

No. 120, A.]

[Published June 11, 1947.]

**CHAPTER 232.**

AN ACT to repeal 29.47 (1); to amend 29.395, 29.43 (1), (2) and (3), 29.44, 29.45 (2) and (3); to repeal and recreate 29.39 and 29.46; and to create 29.47 (2) (e) and (f) and (6) of the statutes, relating to possession and transportation of fish and game and providing a penalty.

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

SECTION 1. 29.39 of the statutes is repealed and recreated to read:

29.39 POSSESSION DURING CLOSE SEASON OR IN EXCESS OF BAG LIMIT. Except as otherwise expressly provided it shall be unlawful for any person to have in his possession or under his control, or have in storage or retention for any person, any game or other wild animal or the carcass or part thereof, during the period beginning July 1 and extending to the last day of the close season therefor in each year, or any game fish at any time other than during the open season therefor and 10 days thereafter, or in excess of the bag or possession limit or below the minimum size for any game, game fish or other wild animal at any time. The open and close seasons and the bag, possession and size limits of the state or province in which taken shall apply to game, game fish and other wild animals lawfully killed outside of this state.

SECTION 2. 29.395 of the statutes is amended to read:

29.395. It shall be unlawful to have in possession or under control \* \* \* *at any time* the carcass or part of the carcass or skin of any protected wild animal showing that the same has been taken during the close season for such animal.

SECTION 3. 29.43 (1), (2) and (3) of the statutes are amended to read:

29.43 (1) \* \* \* *Except as otherwise expressly provided, it shall be unlawful for any person to transport or cause to be transported, or deliver or receive or offer to deliver or receive for transportation, any game or game fish or carcass or part thereof at any time other than during the \* \* \* open season therefor \* \* \* and 3 days thereafter.* Whenever any game or game fish or carcass or part thereof is offered to any person for transportation *at any time other than during the \* \* \* open season therefor and 3 days thereafter,* such person shall

forthwith notify the state conservation commission or its deputy, stating full particulars of such offer and by whom made.

(2) No person shall carry with him or under his control in any trunk, valise, or other package or inclosure, at any time *on any common carrier*, any game or game fish, or carcass or part thereof.

(3) No employee of any railroad, express, or other transportation company, and no steward, porter, or other employe of any dining, parlor or sleeping car shall have in his personal possession or under his personal control, at any time while \* \* \* *on duty*, any game or game fish, or carcass or part thereof.

SECTION 4. 29.44 of the statutes is amended to read:

29.44 No person shall transport or cause to be transported, or deliver or receive or offer to deliver or receive for transportation, into or through this state, any game or game fish or carcass or part thereof from any other state in violation of the laws of such state relating to the transportation thereof; nor any game or game fish or carcass or part thereof lawfully transported from any other state, nor have the same in his possession or under his control, during the close season or in excess of the limitations prescribed for such animal in this chapter, unless \* \* \* such person \* \* \* *shall have in his possession a license to take such animal duly issued to him by the state in which taken*; but any person who has lawfully killed a deer in this state may, on his license only, take such deer into any adjoining state, if the laws thereof permit, and ship the same from any point in that state to any point within this state.

SECTION 5. 29.45 (2) and (3) of the statutes are amended to read:

29.45 (2) Each holder of a resident hunting license, *sportsmen's license*, settlers' hunting license, \* \* \* nonresident general hunting license or *nonresident archer's license*, may, *during the open season for deer and 3 days thereafter*, transport or cause to be transported one deer legally taken \* \* \*; but must accompany the same from the point of shipment to the point of destination, *whatever the type of transportation*.

(3) The place of delivery of any such shipment, *however transported*, by a resident licensee shall be within the state, and by a nonresident licensee may be either within the state or at his residence without the state.

SECTION 6. 29.46 of the statutes is repealed and recreated to read:

29.46 TRANSPORTATION OF GAME BIRDS. No common carrier shall receive for transportation or transport or attempt to transport any game bird, or carcass or part thereof, otherwise than as follows:

(1) RESIDENTS. It shall be lawful for any resident person in possession of a resident hunting license duly issued to him to transport in his personal possession the legal daily bag limit or possession limit of any game birds for which an open season has been provided to any point within the state.

(2) NONRESIDENTS. It shall be lawful for any nonresident person in possession of a nonresident hunting license duly issued to him to transport in his personal possession the legal daily bag limit or possession limit of game birds for which an open season has been provided from any point within the state to any point within or without the state.

SECTION 7. 29.47 (1) of the statutes is repealed.

SECTION 8. 29.47 (2) (e) and (f) and (6) of the statutes are created to read:

29.47 (2) (e) All fish transported as provided in this subsection shall be entirely intact with head and tail attached and with no part of such fish removed except the scales, gills and the entire gut or viscera.

(f) Not more than one person shall ship fish in a single box, package or container, at one time.

(6) INJURIOUS FISH. Live minnows of the following varieties shall not be transported into or within the state at any time: carp, dogfish, garfish, lawyers or eelpout, lamprey eels and smelt.

Approved June 9, 1947.

No. 129, A.]

[Published June 11, 1947.

### CHAPTER 233.

AN ACT to create 46.06 (12) of the statutes, relating to authorizing and directing the state department of public welfare to convey to the city of Sparta for park purposes a portion of the lands constituting the state public school grounds.

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

46.06 (12) of the statutes is created to read:

46.06 (12) The state department of public welfare is author-