

2001 SENATE BILL 199

June 5, 2001 – Introduced by Senators BAUMGART, SCHULTZ, M. MEYER and ROESSLER, cosponsored by Representatives SYKORA, PETROWSKI, SERATTI, GROTHMAN, OTT, TOWNSEND, HAHN, PLOUFF, POWERS, VRAKAS, PETTIS and GUNDERSON. Referred to Committee on Environmental Resources.

1 **AN ACT** *to renumber* 29.193 (1); *to renumber and amend* 29.024 (6) (c) and
2 29.559 (1); *to amend* 29.193 (2) (cr) 2., 29.193 (3) (intro.), 29.563 (3) (a) 7. and
3 29.563 (3) (a) 9.; and *to create* 29.024 (6) (c) 2., 29.193 (1b), 29.193 (3m) and
4 29.559 (1) (b) of the statutes; **relating to:** the issuance of temporary fishing
5 licenses to disabled persons.

Analysis by the Legislative Reference Bureau

Currently, under rules promulgated by the department of natural resources (DNR), DNR and county clerks that are appointed to issue fish and game licenses must issue annual disabled person fishing licenses to state residents who present evidence that they suffer from certain disabilities. DNR and county clerks review the evidence and issue or deny the license application at the time the application is submitted. The fee for a resident annual disabled person fishing license is less than the fee for a general resident annual fishing license. Other issuing agents such as sporting goods stores and other businesses (nongovernmental issuing agents) are not authorized to issue annual disabled person fishing licenses.

Under this bill, a nongovernmental issuing agent must accept applications for these annual disabled person fishing licenses. The nongovernmental issuing agent issues a temporary fishing license to the applicant and sends the evidence submitted by the applicant of his or her disability to DNR for its review. The temporary fishing license is valid for 14 days, and DNR must grant or deny the application for the annual fishing license within this 14-day period. The applicant pays the license and

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issuing fee for the temporary license at the time he or she submits the application. The fee for the temporary license is the same as the fee for the annual license. The bill prohibits DNR from charging any fee for the issuance of an annual license that is based on the evidence submitted with an application for a temporary license and from refunding the fees paid for the temporary license.

Under current law, a person who is issued an annual disabled person fishing license pays an issuing fee for the license of 75 cents. If a county clerk issues the license, the clerk may retain 50 cents of the fee and send the balance of 25 cents to DNR. Under this bill, a nongovernmental issuing agent who issues temporary disabled person fishing licenses may retain the entire issuing fee of 75 cents.

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.** 29.024 (6) (c) of the statutes is renumbered 29.024 (6) (c) 1. and
2 amended to read:

3 29.024 **(6)** (c) 1. The department shall promulgate rules for each type of
4 approval under this chapter that specify which persons ~~appointed~~ under par. (a) shall
5 issue that type of approval except as provided under subd. 2.

6 **SECTION 2.** 29.024 (6) (c) 2. of the statutes is created to read:

7 29.024 **(6)** (c) 2. Persons appointed under par. (a) 2. and 3., as well as the
8 department, shall issue temporary disabled person fishing licenses under s. 29.193
9 (3m).

10 **SECTION 3.** 29.193 (1) of the statutes is renumbered 29.193 (1m).

11 **SECTION 4.** 29.193 (1b) of the statutes is created to read:

12 29.193 **(1b)** DEFINITION. In this section, “nongovernmental issuing agent”
13 means a person who is appointed under s. 29.024 (6) (a) 3.

14 **SECTION 5.** 29.193 (2) (cr) 2. of the statutes is amended to read:

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1 29.193 (2) (cr) 2. A Class A permit authorizes the holder to shoot or hunt from
2 a stationary vehicle, to fish or troll as authorized under sub. (4) (1m) (b) and to hunt
3 certain game with a crossbow as authorized under ss. 29.164 (2) (b), 29.171 (2) and
4 29.216 (2).

5 **SECTION 6.** 29.193 (3) (intro.) of the statutes is amended to read:

6 29.193 (3) ~~FISHING~~ ANNUAL FISHING LICENSE FOR DISABLED PERSONS. (intro.) The
7 department ~~or a county clerk appointed under s. 29.024 (6) (a) 2.~~ shall issue, subject
8 to s. 29.024 (2g), an annual disabled person fishing license to any resident ~~who~~ at the
9 time the resident applies for this license ~~and who~~ if the resident does one of the
10 following:

11 **SECTION 7.** 29.193 (3m) of the statutes is created to read:

12 29.193 (3m) **TEMPORARY FISHING LICENSE FOR DISABLED PERSONS.** (a) If a person
13 submits an application to a nongovernmental issuing agent for an annual disabled
14 person fishing license that includes the evidence specified in sub. (3) (a), (b), or (c) and
15 the applicable license fee and issuing fee, the nongovernmental issuing agent shall
16 issue, subject to s. 29.024 (2g), a temporary disabled person fishing license to the
17 applicant. The nongovernmental issuing agent shall promptly forward all of the
18 application materials for the annual fishing license to the department for the
19 department's review. A temporary fishing license issued under this subsection is
20 valid for 14 days after the date of issuance. If the department denies the application
21 for an annual fishing license, the department shall notify the applicant within 14
22 days after the date the temporary fishing license is issued. If the department
23 approves the application, the department shall issue, subject to s. 29.024 (2g), the
24 annual fishing license and mail it to the applicant within 14 days after the date the
25 temporary fishing license is issued. The department may not charge any type of fee

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1 for issuing the annual fishing license, and the department may not refund the
2 applicable fees for the temporary fishing license if the department denies the
3 application for the temporary fishing license.

4 **SECTION 8.** 29.559 (1) of the statutes is renumbered 29.559 (1) (a) and amended
5 to read:

6 29.559 (1) (a) Any person, including the department, who issues any license or
7 stamp under this chapter shall collect, in addition to the statutory license or stamp
8 fee, an issuing fee for each license and each stamp the person issued. ~~A~~ Except as
9 provided in par. (b), a person appointed under s. 29.024 (6) (a) 2., 3., or 4. may retain
10 50 cents of each issuing fee for each license and 15 cents for each issuing fee of each
11 stamp to compensate for services in issuing the license or stamp.

12 **SECTION 9.** 29.559 (1) (b) of the statutes is created to read:

13 29.559 (1) (b) A person appointed under s. 29.024 (6) (a) 3. may retain the entire
14 issuing fee for each temporary disabled person fishing license the person issues in
15 order to compensate for services in issuing the license.

16 **SECTION 10.** 29.563 (3) (a) 7. of the statutes is amended to read:

17 29.563 (3) (a) 7. Annual or temporary fishing issued to a disabled person under
18 s. 29.193 (3) (a) or (b) or (3m): \$6.25.

19 **SECTION 11.** 29.563 (3) (a) 9. of the statutes is amended to read:

20 29.563 (3) (a) 9. Annual or temporary fishing license issued to a disabled
21 veteran under s. 29.193 (3) (c) or (3m): \$2.25.

22 **SECTION 12. Initial applicability.**

23 (1) This act first applies to fishing licenses issued on the effective date of this
24 subsection.

25 **SECTION 13. Effective date.**

