1999 ASSEMBLY BILL 423

July 27, 1999 – Introduced by Representatives Johnsrud, Sykora, Albers, Kreibich, Hutchison, Hahn, Gronemus and Gunderson, cosponsored by Senators Rude, Cowles, Farrow, Schultz and Baumgart. Referred to Committee on Natural Resources.

- 1 AN ACT to create 29.403 of the statutes; relating to: regulating fishing
- 2 tournaments and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires the department of natural resources (DNR) to promulgate rules to establish a program to authorize and to regulate fishing tournaments. The bill requires that the rules include a procedure for authorizing a person to operate a fishing tournament. Under the bill, the rules must require that a DNR employe with expertise in the area of fishery resources determine whether to authorize a person to operate a fishing tournament. The bill requires that DNR, in determining whether or not to authorize a person to operate a fishing tournament, consider the potential for crowding on the body of water where the tournament will be held, the impact that the tournament will have on access to public facilities near the body of water where the tournament will have on fishery resources and the potential for the waste of a natural resource. Current law does not require DNR to promulgate rules relating to fishing tournaments.

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:

Section 1. 29.403 of the statutes is created to read:

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- 29.403 Fishing tournaments. (1) The department shall promulgate rules to establish a program to authorize and to regulate fishing tournaments. The rules shall include a procedure for authorizing a person to operate a fishing tournament and shall require that a department employe with expertise in the area of fishery resources determine whether to authorize a person to operate a fishing tournament. The rules shall provide that the following factors be considered by the department in determining whether to authorize a person to operate a fishing tournament:
- (a) The potential for crowding on the body of water on which the fishing tournament will be held.
- (b) The impact that the fishing tournament will have on the ability of nonparticipants to have access to public facilities near the body of water on which the fishing tournament will be held.
 - (c) The impact that the fishing tournament will have on any fishery resource.
 - (d) The potential for the waste of a natural resource.
- **(2)** If the department promulgates rules under sub. (1) that regulate fishing by tournament participants, the rules may not be less restrictive than the rules that regulate fishing by nonparticipants.

SECTION 2. Nonstatutory provisions.

(1) The department of natural resources shall submit in proposed form the rules required under section 29.403 of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 13Th month beginning after the effective date of this subsection.