



State of Wisconsin  
1997 - 1998 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1997 ASSEMBLY BILL 873**

March 11, 1998 - Offered by Representative SCHAFER.

1     **AN ACT to create** 29.062 of the statutes; **relating to:** distribution and processing  
2             costs of seized or confiscated fish and game.

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

3             **SECTION 1.** 29.062 of the statutes is created to read:

4             **29.062 Distribution of fish and game to food distribution services. (1)**

5     Notwithstanding s. 29.06, the department may distribute for free carcasses from fish  
6     and game seized or confiscated under s. 29.05 that are suitable for eating to food  
7     distribution services, as defined in s. 46.765 (1) (b). The department may have the  
8     fish or game that is seized or confiscated processed before distributing that fish or  
9     game to food distribution services. The department may collect the costs of the  
10    processing of the fish or game from the person from whom the fish and game was  
11    seized or confiscated.

1           **(2)** The department may notify the person from whom the fish or game was  
2 seized or confiscated under s. 29.05 that he or she is liable for the costs incurred by  
3 the department for processing the fish or game under this section. The notification  
4 shall be mailed to the person's last-known address and shall include the amount that  
5 the person is required to pay as well as the address where payment shall be sent.

6           **(3)** If a person fails to pay the processing costs as requested under sub. (2), the  
7 department may submit a certification under oath to the clerk of circuit court in the  
8 county where the processed fish or game was seized or confiscated. The certification  
9 shall state the amount of processing costs unpaid, the name and last-known address  
10 of the person who is liable for those costs and such other information as the court  
11 considers necessary. The court shall order that the amount certified by the  
12 department be a judgment on behalf of the state and against the person if the person  
13 fails to submit a written objection to the court within 30 days after the court receives  
14 the certification from the department unless the department notifies the court that  
15 the envelope including the certification mailed to the person under sub. (4) was  
16 returned unopened to the department. If the person timely submits a written  
17 objection to the certification, the court shall consider the objection to be a complaint  
18 in a civil action and proceed under the rules of procedure under chs. 799 or 801 to 847,  
19 without requiring the service of a summons or the payment of filing fees.

20           **(4)** On the same day that the department submits the certification to the court,  
21 the department shall send a copy of the certification to the person at his or her  
22 last-known address by 1st class mail. Mailing of the certification shall be considered  
23 service of that certification when it is mailed unless the envelope containing the  
24 certification is returned unopened to the department. The department shall include  
25 with the certification a notice informing the person of all of the following:

