

1999 ASSEMBLY BILL 192

March 11, 1999 – Introduced by Representatives SKINDRUD, LADWIG, FREESE, AINSWORTH, ALBERS, BRANDEMUEHL, GROTHMAN, GUNDERSON, JOHNSRUD, KESTELL, F. LASEE, MUSSER, OLSEN, OWENS, PETROWSKI, PETTIS and SYKORA, cosponsored by Senators DRZEWIECKI and ZIEN. Referred to Committee on Small Business and Economic Development.

1 **AN ACT to amend** 29.347 (2) and 29.539 (1) (a) 1.; and **to create** 29.543 of the
2 statutes; **relating to:** carcasses of deer left with venison processors for
3 processing.

Analysis by the Legislative Reference Bureau

Under current law, no person may sell venison or parts of deer carcasses from deer killed by hunters or deer raised on white-tailed deer farms except under limited circumstances. This bill allows a person in the business of processing venison to sell, give away or otherwise dispose of venison or a deer carcass part if the customer leaving the deer carcass for processing fails to claim the venison or carcass part. Under the bill, if the processor has had the venison or carcass for at least 30 days, the processor may send the customer a notice directing the customer to claim the venison or carcass within ten days. If the customer fails to do so, the processor may proceed to sell it, give it away or otherwise dispose of it. If the processor sells the venison or carcass part, the amount of the sale may not be more than the total cost of processing and storage.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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1 **SECTION 1.** 29.347 (2) of the statutes is amended to read:

2 29.347 **(2)** DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any
3 person who kills a deer shall immediately attach to the ear or antler of the deer a
4 current validated deer carcass tag which is authorized for use on the type of deer
5 killed. Except as provided under sub. (2m) or s. 29.543 or 29.871 (7), (8) or (14), no
6 person may possess, control, store or transport a deer carcass unless it is tagged as
7 required under this subsection. The carcass tag may not be removed before
8 registration. The removal of a carcass tag from a deer before registration renders the
9 deer untagged.

10 **SECTION 2.** 29.539 (1) (a) 1. of the statutes is amended to read:

11 29.539 **(1)** (a) 1. Deer, bear, squirrel, game bird, game fish or the carcass of any
12 of these wild animals at any time except as provided in s. 29.543.

13 **SECTION 3.** 29.543 of the statutes is created to read:

14 **29.543 Sale or disposal of deer carcasses. (1) DEFINITION.** In this section
15 “venison processor” means a person who is engaged in the business of processing
16 venison.

17 **(2) AUTHORIZATION.** A venison processor who has accepted a deer carcass for
18 processing venison may sell, give away or otherwise dispose of the venison or the
19 carcass if all of the following apply:

20 (a) The customer who left the carcass has not claimed the venison or carcass
21 within 30 days after leaving the carcass to be processed.

22 (b) After the 30-day time period expires, the venison processor has sent the
23 customer a notice to the customer’s last known mailing address. The notice shall
24 state that the venison or carcass must be claimed and removed from the premises of

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1 the venison processor within 10 days following the postmarked date of the notice or
2 the venison or carcass will be sold, given away or otherwise disposed of.

3 (c) The customer failed to remove the venison or carcass from the premises of
4 the venison processor within the 10-day time period.

5 **(3) AMOUNT OF SALE.** A venison processor who is authorized to sell venison or
6 a carcass under sub. (2) may sell the venison or carcass for an amount that is not more
7 than the total cost of processing and storage.

8 **(4) TAGGING.** (a) A venison processor may require that a customer leaving a
9 carcass for processing also leave the deer tag, but the requirement that the tag
10 remain with the meat under ss. 29.347 (2m) (a) and 29.871 (8) and (14) (b) 3. does not
11 apply to a venison processor or to a person to whom a venison processor gives or sells
12 venison under this section.

13 **(5) REPORTING AND RECORD KEEPING.** (a) A venison processor shall keep a written
14 record of the name and last known mailing address of each customer who leaves a
15 carcass for processing under this section. If a venison processor sends a notice under
16 sub. (2) (b), the venison processor shall keep a written record of the date on which the
17 notice was postmarked, the name of the customer to whom the notice was mailed and
18 the address to which the notice was mailed. A venison processor shall keep a record
19 required under this section for one year after the carcass is left for processing. If a
20 notice sent under sub. (2) (b) is returned to the venison processor as undeliverable,
21 the processor shall keep the returned notice for 6 months after having received it.

22 (b) A venison processor who is authorized to give away, sell, or otherwise
23 dispose of venison or a carcass under this section shall notify the department of the
24 fact. The report shall include the name and last known mailing address of the
25 customer who left the the deer carcass for processing.

