

**2011 DRAFTING REQUEST**

**Bill**

Received: **12/13/2010**

Received By: **mglass**

Wanted: **As time permits**

Companion to LRB:

For: **Joel Kleefisch (608) 266-8551**

By/Representing: **A.J. Salas**

May Contact:

Drafter: **mglass**

Subject: **Nat. Res. - fish and game**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kleefisch@legis.wisconsin.gov**

Carbon copy (CC:) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Culling restrictions on bass fishing tournaments

**Instructions:**

Lift the culling restrictions for bass fishing tournaments in Wisconsin

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	mglass 01/10/2011	nmatzke 01/20/2011	phenry 01/24/2011	_____	lparisi 01/24/2011		State
	mglass 01/21/2011	nmatzke 01/21/2011		_____			
/1	mglass 01/26/2011	nmatzke 01/26/2011	jfrantze 01/26/2011	_____	mbarman 01/26/2011	cduerst 02/23/2011	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	mglass 02/10/2011	nmatzke 02/11/2011		_____ _____			

FE Sent For:

*atintro*  
*2/28*

<END>

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	mglass 01/21/2011	nmatzke 01/21/2011		_____			
		1/1 nwn 1/26		1/26			

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<END>

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Received: 12/13/2010

Received By: **mglass**

Wanted: **As time permits**

Companion to LRB:

For: **Joel Kleefisch (608) 266-8551**

By/Representing: ~~Carol Riedell~~  
A.J. Salas

May Contact:

Drafter: **mglass**

Subject: **Nat. Res. - fish and game**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kleefisch@legis.wisconsin.gov**

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/?	mglass	/p1 nwn 1/20	Y 24 ph	<del>4/24</del> ph			

FE Sent For:

<END>



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

SA ✓  
x-ref ✓

Gen.

1

**AN ACT ...; relating to: culling of bass in a fishing tournament.**

law

fish

**Analysis by the Legislative Reference Bureau**

Current law requires the Department of Natural Resources (DNR) to promulgate rules to establish a program to authorize and regulate fishing tournaments. Current law specifies certain rules that DNR may promulgate for the regulation of fishing tournaments, including rules specifying the governing the length and frequency of fishing tournaments, the species of fishing that may be caught and the bag and size limits that will apply. Current statutory law also prohibits a person from possessing a type of fish in excess of the bag limit for that type of fish.

This bill specifically authorizes culling at bass fishing tournaments and exempts the culling from any applicable bag limits imposed by statute or rule.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2

**SECTION 1.** 29.403 (1m) of the statutes is created to read:

3

29.403 (1m) Any person conducting a bass fishing tournament authorized by

4

the department under this section may allow participants to fish for, and cull, both

5

largemouth and smallmouth bass. Section 29.055 and any rule promulgated

1 pursuant to sub. (3) (L)<sup>g</sup>, as they relate to bag and possession limits for bass, do not  
 2 apply to culling that occurs in a bass fishing tournament authorized by the  
 3 department under this section.

4 **SECTION 2.** 29.403 (4) of the statutes is amended to read:

5 29.403 (4) Notwithstanding subs. (2) and (3), the department may not, under  
 6 the program established under sub. (1), allow a participant in a fishing tournament  
 7 to engage in any activity in which the department would not allow an angler who is  
 8 not a participant to engage at the same time on the same body of water. This  
 9 subsection does not apply to participants in a bass fishing tournament ~~for which a~~  
 10 ~~permit has been issued under s. 29.4035~~ authorized by the department under this  
 11 section.

12 History: 2003 a. 249.

12 **SECTION 3.** 29.4035 of the statutes is repealed.

13 (END)

D-note

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0696/Edn  
MGG: j:....  
nwn

Date

The bass fishing tournament pilot program under s. 29.403<sup>4</sup>, which sunsetted on December 31, 2006, required DNR to authorize bass fishing tournaments per year. Under the program, culling was allowed but requirements were placed on the culling. These requirements included having a live well and not holding more bass than the bag limit in the well at one time. <sup>5</sup>

This bill does not require DNR to authorize bass fishing tournaments. It also allows, but does not require, persons putting on bass fishing tournaments to allow culling. Also, this bill does not impose any restrictions on the culling process. Please review this draft and ss. 29.403 and 29.403<sup>5</sup> carefully and let me know if you want any changes.

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0696/P1dn  
MGG:nwn:ph

January 24, 2011

The bass fishing tournament pilot program under s. 29.4035, which sunsetted on December 31, 2006, required DNR to authorize four bass fishing tournaments per year. Under the program, culling was allowed but requirements were placed on the culling. These requirements included having a live well and not holding more bass than the bag limit in the well at one time.

This bill does not require DNR to authorize bass fishing tournaments. It also allows, but does not require, persons putting on bass fishing tournaments to allow culling. Also, this bill does not impose any restrictions on the culling process. Please review this draft and ss. 29.403 and 29.4035 carefully and let me know if you want any changes.

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215



State of Wisconsin  
2011 - 2012 LEGISLATURE



RMR

LRB-0696/PTM

MGG:nwn:ph

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

Regen.

1 AN ACT *to repeal* 29.4035; *to amend* 29.403 (4); and *to create* 29.403 (1m) of  
2 the statutes; **relating to:** culling of bass in a fishing tournament.

---

***Analysis by the Legislative Reference Bureau***

Current law requires the Department of Natural Resources (DNR) to promulgate rules to establish a program to authorize and regulate fishing tournaments. Current law specifies certain rules that DNR may promulgate for the regulation of fishing tournaments, including rules specifying the length and frequency of fishing tournaments, the species of fish that may be caught and the bag and size limits that will apply. Current statutory law also prohibits a person from possessing a type of fish in excess of the bag limit for that type of fish.

This bill specifically authorizes culling at bass fishing tournaments and exempts the culling from any applicable bag limits imposed by statute or rule.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

3 SECTION 1. 29.403 (1m) of the statutes is created to read:  
4 29.403 (1m) Any person conducting a bass fishing tournament authorized by  
5 the department under this section may allow participants to fish for, and cull, both

1 largemouth and smallmouth bass. Section 29.055 and any rule promulgated  
2 pursuant to sub. (3) (L), as they relate to bag and possession limits for bass, do not  
3 apply to culling that occurs in a bass fishing tournament authorized by the  
4 department under this section.

5 **SECTION 2.** 29.403 (4) of the statutes is amended to read:

6 29.403 (4) Notwithstanding subs. (2) and (3), the department may not, under  
7 the program established under sub. (1), allow a participant in a fishing tournament  
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9 not a participant to engage at the same time on the same body of water. This  
10 subsection does not apply to participants in a bass fishing tournament ~~for which a~~  
11 ~~permit has been issued under s. 29.4035~~ authorized by the department under this  
12 section.

13 **SECTION 3.** 29.4035 of the statutes is repealed.

14 (END)

## Duerst, Christina

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**From:** Schoenfeldt, Eileen  
**Sent:** Wednesday, February 23, 2011 11:07 AM  
**To:** Duerst, Christina  
**Subject:** RE: Draft Review: LRB 11-0696/1 Topic: Culling restrictions on bass fishing tournaments

Joel was going to expand the bill but decided against it. I emailed Mary and canceled the changes. So he would like the jacket for the /1. Sorry about the confusion.

*Eileen Schoenfeldt*  
*Office of Representative Joel Kleefisch*  
*Phone: (608) 266-8551*

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**From:** Duerst, Christina  
**Sent:** Wednesday, February 23, 2011 11:02 AM  
**To:** Schoenfeldt, Eileen  
**Subject:** RE: Draft Review: LRB 11-0696/1 Topic: Culling restrictions on bass fishing tournaments

Eileen,

I received your request for jacketing below. However, I see the draft is being redrafted to a "/2". May I assume you'd like to wait to see the new version before jacketing a previous draft? Please let me know how you'd like to proceed.

Thank you,  
CHRISTINA DUERST  
Program Assistant  
State of WI - Legislative Reference Bureau  
1 East Main, Suite 200  
Madison, WI 53703  
Phone: (608) 266-3561 Fax: (608) 264-6948

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**From:** Schoenfeldt, Eileen  
**Sent:** Wednesday, February 23, 2011 10:22 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-0696/1 Topic: Culling restrictions on bass fishing tournaments

Please Jacket LRB 11-0696/1 for the ASSEMBLY.

**Duerst, Christina**

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**From:** Schoenfeldt, Eileen  
**Sent:** Wednesday, February 23, 2011 10:22 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-0696/1 Topic: Culling restrictions on bass fishing tournaments

Please Jacket LRB 11-0696/1 for the ASSEMBLY.