



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 345

**Assembly
Amendment 1**

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Current law permits the hunting of farm-raised deer on deer farms that are registered with the Department of Agriculture, Trade and Consumer Protection (DATCP). This statute requires that the area in which deer are confined must be 80 contiguous acres or more in order for hunting to be allowed. Prior to January 1, 2003, under the Department of Natural Resources (DNR) deer farm license statutes, deer could be hunted in an area specified on the license, if the area designated for hunting was not less than 10 acres.

Assembly Bill 345 modifies the current statute that requires 80 contiguous acres or more in order to hunt farm-raised deer, by creating an exception for previously licensed deer farms. In order to qualify for the exception, the following conditions must be met.

- The owner of the deer farm must have had a license issued under the prior statutes administered by DNR that authorized the hunting of deer.
- The owner must have maintained registration with DATCP continuously since January 1, 2003.
- The area available for hunting must not be less than the minimum acreage required under the former deer farm license administered by DNR.
- The deer farm license from DNR must have been in effect on January 1, 2003, and the sale of the opportunity to hunt must have been offered prior to that date.
- Proceeds for the sale of the opportunity to hunt must have been reported to the Department of Revenue as income for taxable years through December 31, 2002.

Assembly Amendment 1 deletes the conditions required for the exception as described in the bill and substitutes the following:

- The owner must have had a deer-farm license issued by DNR under prior statutes that was in effect on December 31, 2002, and the permit must have authorized deer hunting.
- The owner must have complied with the requirement to register the deer farm with DATCP on January 1, 2003, and must have been registered continuously since that date.
- The deer must be confined in an area not less than the acreage under the DNR deer farm license on December 31, 2002.
- The owner must have offered the opportunity to hunt prior to January 1, 2003. The owner must submit evidence showing compliance with these statutory requirements and DATCP must verify the evidence.

Assembly Amendment 1 specifies the kind of evidence that the owner may present to DATCP showing that the conditions for the exception have been met, including specific notices required by statute to be given to DNR under the prior statutes before the taking of deer was allowed, reports submitted to the DNR under the former statute regarding deer having been taken, state or federal income tax records or sales tax records, a conditional use permit imposed by a local governmental unit, receipts or other business records, or brochures and other promotional information.

The amendment requires a person who wishes to qualify for the exception to make application within six months after the effective date of the legislation.

Legislative History

Assembly Amendment 1 was recommended by the Assembly Committee on Natural Resources on July 7, 2005, by a vote of Ayes, 14; Noes, 0. The Assembly Committee on Natural Resources recommended passage, as amended, on July 7, 2005 by a vote of Ayes, 7; Noes, 0.

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