

1999 ASSEMBLY BILL 604

November 24, 1999 – Introduced by Representatives PETTIS, STONE, MUSSER, RHOADES, SYKORA, PLOUFF, KREIBICH and GUNDERSON. Referred to Committee on Natural Resources.

1 **AN ACT to renumber and amend** 29.404 (1); and **to create** 20.370 (4) (kw),
2 29.404 (1b), 29.563 (11) (a) 3. and 29.563 (11) (a) 4. of the statutes; **relating to:**
3 permits for the placement of fish shanties or similar shelters and making an
4 appropriation.

Analysis by the Legislative Reference Bureau

Under this bill, a person who is not a state resident may not place a fish shanty on the ice unless he or she has a permit issued by the department of natural resources (DNR) or unless the county in which the fish shanty is placed enacts an ordinance that exempts fish shanties within that county from the permitting requirement. The bill establishes a seven-day permit and an annual permit and sets different fees for the permits. The bill requires DNR to annually pay each county an amount that equals the fish shanty permit fees DNR collected in the previous year for fish shanties in that county.

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:

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

ASSEMBLY BILL 604**SECTION 1**

1 20.370 (4) (kw) *Fish shanty permits*. A sum sufficient to reimburse counties
2 for fish shanty permit fees under s. 29.404 (1b) (c).

3 **SECTION 2.** 29.404 (1) of the statutes is renumbered 29.404 (1m) and amended
4 to read:

5 29.404 (1m) PUBLIC NUISANCE; REMOVAL. Any building, vehicle, tent, fish shanty
6 or similar shelter that is used or left on the ice without a permit as required under
7 sub. (1b) or in violation of any department order or that has fallen through the ice
8 is a public nuisance. The department shall notify the owner, if known. If after the
9 expiration of 10 days after notice is given the owner does not claim the nuisance, the
10 department may destroy or sell the nuisance in the name of the state.

11 **SECTION 3.** 29.404 (1b) of the statutes is created to read:

12 29.404 (1b) NONRESIDENTS; PERMIT REQUIRED. (a) Except as provided in par. (b),
13 a person who is not a resident may not place a fish shanty or similar shelter on the
14 ice unless the person holds a nonresident annual fish shanty permit or a nonresident
15 7-day fish shanty permit issued by the department.

16 (b) Any county may enact an ordinance to exempt fish shanties and similar
17 shelters placed by persons who are not residents from the permit requirement under
18 par. (a).

19 (c) The department each year shall pay to a county an amount that is equal to
20 the amount in fees received by the department during the preceding year from the
21 issuance of the permits under this section for fish shanties and similar shelters
22 within that county.

23 **SECTION 4.** 29.563 (11) (a) 3. of the statutes is created to read:

24 29.563 (11) (a) 3. Nonresident 7-day fish shanty permit: \$19.

25 **SECTION 5.** 29.563 (11) (a) 4. of the statutes is created to read:

