other applicable provisions under this section until the expiration  
22 date of the license.

23           **SECTION 13.** 29.501 (3) of the statutes is amended to read:

24           29.501 (3) Licenses ~~shall be issued, subject to s. 29.024 (2g) and (2r), by the~~  
25 ~~department upon application~~ Upon application, the department shall issue, subject

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1 to s. 29.024 (2g) and (2r), licenses to fur auctioneers, fur dressers or dyers, itinerant  
2 fur buyers, and Class A resident fur and feather dealers and Class B resident fur and  
3 feather dealers. The form of application and license shall be prescribed by the  
4 department.

5 **SECTION 14.** 29.501 (5) of the statutes is amended to read:

6 29.501 (5) Persons who apply for a license under this section in order to buy,  
7 barter, trade, or otherwise obtain furs and who have not had a place of business in  
8 the state for at least one year immediately preceding the date of application for ~~such~~  
9 the license, shall be issued itinerant fur buyers' licenses only.

10 **SECTION 15.** 29.501 (6) of the statutes is amended to read:

11 29.501 (6) ~~Each resident fur dealer, Class A; resident fur dealer, Class B; fur~~  
12 ~~dresser or dyer; itinerant fur dealer or fur auctioneer~~ license issued under this  
13 section shall bear upon its face the date of issuance. The license shall be shown to  
14 the department upon request.

15 **SECTION 16.** 29.501 (6m) (a) of the statutes is amended to read:

16 29.501 (6m) (a) Every person licensed under this section shall keep records of  
17 all transactions in the buying, selling, dressing, dyeing, or tanning of raw furs by the  
18 person. ~~This record~~ and of all transactions in the buying, selling, bartering, or  
19 trading of nonedible parts of upland game birds by the person. These records shall  
20 show the name and address of each person from whom the furs or nonedible parts  
21 ~~were purchased~~ bought and to whom sold, together with the date of receipt and  
22 shipment, and a detailed account as to the number and kinds of raw furs or nonedible  
23 parts in each shipment received or sold. ~~This record~~ The records shall be open to the  
24 inspection of the department at all reasonable hours. The records shall be kept intact

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1 for a period of 2 years after the expiration of any license issued under this section,  
2 as to all transactions carried on while the license was effective.

3 **SECTION 17.** 29.501 (9g) of the statutes is created to read:

4 29.501 (9g) This section does not apply to a transaction under which a person  
5 sells, barter, or trades a nonedible part of upland game bird that he or she has  
6 lawfully killed under this chapter.

7 **SECTION 18.** 29.506 (4) of the statutes is amended to read:

8 29.506 (4) AUTHORIZATION. Subject to this section, a taxidermist permit  
9 authorizes the permit holder to possess and transport carcasses of wild animals in  
10 connection with his or her business. This authority supersedes, to the extent  
11 permitted under this section, restrictions on the possession and transportation of  
12 carcasses of wild animals established under this chapter and ch. 169. A taxidermist  
13 permit entitles the permit holder to the same privileges as a Class A or Class B  
14 resident fur and feather dealer's license.

15 **SECTION 19.** 29.539 (2m) of the statutes is created to read:

16 29.539 (2m) The feathers and other nonedible parts of an upland game bird,  
17 as defined in s. 29.501 (a) (h), that has been lawfully killed are exempt from sub. (1).

18 **SECTION 20.** 29.563 (6) (intro.) of the statutes is amended to read:

19 29.563 (6) APPROVALS FOR TRAPPING, FUR DEALERS AND TAXIDERMISTS. (intro.) The  
20 fees for trapping, fur and feather dealer, taxidermist and related approvals are as  
21 follows:

22 **SECTION 21.** 29.563 (6) (a) 2. of the statutes is amended to read:

23 29.563 (6) (a) 2. Class A resident fur and feather dealer: \$25.

24 **SECTION 22.** 29.563 (6) (a) 3. of the statutes is amended to read:

25 29.563 (6) (a) 3. Class B resident fur and feather dealer: \$10.

