

2001 DRAFTING REQUEST**Bill**

Received: 11/22/2000

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Tom Sykora (608) 266-1194

By/Representing: Marlin Hardiner

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Temporary fishing licenses for the disabled

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	gibsom 11/30/2000	wjackson 12/08/2000	martykr 12/13/2000	_____	lrb docadmin 12/13/2000	lrb docadminS&L 01/02/2001	

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 11/22/2000

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Tom Sykora (608) 266-1194**

By/Representing: **Marlin Hardiner**

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Temporary fishing licenses for the disabled

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	gibsom 11/30/2000	wjackson 12/08/2000	martykr 12/13/2000	_____	lrb_docadmin 12/13/2000		S&L

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 11/22/2000

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Tom Sykora (608) 266-1194

By/Representing: Marlin Hardiner

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Temporary fishing licenses for the disabled

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	gibsom	1 Wlj 12/7	Km 12/12	JJ 12/13 Km 13			

FE Sent For:

<END>

Gibson-Glass, Mary

From: Fast, Timothy
Sent: Monday, November 20, 2000 3:35 PM
To: Gibson-Glass, Mary; Kite, Robin
Subject: FW: AB-772

-----Original Message-----

From: Hardinger, Marlin
Sent: Monday, November 20, 2000 2:35 PM
To: Fast, Timothy
Subject: AB-772

Representative Sykora would like to reintroduce AB 772 LRB 3987/1

Topic: Disabled fishing licenses.

Thank You,

Marlin Hardinger

Legislative Assistant

Rep. Tom Sykora

(608) 266-1194



State of Wisconsin
2001 - 2002 LEGISLATURE

RMR
LRB-1187/1
MGG:/:....
WLJ

D - Note

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

GEN

1 AN ACT ...; relating to: the issuance of temporary fishing licenses to disabled
2 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 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.

14

DNR

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 the department. 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.

LPS: Please remove line numbers here.

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

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

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

SECTION 2. 29.024 (6) (c) 2. of the statutes is created to read:
29.024 (6) (c) 2. Persons appointed under par. (a) 2. and 3., as well as the department, ^{shall} ~~to~~ issue temporary disabled person fishing licenses under s. 29.193 (3m).

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32.

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

SECTION 4. 29.193 (1b) of the statutes is created to read:
^{Definition.}
29.193 (1b) In this section, "nongovernmental issuing agent" means a person who is appointed under s. 29.024 (6) (a) 3.

SECTION 5. 29.193 (3) (intro.) of the statutes is amended to read:
29.193 (3) FISHING ANNUAL FISHING LICENSE FOR DISABLED PERSONS. (intro.) The department or a county clerk appointed under s. 29.024 (6) (a) 2. shall issue, subject

INSERT 2-15

1 to s. 29.024 (2g), an annual disabled person fishing license to any resident ^{who} ~~at the time~~
2 ~~the resident who~~ ^{if the resident} applies for this license ~~and who~~ does one of the following:

History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32.

3 SECTION 6. 29.193 (3m) of the statutes is created to read:

4 29.193 (3m) TEMPORARY FISHING LICENSE FOR DISABLED PERSONS. (a) If a person
5 submits an application to ^a nongovernmental issuing agent for an annual disabled
6 person fishing license that includes the evidence specified in sub. (3) (a), (b), or (c) and
7 the applicable license fee and issuing fee, the nongovernmental issuing agent shall
8 issue, subject to s. 29.024 (2g), a temporary disabled person fishing license to the
9 applicant. The nongovernmental issuing agent shall promptly forward all of the
10 application materials for the annual fishing license to the department for the
11 department's review. A temporary fishing license issued under this subsection is
12 valid for 14 days after the date of issuance. If the department denies the application
13 for an annual fishing license, the department shall notify the applicant within 14
14 days after the date the temporary fishing license is issued. If the department
15 approves the application, the department shall issue, subject to s. 29.024 (2g), the
16 annual fishing license and mail it to the applicant within 14 days after the date the
17 temporary fishing license is issued. The department may not charge any type of fee
18 for issuing the annual fishing license, and the department may not refund the
19 applicable fees for the temporary ^{fishing} license if the department denies the application for
20 the temporary fishing license.

21 SECTION 7. 29.559 (1) of the statutes is renumbered 29.559 (1) (a) and amended
22 to read:

23 29.559 (1) (a) COLLECTION OF ISSUING FEE. Any person, including the
24 department, who issues any license or stamp under this chapter shall collect, in

1 addition to the statutory license or stamp fee, an issuing fee for each license and each
 2 stamp the person issued. ~~A~~ Except as provided in par. (b), a person appointed under
 3 s. 29.024 (6) (a) 2., 3., or 4. may retain 50 cents of each issuing fee for each license and
 4 15 cents for each issuing fee of each stamp to compensate for services in issuing the
 5 license or stamp.

History: 1997 a. 248 ss. 152 to 156; 1999 a. 9.

SECTION 8. 29.559 (1) (b) of the statutes is created to read:

7 29.559 (1) (b) A person appointed under s. 29.024 (6) (a) 3. may retain the entire
 8 issuing fee for each temporary disabled person fishing license the person issues in
 9 order to compensate for services in issuing the license.

SECTION 9. 29.563 (3) (a) 7. of the statutes is amended to read:

11 29.563 (3) (a) 7. Annual or temporary fishing issued to a disabled person under
 12 s. 29.193 (3) (a) or (b) or (3m): \$6.25.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186.

SECTION 10. 29.563 (3) (a) 9. of the statutes is amended to read:

14 29.563 (3) (a) 9. Annual or temporary fishing ~~license~~ issued to a disabled
 15 veteran under s. 29.193 (3) (c) or (3m): \$2.25.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186.

SECTION 11. Initial applicability.

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

SECTION 12. Effective date.

20 (1) This act takes effect on the first day of the 4th month beginning after
 21 publication.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1187/dn

MGG:.....

WJ

date line
↓

1. 1999 Assembly Bill 772 has been totally redrafted for this session to take into account how DNR currently issues disabled person fishing licenses, to deal with the fee issue, and to make nonsubstantive corrections. Therefore, please review the analysis and the body of the bill carefully.
2. Note that this draft requires "nongovernmental issuing agents" who issue other types of fish and game licenses to issue these temporary licenses. In other words, an agent cannot opt out of issuing temporary licenses. Please let me know if that is not your intent.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

INSERT 2-15

Section #. 29.193 (2) (cr) 2. of the statutes is amended to read:

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

History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1187/1dn
MGG:wlj:kll

December 13, 2000

1. 1999 Assembly Bill 772 has been totally redrafted for this session to take into account how DNR currently issues disabled person fishing licenses, to deal with the fee issue, and to make nonsubstantive corrections. Therefore, please review the analysis and the body of the bill carefully.
2. Note that this draft requires "nongovernmental issuing agents" who issue other types of fish and game licenses to issue these temporary licenses. In other words, an agent cannot opt out of issuing temporary licenses. Please let me know if that is not your intent.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

December 13, 2000

MEMORANDUM

To: Representative Sykora

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-1187 Temporary fishing licenses for the disabled

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3215 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.