

State of Wisconsin



2013 Assembly Bill 30

Date of enactment: **December 12, 2013**
Date of publication*: **December 13, 2013**

2013 WISCONSIN ACT 85

AN ACT *to renumber* 29.047 (1) (a) 1. and 29.047 (1) (b); *to amend* 29.047 (1) (a) (intro.); and *to create* 29.047 (1) (a) 3., 29.047 (1) (a) 4., 29.047 (1) (b) 2., 29.047 (1) (c) 4., 29.047 (1) (d) and 29.047 (1k) of the statutes; **relating to:** the transportation in this state of game taken in another state or on Indian land.

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

SECTION 1. 29.047 (1) (a) (intro.) of the statutes is amended to read:

29.047 (1) (a) (intro.) In this subsection ~~section~~ **section**:

SECTION 2. 29.047 (1) (a) 1. of the statutes is renumbered 29.047 (1) (a) 5.

SECTION 3. 29.047 (1) (a) 3. of the statutes is created to read:

29.047 (1) (a) 3. "Indian land" means all land within the exterior boundaries of an Indian reservation in this state and all other land in this state that is held in trust for an Indian tribe or for a member of an Indian tribe.

SECTION 4. 29.047 (1) (a) 4. of the statutes is created to read:

29.047 (1) (a) 4. "Indian tribe" means a federally recognized American Indian tribe or band.

SECTION 5. 29.047 (1) (b) of the statutes is renumbered 29.047 (1) (b) 1.

SECTION 6. 29.047 (1) (b) 2. of the statutes is created to read:

29.047 (1) (b) 2. No member of an Indian tribe may transport into or through this state any game, or its carcass, from the Indian land of that Indian tribe in violation of the law of that Indian tribe.

SECTION 7. 29.047 (1) (c) 4. of the statutes is created to read:

29.047 (1) (c) 4. If the game is a member of a species that the department requires a person holding an approval under this chapter to tag before transporting, the game bears a tag on which is printed, in a manner that cannot be modified or erased, the name of the department or, if the tag was issued by another state, the name of the other state's agency that issued the tag. A tag issued under this subdivision by another state is not valid unless the other state, at the time of issuance, recorded the name and address of the person to whom the tag was issued.

SECTION 8. 29.047 (1) (d) of the statutes is created to read:

29.047 (1) (d) No member of an Indian tribe may transport, possess, or control off of the Indian land of that Indian tribe any game, or its carcass, that was taken on that Indian land in violation of any restriction on open and closed seasons established under this chapter or of any bag, possession, or size limit established under this chapter unless all of the following apply:

1. The game was taken on and transported from the Indian land in accordance with the laws of the Indian tribe.

1m. The member of the Indian tribe holds a license, permit, or other authorization issued by the member's

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

Indian tribe that allows the Indian tribe member to transport, possess, or control the game or its carcass on the Indian land of the member's Indian tribe or holds a tribal membership card or other document that demonstrates proof of membership in that Indian tribe.

2. If the game is a member of a species that the department requires a person holding an approval under this chapter to tag before transporting, the game bears a tag on which is printed, in a manner that cannot be modified or erased, the name of the department or, if the tag was issued by an Indian tribe, the name of the Indian tribe. A tag issued under this paragraph by an Indian tribe is not valid unless the Indian tribe, at the time of issuance, recorded the name and address of the person to whom the tag was issued.

SECTION 9. 29.047 (1k) of the statutes is created to read:

29.047 (1k) (a) Except as provided in par. (b), no person may remove a required tag attached under sub. (1) (c) 4. or (d) 2. from a carcass until the time of butchering, but the person who killed or obtained the game shall retain all required tags until the meat is consumed.

(b) No person may remove a required tag attached under sub. (1) (c) 4. or (d) 2. from the carcass of a fur-bearing animal until the carcass is prepared for preservation, mounting, or tanning.

(c) A person who retains a tag under par. (a) or (b) may give the carcass or any part of the carcass to another person. The person who receives the gift of the carcass or part of the carcass is not required to possess a tag.