

**1999 DRAFTING REQUEST**

**Bill**

Received: **01/5/99**

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Rick Skindrud (608) 266-3520**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

**Topic:**

Sale and disposal of unclaimed deer carcasses

**Instructions:**

Same as 97-4868

**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u>    | <u>Reviewed</u>    | <u>Typed</u>       | <u>Proofed</u> | <u>Submitted</u>        | <u>Jacketed</u>          | <u>Required</u> |
|--------------|-------------------|--------------------|--------------------|----------------|-------------------------|--------------------------|-----------------|
| /?           | gibsom<br>02/4/99 | ygeller<br>02/4/99 |                    | _____          |                         |                          | State           |
| /1           |                   |                    | martykr<br>02/5/99 | _____          | lrb_docadmin<br>02/5/99 | lrb_docadmin<br>02/10/99 |                 |

FE Sent For:

*03-10-99*

<END>

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1?           | gibsom         | 1 2/4 jlg       | km 2/5       | 25<br>km 2/5   |                  |                 |                 |

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**1997 BILL**

1999

Regen

1 AN ACT to amend 29.40 (2) and 29.48 (1) (a) 1.; and to create 29.485 of the  
2 statutes; relating to: carcasses of deer left with venison processors for  
3 processing.

or deer raised on white-tailed deer farms ✓

**Analysis by the Legislative Reference Bureau**

Under current law, no person may sell venison or parts of deer carcasses from deer killed by hunters 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 ~~10~~ 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.

ten

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:**

4 SECTION 1. <sup>29.347 ✓</sup> ~~29.40~~ (2) of the statutes is amended to read:

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**BILL**

**SECTION 1**

PROOF W/STATS.

<sup>29.347</sup>  
~~29.40 (2) DEER TAGS. Except as provided under sub. (5) and s. <sup>29.324 ← plain</sup> 29.405 (3), any person who kills a deer shall immediately attach to the ear or antler of the deer a current validated deer carcass tag which is authorized for use on the type of deer killed. Except as provided under sub. (2m) or s. <sup>29.543</sup> ~~29.485~~ or <sup>29.871 ← plain</sup> ~~29.578~~ (7), (8) or (14), no person may possess, control, store or transport a deer carcass unless it is tagged as required under this subsection.~~

<sup>29.539</sup>  
**SECTION 2.** ~~29.48~~ (1) (a) 1. of the statutes is amended to read:

<sup>29.539</sup>  
~~29.48~~ (1) (a) 1. Deer, bear, squirrel, game bird, game fish or the carcass thereof at any time except as provided in s. <sup>29.543 ✓</sup> 29.485.

<sup>29.543 ← plain</sup>  
**SECTION 3.** ~~29.485~~ of the statutes is created to read:

<sup>29.543 ← (B)</sup>  
<sup>29.485</sup> **Sale or disposal of deer carcasses.** (1) **DEFINITION.** In this section "venison processor" means a person who is engaged in the business of processing venison.

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

(a) The customer who left the carcass has not claimed the venison or carcass within <sup>✓</sup>30 days after leaving the carcass to be processed.

(b) After the 30-day time period expires, the venison processor has sent the customer a notice to the customer's last known mailing address. The notice shall state that the venison or carcass must be claimed and removed from the premises of the venison processor within <sup>✓</sup>10 days following the postmarked date of the notice or the venison or carcass will be sold, given away or otherwise disposed of.

(c) The customer failed to remove the venison or carcass from the premises of the venison processor within the <sup>✓</sup>10-day time period.

INS ✓  
 2-9A  
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Section #. 29.539 (1) (a) 1. of the statutes is amended to read:

29.539 (1) (a) 1. Deer, bear, squirrel, game bird, game fish or the carcass of any of these wild animals at any time.

History: 1973 c. 315, 333; 1975 c. 360; 1977 c. 418; 1985 a. 29, 272; 1987 a. 27, 42, 114; 1991 a. 39, 269; 1995 a. 79; 1997 a. 27; 1997 a. 248 ss. 539 to 545; Stats. 1997 s. 29.539.

except as provided in §. 29.543 ✓

INS  
2-9A

~~Section #. 29.347 (2) of the statutes is amended to read:~~

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

History: 1975 c. 97, 199; 1983 a. 546; 1991 a. 269, 316; 1995 a. 79, 126; 1997 a. 248 s. 504; Stats. 1997 s. 29.347.

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

**Date:** 2/5/99

**To:** Representative Skindrud

**Relating to LRB drafting number:** LRB-1562


**Topic**

Sale and disposal of unclaimed deer carcasses

**Subject(s)**

Nat. Res. - fish and game

1. **JACKET** the draft for introduction

  
\_\_\_\_\_

in the **Senate** \_\_\_\_\_ or the **Assembly**  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Mary Gibson-Glass, Senior Legislative Attorney  
Telephone: (608) 267-3215





State of Wisconsin  
1999-2000 LEGISLATURE

**CORRECTIONS IN:**

**1999 ASSEMBLY BILL 192**

Prepared by the Legislative Reference Bureau  
(March 12, 1999)

1. Page 3, line 8: delete "(a)".

AB-192

CC  
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#. Page 3, line 8: delete "(a)".

JMG:

Skindaudo version bill -1562  
p. 3, line 8 - delete (a)

Editor please do a CCC to AB-192 to  
delete the "(a)" on p. 3, line 8.

MBB

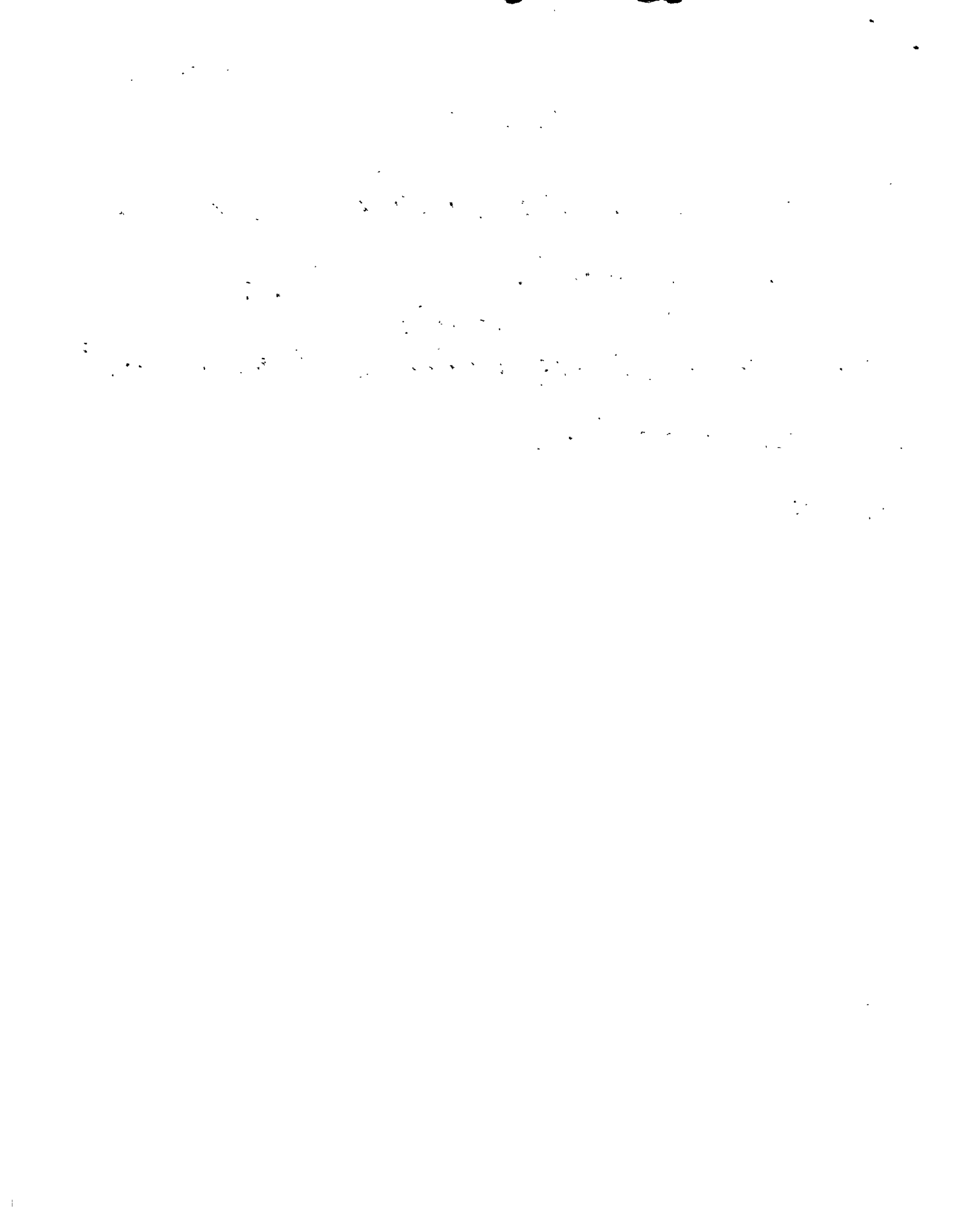


AB-192

#. Page 2, line 23: substitute "last-known"  
for "last known".

#. Page 3, line 14: <sup>on lines 14 and 24,</sup> substitute "last-known"  
for "last known".

KMG:



**ASSEMBLY BILL 192**

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           e l l (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

**ASSEMBLY BILL 192**

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 *ell* 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 *ell* fact. The report shall include the name and last-known mailing address of the  
25 customer who left the the deer carcass for processing.



State of Wisconsin  
1999-2000 LEGISLATURE

**CORRECTIONS IN:**

**1999 ASSEMBLY BILL 192**

Prepared by the Legislative Reference Bureau  
(August 4, 1999)

1. Page 2, line 23: substitute "last-known" for "last known".
2. Page 3, line 14: on lines 14 and 24, substitute "last-known" for "last known".