



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBs0115/1
EHS:skw

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 411**

November 6, 2023 - Offered by Senator JAMES.

- 1 **AN ACT** *to repeal and recreate* 29.407 (1) (b) and 29.407 (2) (d) of the statutes;
2 **relating to:** the transportation of fish taken by hook and line.

Analysis by the Legislative Reference Bureau

Current law restricts the transportation of a fish with the head or tail or both removed or a filleted fish, if that fish is subject to a minimum size limit and taken by hook and line from inland waters or outlying waters. This bill replaces this restriction with one that restricts the transportation of any fish subject to a size limitation and taken by hook and line from inland waters or outlying waters. Under the bill, such a fish may only be transported if 1) it is a whole, dressed, or filleted fish with the head and tail attached, or 2) it is a dressed or filleted fish with the head or tail or both removed or is in the form of fillets and the person transporting the fish provides upon request a photograph showing the fish before the head or tail was removed alongside a ruler or other method acceptable to the department for proving the length of the fish. Under the bill, the photograph must be either a physical photograph bearing a stamp of the time and date on which the photograph was taken or a digital photograph displayed on a cellular telephone or other electronic device with metadata that indicates the date and time the image was captured. Under the bill, if a digital photograph is displayed on a cellular telephone or other electronic device, the conservation warden may not view, and displaying a digital photograph is not considered consent for the conservation warden to view, any content on the

telephone or other device except for the photograph and metadata required under the bill.

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

1 **SECTION 1.** 29.407 (1) (b) of the statutes is repealed and recreated to read:

2 29.407 (1) (b) 1. All fish that are subject to a size limit and are taken by hook
3 and line may be transported if one of the following applies:

4 a. The fish is a whole, dressed, or filleted fish with the head and tail attached.

5 b. The fish is a dressed or filleted fish with the head or tail or both removed or
6 is in the form of fillets and the person transporting the fish provides upon request
7 a photograph described under subd. 2. that shows the fish before the head or tail or
8 both were removed alongside a ruler or other method acceptable to the department
9 for proving the length of the fish.

10 2. A photograph under subd. 1. b. shall be either a physical photograph that
11 bears a stamp of the time and date on which the photograph was taken or a digital
12 photograph displayed on a cellular telephone or other electronic device with
13 metadata that indicates the time and date the image was captured. If a digital
14 photograph is displayed on a cellular telephone or other electronic device, the
15 conservation warden may not view, and displaying a digital photograph does not
16 constitute consent for the conservation warden to view, any content on the telephone
17 or other device except for the photograph and metadata required under this
18 subdivision.

19 3. For any fish transported under subd. 1., a dressed fish shall remain in one
20 piece with the skin and scales intact and the skin and scales shall remain on a filleted
21 fish and on a fish in the form of fillets.

