

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

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council’s Special Committee on State–Tribal Relations at the direction of the committee’s chair, Representative Jeffrey Mursau. The draft was prepared to illustrate the revisions that were made to another draft, WLC: 0002/1, up to the point that the special committee voted to recommend that the Joint Legislative Council introduce the draft in the 2013 session of the legislature. The final version of that draft is numbered WLC: 0002/3.

This draft denotes changes to the draft as follows:

Language that was deleted is shown in a *bold italic font*.

Language that was added is shown in a **BOLD ALL–CAPS FONT**.

Notes indicate whether an individual change was made in the conversion from WLC: 0002/1 to WLC: 0002/2 (“made in WLC: 0002/2”) or in the conversion from WLC: 0002/2 to WLC: 0002/3 (“made in WLC: 0002/3”).

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

6 29.047 (1) (a) (intro.) In this subsection and subs. (1b), (1e), (1h), and (1k):

7 **SECTION 2.** 29.047 (1) (a) 3. of the statutes is created to read:

8 29.047 (1) (a) 3. “Indian land” means all land within the exterior boundaries of an
9 Indian reservation in this state and all other land in this state that is held in trust for a federally
10 recognized American Indian tribe or band or for a member of such a tribe or band.

11 **SECTION 3.** 29.047 (1) (b) of the statutes is amended to read:

1 **29.047 (1) (b) NO PERSON IN ~~THIS STATE~~ MAY TRANSPORT INTO OR**
2 **THROUGH THIS STATE ANY GAME, OR ITS CARCASS, FROM ANY OTHER**
3 **STATE OR FROM INDIAN LAND IN VIOLATION OF ANY LAW OF THE OTHER**
4 **STATE OR THE FEDERALLY RECOGNIZED AMERICAN INDIAN TRIBE OR**
5 **BAND.**

NOTE: This provision was added in WLC: 0002/2.

6 **SECTION 4.** 29.047 (1) (c) of the statutes is repealed.

7 **SECTION 5.** 29.047 (1b) of the statutes is created to read:

8 29.047 **(1b)** Notwithstanding s. 29.055, a person may transport, possess, or control in
9 this state any game, or its carcass, that was taken in another state if all of the following apply:

10 (a) The game was lawfully taken in and lawfully transported from the other state.

11 (b) The person holds a license issued by the other state that authorized the person to
12 transport, possess, or control the game or its carcass.

13 (c) If the game is a cervid, the person transports, possesses, delivers, receives, or
14 controls the carcass of the cervid in compliance with rules promulgated by the department.

15 (d) If the game is of a species that the department, **UNDER RULES APPLICABLE**
16 **TO THE GENERAL PUBLIC**, requires to be tagged prior to being transported, the game
17 bears a registration tag that was issued by the other state [or by the department] or the game
18 bears a carcass tag that was issued by the other state and that meets the requirements of sub.
19 (1h).

NOTE: The new language in par. (d) was added in WLC: 0002/2.

The brackets on page 2 line 17 were removed (that is to say, the phrase,
“or by the department” was retained) in WLC: 0002/3.

20 **SECTION 6.** 29.047 (1e) of the statutes is created to read:

1 29.047 **(1e)** Notwithstanding s. 29.055, a member of a federally recognized American
2 Indian tribe or band may transport, possess, or control off the Indian land of the tribe or band
3 any game, or its carcass, that was taken on the Indian land of the tribe or band if all of the
4 following apply:

5 (a) The game was lawfully taken on and lawfully transported from the Indian land of
6 the tribe or band.

7 ***(b) The person holds a license issued by the tribe or band on whose land the game***
8 ***was taken that authorized the person to transport, possess, or control the game or its carcass***
9 ***[or proof of membership in the tribe or band, if the tribe or band does not issue licenses.***
10 ***A person may demonstrate membership in a tribe or band by presenting a tribal membership***
11 ***card or other documentation issued by the tribe].***

12 (c) If the game is of a species that the department, **UNDER RULES APPLICABLE**
13 **TO THE GENERAL PUBLIC**, requires to be tagged prior to being transported, the game
14 bears a registration tag that was issued by the tribe or band or the game bears a carcass tag that
15 was issued by the tribe or band and that meets the requirements of sub. (1h).

16 ***(d) If the game is a cervid, the person transports, possesses, delivers, receives, or***
17 ***controls the carcass of the cervid in compliance with rules promulgated by the department.***

NOTE: Paragraph (b) was deleted in WLC: 0002/3.

The new language in par. (c) was added in WLC: 0002/2.

Paragraph (d) was added in WLC: 0002/2 and then deleted in WLC:
0002/3.

18 **SECTION 7.** 29.047 (1h) of the statutes is created to read:

19 ***29.047 (1h) A carcass tag under sub. (1b) (d) or sub. (1e) (c) must bear the following***
20 ***information in a manner that cannot be erased or modified:***

1 (a) *The the name of the person to whom it was issued. The agency that issued the*
2 *tag must have recorded the name and address of the person to whom it was issued.*

3 (b) *An indication of the year, month, day, and time when the game was taken.*

4 (c) *An indication of the species of the game.*

5 **29.047 (1h) A CARCASS TAG UNDER SUB. (1b) (d) OR (1e) (c) SHALL BEAR**
6 **THE NAME OF THE AGENCY THAT ISSUED THE TAG IN A MANNER THAT**
7 **CANNOT BE ERASED OR MODIFIED. THE AGENCY THAT ISSUED THE TAG**
8 **SHALL RECORD THE NAME AND ADDRESS OF THE PERSON TO WHOM THE**
9 **TAG WAS ISSUED.**

NOTE: Paragraph (1h) (c) was added in WLC: 0002/2.

The entire text of sub. (1h) was revised in WLC: 0002/3.

10 **SECTION 8.** 29.047 (1k) of the statutes is created to read:

11 29.047 (1k) (a) *A registration tag or carcass tag attached under sub. (1b) (d) or sub.*
12 *(1e) (c) may be removed from a gutted carcass at EXCEPT AS PROVIDED IN PAR. (am),*
13 **NO PERSON MAY REMOVE A REGISTRATION TAG OR CARCASS TAG**
14 **ATTACHED UNDER SUB. (1b) (d) OR SUB. (1e) (c) FROM A CARCASS UNTIL** the
15 time of butchering, but the person who killed or obtained the animal shall retain all tags until
16 the meat is consumed.

17 **(am) NO PERSON MAY REMOVE A CARCASS TAG OR REGISTRATION**
18 **TAG ATTACHED UNDER SUB. (1b) (d) OR SUB. (1e) (c) FROM THE CARCASS OF**
19 **A FUR BEARING ANIMAL UNTIL THE CARCASS IS PREPARED FOR**
20 **PRESERVATION, MOUNTING, OR TANNING.**

21 (b) Any person who retains a tag under par. (a) may give *the game or meat from the*
22 *game* **THE CARCASS OR ANY PART OF THE CARCASS** to another person. The person

