

1979 Assembly Bill 561

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## CHAPTER 142, Laws of 1979

AN ACT to repeal 107.15 (3); to amend 29.135 (5), 29.224 (1), 29.24, 29.585 (2) (b), 107.15 (2) (b) and 144.441 (3) (a) of the statutes, relating to remedial legislation for the department of natural resources (suggested as remedial legislation by the department of natural resources).

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

SECTION 1. 29.135 (5) of the statutes is amended to read:

29.135 (5) ~~Such licensee~~ A person licensed under sub. (2) may sell, buy or barter, or offer to sell, buy or barter, or ~~have in his possession,~~ possess or have under his or her control, for sale or barter, any commercial fish ~~(,except lake sturgeon),~~ which was lawfully taken either in this or in another state. ~~He~~ The licensee shall keep a separate record of the purchase of ~~such~~ the fish in the form required by the department, and ~~such the~~ the record shall at all times be open to its inspection by the department and ~~that of~~ its wardens.

SECTION 2. 29.224 (1) of the statutes is amended to read:

29.224 (1) No person may possess, place or transport in or on a motor-driven boat while the motor is running any firearm, bow or crossbow unless ~~such the~~ the firearm is unloaded and enclosed within a carrying case and unless ~~such the~~ the bow or crossbow is unstrung or enclosed within a carrying case.

SECTION 3. 29.24 of the statutes is amended to read:

**29.24 Hunting by landowners.** The owner or occupant of any land, and any member of his or her family may ~~without license~~ hunt ~~thereon~~ foxes, raccoons, woodchucks, rabbits and squirrels ~~on the land without a license~~ at any time, except during the period of ~~5 days~~ 24 hours prior to the opening date for deer hunting in those counties or parts of counties where an open season for hunting deer with firearms ~~has been is~~ established, ~~and.~~ The owner or occupant of any land and any member of his or her family may take rabbits, raccoons and squirrels thereon on the land at any time by means of live trapping with box traps in cities or villages or other areas where the firing of a gun is unlawful.

SECTION 4. 29.585 (2) (b) of the statutes is amended to read:

29.585 (2) (b) The term "wild animal" as used in this section means any mammal, fish or bird of a wild nature as distinguished from domestic animals under the common law or under the Wisconsin statutes whether or not ~~such~~ the mammal, fish or bird was bred or reared in captivity.

SECTION 6. 107.15 (2) (b) of the statutes is amended to read:

107.15 (2) (b) "Licensee" means any person ~~registered to conduct exploration as provided under sub. (3) or~~ licensed to conduct exploration activities by the department of natural resources under s. 144.832. If the person is a corporation, "licensee" includes the parent and any subsidiary or affiliates of the corporation engaged in mining or activities related to mining in this state.

SECTION 7. 107.15 (3) of the statutes is repealed.

SECTION 8. 144.441 (3) (a) of the statutes is amended to read:

144.441 (3) (a) Each owner or operator of a licensed site for the land disposal of solid waste or the disposal of hazardous waste shall periodically pay to the department a fee for each ton, or equivalent volume as determined by rule of the department, of solid waste received and disposed of at the site during the preceding reporting period. Solid waste materials approved by the department for lining or capping ~~a dike, berm or road construction~~ or for constructing berms, dikes or roads within a site for the land disposal of solid waste ~~shall are not be~~ subject to the fee imposed under this paragraph. The department shall reduce or waive ~~such~~ the fees for solid waste resulting from mining if it determines that the reclamation bonding and other requirements of ss. 144.81 to 144.94 are sufficient to accomplish the purposes of this subsection. ~~Such~~ The fees shall be paid into the waste management fund to be used for the purposes specified in par. (d). Whenever the investment board certifies to the department that the balance in the waste management fund exceeds \$15,000,000, this paragraph shall not apply to any site which is operating under its 6th or subsequent annual license until the investment board certifies to the department that the balance in the waste management fund is less than \$12,000,000.