



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3473/1
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2011 SENATE BILL 301

November 22, 2011 - Introduced by Senators KEDZIE, HOLPERIN, OLSEN and SCHULTZ, cosponsored by Representatives CRAIG, WEININGER, PRIDEMORE, SPANBAUER, TURNER, BALLWEG, KOOYENGA, KLEEFISCH, BIES, RIVARD, JACQUE, KNILANS, VRUWINK and MOLEPSKE JR. Referred to Committee on Natural Resources and Environment.

1 **AN ACT** *to amend* 29.001 (74), 29.314 (4) (b) 3., 29.314 (5) (b) 2m., 29.405 (title),
2 29.405 (1) (a), 29.405 (1) (b), 29.405 (1) (c), 29.405 (2), 29.405 (3), 29.927 (6g) and
3 167.31 (4) (g); and *to create* 29.405 (4) of the statutes; **relating to:** the
4 definition of rough fish and taking rough fish with a crossbow.

Analysis by the Legislative Reference Bureau

Under current law, no person may hunt with a crossbow unless the person is disabled and holds a permit that authorizes hunting with a crossbow or unless the person is at least 65 years old. Current law does not authorize a person to fish with a crossbow but does allow a person to fish for rough fish with a bow and arrow. Current law defines the term "rough fish" to include such fish as common carp, goldfish, alewife, and rainbow smelt. This bill adds asian carp to the definition of "rough fish."

This bill also authorizes a person to fish for rough fish with a crossbow under the same circumstances as a person may fish for rough fish with a bow and arrow. This bill does not require a person to hold a disabled hunting permit to use a crossbow to fish for rough fish. As under current law that regulates fishing for rough fish, this bill prohibits a person who takes rough fish with a crossbow from releasing the fish back to the waters of this state or leaving the fish on the ice or banks of any waters

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of this state. The person who takes rough fish with a crossbow must remove the fish from the waters where taken and use or dispose of the fish in an appropriate manner.

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

1 **SECTION 1.** 29.001 (74) of the statutes is amended to read:

2 29.001 (74) "Rough fish" includes suckers, not listed as endangered or
3 threatened under s. 29.604 (3), common carp, asian carp, goldfish, freshwater drum,
4 burbot, bowfin, garfish, sea lamprey, alewife, gizzard shad, rainbow smelt and
5 mooneye.

6 **SECTION 2.** 29.314 (4) (b) 3. of the statutes is amended to read:

7 29.314 (4) (b) 3. To a person who possesses or uses a light while using a bow
8 and arrow or crossbow for taking rough fish.

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

10 29.314 (5) (b) 2m. To a person who possesses or uses a light while using a bow
11 and arrow or crossbow for taking rough fish.

12 **SECTION 4.** 29.405 (title) of the statutes is amended to read:

13 **29.405 (title) Fishing with bow and arrow or crossbow.**

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

15 29.405 (1) (a) Take rough fish with a bow and arrow or take rough fish with a
16 bolt from a crossbow unless the arrow or bolt is equipped with a metal barbed tip ~~that~~
17 and is attached to the bow or crossbow with a tethered line that allows for the
18 retrieval of the arrow or bolt and the fish.

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

20 29.405 (1) (b) Release or return any rough fish taken with a bow and arrow or
21 crossbow, whether dead or alive, to the waters of this state.

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1 **SECTION 7.** 29.405 (1) (c) of the statutes is amended to read:

2 29.405 (1) (c) Leave any rough fish taken with a bow and arrow or crossbow,
3 whether dead or alive, on the ice or banks of any waters of this state.

4 **SECTION 8.** 29.405 (2) of the statutes is amended to read:

5 29.405 (2) Any person who takes rough fish with a bow and arrow or crossbow
6 in any waters of this state shall remove the fish from those waters and use or dispose
7 of the fish in an appropriate manner as determined by the department.

8 **SECTION 9.** 29.405 (3) of the statutes is amended to read:

9 29.405 (3) If the department establishes an open season for taking rough fish
10 with a bow and arrow or crossbow on a particular body of water, the department shall
11 allow the taking of rough fish with a bow and arrow or crossbow on that body of water
12 from sunset to sunrise during that open season.

13 **SECTION 10.** 29.405 (4) of the statutes is created to read:

14 29.405 (4) If the department establishes an open season for taking rough fish
15 with a bow and arrow on a particular body of water, the department shall also allow
16 the use of a crossbow to take rough fish on that body of water under the same
17 conditions that apply to the use of a bow and arrow to take rough fish on that body
18 of water.

19 **SECTION 11.** 29.927 (6g) of the statutes is amended to read:

20 29.927 (6g) Any lamp, light, gun, firearm, ammunition, bow, crossbow, bolt, or
21 arrow used in violation of this chapter or s. 167.31 or any rules promulgated under
22 s. 167.31.

23 **SECTION 12.** 167.31 (4) (g) of the statutes is amended to read:

24 167.31 (4) (g) A person who is fishing with a bow and arrow may shoot an arrow
25 from a bow, and a person who is fishing with a crossbow may shoot a bolt from a

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SECTION 12

1 crossbow, within 50 feet of the center of a roadway if the person does not shoot the
2 arrow or bolt from the roadway or across a highway.

3 (END)