

No. 395, A.]

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**CHAPTER 466**

AN ACT to repeal and recreate 29.544 of the statutes, relating to wild rice licenses, providing penalties and granting rule-making power.

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

29.544 of the statutes is repealed and recreated to read:

**29.544 WILD RICE CONSERVATION; LICENSES. (1) TITLE TO WILD RICE.** (a) The legal title to all wild rice growing in any navigable waters of the state is vested in the state for the purpose of regulating harvest, use, disposition and conservation thereof.

(b) The legal title to such wild rice taken or reduced to possession in violation of this chapter or of any rule of the conservation commission remains in the state; and the title to any such wild rice lawfully acquired is subject to the condition that upon the violation of any of the provisions of this chapter or of any conservation commission rule relating to the possession, use, harvest, sale, or purchase thereof by the holder of such title, the same shall revert, ipso facto, to the state. In either case, such

wild rice may be seized forthwith wherever found by the state conservation commission or its agents.

(2) **POWERS OF THE COMMISSION.** (a) The commission is authorized to establish such rules governing the harvest, use, and disposition of wild rice growing in the navigable waters of the state as it deems reasonably necessary for the conservation and wise use thereof. The conservation director is authorized to designate the opening date for harvesting wild rice in any navigable lake or stream by posting notice of such opening date on the shores of and at places of public access to such lake or stream at least 48 hours before such opening date. Such posting shall be deemed sufficient notice of such opening date and no other publication thereof shall be required.

(b) The conservation commission and the conservation director shall obtain the advice and recommendations of the tribal council before establishing any rules governing the harvest, use and disposition of wild rice growing within the bounds of the reservation.

(3) **LICENSE REQUIRED.** Every person over the age of 16 and under the age of 65 shall obtain a license and pay a license fee to harvest or deal in wild rice but no license to harvest shall be required of the members of the immediate family of a licensee or of a recipient of old-age assistance or general relief or members of their immediate families. Identification cards shall be issued without fee to any such recipient and to each member of his or a licensee's family. The term "immediate family" includes husband and wife and minor children having their abode and domicile with the parent or legal guardian.

(4) **LICENSES AND FEES.** (a) *Wild rice harvest license.* The fee for each license authorizing the harvesting of wild rice in the navigable waters of the state is \$1. No license shall be required of helpers of a licensee who participate only in shore operations. Wild rice harvest licenses shall be issued only to residents of this state.

(b) *Wild rice dealer's license.* The fee for wild rice dealers' licenses to buy wild rice within the state for resale to anyone except consumers, or to sell wild rice imported from outside of the state to anyone within the state except consumers, or to process wild rice not harvested by the processor himself for resale by the processor to any other person is \$150 if the amount of wild rice bought, sold or processed by the licensee within the year covered by the license exceeds 50,000 pounds; \$100 if such amount exceeds 25,000 pounds, but does not exceed 50,000 pounds; \$50 if such amount exceeds 5,000 pounds, but does not exceed 25,000 pounds; \$15 if such amount does not exceed 5,000 pounds. For the purposes of this section, 2½ pounds of raw rice shall be deemed equivalent to one pound of processed rice.

(c) *Effective period.* All licenses issued under this section are effective from May 1 to the following April 30, inclusive.

(5) **RECORDS AND REPORTS.** Each wild rice dealer shall keep a correct and complete book record in the English language of all wild rice bought, sold or processed by him during the period covered by his license showing the date of each transaction, the names and addresses of all other parties thereto, and the amount of wild rice involved, whether raw or processed. Each such record shall be open for inspection by the conservation commission or its agents at all reasonable times. All licensed wild rice dealers shall file such reports on their operations as wild rice dealers as are required by the commission.

(6) **PENALTIES.** Any person violating this section shall be punished pursuant to s. 29.63 (1) (b) and (3).

Approved September 15, 1959.