



2017 ASSEMBLY BILL 913

February 2, 2018 - Introduced by Representatives PRONSCHINSKE, BALLWEG, HORLACHER and MEYERS, cosponsored by Senator TIFFANY. Referred to Committee on Natural Resources and Sporting Heritage.

1 **AN ACT** *to amend* 29.314 (4) (b) 3., 29.314 (5) (b) 2m., 29.405 (1) (a), 29.405 (1)
2 (b), 29.405 (1) (c), 29.405 (2), 29.405 (3) and 29.405 (4); and *to create* 29.405 (5)
3 and 29.406 of the statutes; **relating to:** taking rough fish or catfish by hand or
4 with a bow and arrow or a crossbow.

Analysis by the Legislative Reference Bureau

This bill prohibits the Department of Natural Resources from prohibiting the taking of rough fish or catfish by hand or with a bow and arrow or a crossbow.

Current rules promulgated by DNR prohibit persons from fishing by any means other than hook and line, with exceptions. Under current rules, a person may take a rough fish, as defined in statute, by hand or with a bow and arrow or a crossbow. The bill expands the current requirements applicable to taking rough fish to apply to catfish and prohibits DNR from prohibiting the taking of rough fish or catfish by hand or with a bow and arrow or a crossbow. Under the bill, DNR is not prohibited from promulgating rules establishing bag or length limits, season dates, zones, or other limitations applicable to rough fish or catfish if the rules are consistent with current laws relating to the regulation of wild animals.

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

5 **SECTION 1.** 29.314 (4) (b) 3. of the statutes is amended to read:

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1 29.314 (4) (b) 3. To a person who possesses or uses a light while using a bow
2 and arrow or crossbow for taking rough fish or catfish.

3 **SECTION 2.** 29.314 (5) (b) 2m. of the statutes is amended to read:

4 29.314 (5) (b) 2m. To a person who possesses or uses a light while using a bow
5 and arrow or crossbow for taking rough fish or catfish.

6 **SECTION 3.** 29.405 (1) (a) of the statutes is amended to read:

7 29.405 (1) (a) Take rough fish or catfish with a bow and arrow or take rough
8 fish or catfish with a bolt from a crossbow unless the arrow or bolt is equipped with
9 a metal barbed tip and is attached to the bow or crossbow with a tethered line that
10 allows for the retrieval of the arrow or bolt and the fish.

11 **SECTION 4.** 29.405 (1) (b) of the statutes is amended to read:

12 29.405 (1) (b) Release or return any rough fish or catfish taken with a bow and
13 arrow or crossbow, whether dead or alive, to the waters of this state.

14 **SECTION 5.** 29.405 (1) (c) of the statutes is amended to read:

15 29.405 (1) (c) Leave any rough fish or catfish taken with a bow and arrow or
16 crossbow, whether dead or alive, on the ice or banks of any waters of this state.

17 **SECTION 6.** 29.405 (2) of the statutes is amended to read:

18 29.405 (2) Any person who takes rough fish or catfish with a bow and arrow
19 or crossbow in any waters of this state shall remove the fish from those waters and
20 use or dispose of the fish in an appropriate manner as determined by the department.

21 **SECTION 7.** 29.405 (3) of the statutes is amended to read:

22 29.405 (3) If the department establishes an open season for taking rough fish
23 or catfish with a bow and arrow or crossbow on a particular body of water, the
24 department shall allow the taking of rough fish or catfish with a bow and arrow or
25 crossbow on that body of water from sunset to sunrise during that open season.

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1 **SECTION 8.** 29.405 (4) of the statutes is amended to read:

2 29.405 (4) If the department establishes an open season for taking rough fish
3 or catfish with a bow and arrow on a particular body of water, the department shall
4 also allow the use of a crossbow to take rough fish or catfish on that body of water
5 under the same conditions that apply to the use of a bow and arrow to take rough fish
6 or catfish on that body of water.

7 **SECTION 9.** 29.405 (5) of the statutes is created to read:

8 29.405 (5) The department may not promulgate or enforce a rule that prohibits
9 a person from taking rough fish or catfish with a bow and arrow or a crossbow. This
10 subsection does not prohibit the department from promulgating or enforcing a rule
11 that establishes bag or length limits, season dates, zones, or any other limitations
12 applicable to rough fish or catfish if the rule is consistent with the purposes of this
13 chapter.

14 **SECTION 10.** 29.406 of the statutes is created to read:

15 **29.406 Fishing by hand.** The department may not promulgate or enforce a
16 rule that prohibits a person from taking rough fish or catfish by hand. This section
17 does not prohibit the department from promulgating or enforcing a rule that
18 establishes bag or length limits, season dates, zones, or any other limitations
19 applicable to rough fish or catfish if the rule is consistent with the purposes of this
20 chapter.

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(END)