



2001 ASSEMBLY BILL 759

January 29, 2002 - Introduced by Representative KAUFERT, cosponsored by Senator ROESSLER. Referred to Committee on Natural Resources.

1 **AN ACT** *to repeal* 29.237 (1m) (c) and 29.563 (3) (d) 1.; *to renumber and amend*
2 29.237 (1); *to consolidate and renumber* 29.563 (3) (d) (title) and 2.; *to*
3 **amend** 29.235 (2), 29.235 (2m), 29.237 (2), 29.237 (3), 29.237 (4), 29.503 (3),
4 29.569 (3) (b), 29.977 (1) (i) and 29.983 (1) (b) 9.; and *to create* 20.370 (4) (kw),
5 29.237 (1) (a), 29.237 (5), 29.563 (3) (a) 10. and 29.563 (3) (b) 7. of the statutes;
6 **relating to:** sturgeon spearing licenses; the sturgeon stock, fishery, and
7 habitat in the Lake Winnebago and upper Fox and Wolf rivers system; and
8 making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes various changes to the laws governing the issuance of sturgeon spearing licenses. The bill increases the base fee for a sturgeon spearing license from \$9.25 for residents and nonresidents to \$19.25 for residents and \$49.25 for nonresidents. The bill requires that all of the moneys received by the department of natural resources for these licenses be used for administering their issuance; for assessing and managing the lake sturgeon stock and fishery in an area that consists of Lake Winnebago and its adjoining lakes, portions of the Fox River and of its tributaries, and portions of the Wolf River and of its tributaries; and for improving and maintaining the lake sturgeon habit that in that area.

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Under current law, a resident or nonresident conservation patron license confers on the holder of the license the privileges of most of the state's hunting, fishing, and trapping licenses, including the sturgeon spearing license. This bill removes the privileges of the sturgeon spearing license from those included under the conservation patron license. The bill also eliminates the requirement under current law that a person must hold a resident or nonresident fishing license to be issued a sturgeon spearing license.

For further information see the *state and local* 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:

1 **SECTION 1.** 20.370 (4) (kw) of the statutes is created to read:

2 20.370 (4) (kw) *Sturgeon stock and habitat.* All moneys received under s.
3 29.237 (5) for assessing and managing the lake sturgeon stock and fishery in the
4 Lake Winnebago system, for improving and maintaining lake sturgeon habitat in the
5 Lake Winnebago and upper Fox and Wolf rivers system, and for administering s.
6 29.237.

7 **SECTION 2.** 29.235 (2) of the statutes is amended to read:

8 29.235 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES.
9 A resident conservation patron license confers upon the licensee all the combined
10 privileges conferred by a resident small game hunting license, resident deer hunting
11 license, resident wild turkey hunting license, resident archer hunting license,
12 waterfowl hunting stamp, pheasant hunting stamp, a wild turkey hunting stamp,
13 resident annual fishing license, ~~sturgeon spearing license~~, an inland waters trout
14 stamp, a Great Lakes trout and salmon stamp, and trapping license.

15 **SECTION 3.** 29.235 (2m) of the statutes is amended to read:

16 29.235 (2m) AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A
17 nonresident conservation patron license confers upon the licensee all the combined

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1 privileges conferred by a nonresident small game hunting license, nonresident deer
2 hunting license, nonresident wild turkey hunting license, nonresident archer
3 hunting license, waterfowl hunting stamp, pheasant hunting stamp, a wild turkey
4 hunting stamp, nonresident annual fishing license, ~~sturgeon spearing license~~, an
5 inland waters trout stamp, and a Great Lakes trout and salmon stamp.

6 **SECTION 4.** 29.237 (1) of the statutes is renumbered 29.237 (1) (intro.) and
7 amended to read:

8 29.237 (1) (intro.) In this section, ~~“validated”~~:

9 (b) “Validated” means marked with specified information in the manner
10 required by the department.

11 **SECTION 5.** 29.237 (1) (a) of the statutes is created to read:

12 29.237 (1) (a) “Lake Winnebago and upper Fox and Wolf rivers system” means
13 Buttes des Morts Lake, Winneconne Lake, Poygan Lake, Winnebago Lake, and all
14 of the following:

15 1. Each stream that flows into any of these lakes, from the mouth of the stream
16 upstream to the first dam on the stream.

17 2. The Fox River from the point that it flows into Lake Winnebago upstream
18 to the dam above the city of Princeton.

19 3. Each tributary of the Fox River from the point that it flows into the Fox River
20 upstream to the first dam on the tributary.

21 4. The Wolf River from its mouth upstream to the dam in the city of Shawano.

22 5. Each tributary of the Wolf River from the point that it flows into the Wolf
23 River to the first dam on the tributary.

24 **SECTION 6.** 29.237 (1m) (c) of the statutes is repealed.

25 **SECTION 7.** 29.237 (2) of the statutes is amended to read:

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1 29.237 (2) The sturgeon spearing license shall be accompanied by sturgeon
2 carcass tags in the quantity to correspond with the season bag limit for spearing ~~rock~~
3 ~~or~~ lake sturgeon established by the department. The serial numbers of these tags
4 shall be entered on the license by the person issuing the license or by the department.

5 **SECTION 8.** 29.237 (3) of the statutes is amended to read:

6 29.237 (3) A sturgeon spearing license authorizes the spearing of ~~rock~~~~or~~ lake
7 sturgeon subject to any limit imposed under s. 29.192 (3) and only during the open
8 season for spearing these sturgeon established by the department. No person may
9 fish for sturgeon by means of a spear ~~unless the person is issued a conservation~~
10 ~~patron license or unless the person is issued a sturgeon spearing license.~~ The
11 ~~conservation patron license or the sturgeon spearing license~~ shall be carried on the
12 person of the licensee at all times while fishing for sturgeon by means of a spear.

13 **SECTION 9.** 29.237 (4) of the statutes is amended to read:

14 29.237 (4) Any person having taken a ~~rock~~~~or~~ lake sturgeon by means of a spear
15 shall immediately attach a current, validated sturgeon carcass tag issued to that
16 person to the tail of the sturgeon. No person may possess, control, store or transport
17 a ~~rock~~~~or~~ lake sturgeon carcass unless it is tagged as required under this section.

18 **SECTION 10.** 29.237 (5) of the statutes is created to read:

19 29.237 (5) The department shall deposit receipts from the sale of sturgeon
20 spearing licenses under this subsection into the conservation fund and shall credit
21 these receipts to the appropriation account under s. 20.370 (4) (kw).

22 **SECTION 11.** 29.503 (3) of the statutes is amended to read:

23 29.503 (3) ~~ROCK AND LAKE~~ LAKE STURGEON. A wholesale fish dealer license does
24 not authorize a person to sell, buy, barter, trade, possess, control or transport ~~rock~~
25 ~~or~~ lake sturgeon.

