

## 2003 ASSEMBLY BILL 623

AN ACT *to amend* 29.024 (2g) (a) 2. and 29.971 (1) (a); and *to create* 29.403, 29.4035, 29.971 (1) (ag) and 29.971 (1) (ar) of the statutes; **relating to:** regulating fishing tournaments, granting rule-making authority, and providing penalties.

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*Analysis by the Legislative Reference Bureau*

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

- 1           **SECTION 1.** 29.024 (2g) (a) 2. of the statutes is amended to read:  
2           29.024 **(2g)** (a) 2. Any permit issued under s. 29.403, 29.537, 29.733, 29.735,  
3           or 29.736.  
4           **SECTION 2.** 29.403 of the statutes is created to read:  
5           **29.403 Fishing tournaments. (1)** The department shall promulgate rules  
6           to establish a program to authorize and regulate fishing tournaments. The rules  
7           shall establish the scope and applicability of the program.

**ASSEMBLY BILL 623****SECTION 2**

1           **(2)** The department may require a permit under the program to conduct a  
2 fishing tournament and may impose terms and conditions that apply to a specific  
3 permit. The department may issue a specific permit under terms and conditions that  
4 vary from the requirements of the rules promulgated by the department under sub.  
5 (1).

6           **(3)** The rules promulgated by the department under sub. (1) may include any  
7 of the following:

8           (a) Rules governing the circumstances under which a waiver for a permit may  
9 be granted under s. 29.197.

10          (b) Rules establishing training or educational requirements for persons who  
11 seek a permit under sub. (2).

12          (c) Rules for controlling crowding, preventing unsafe conditions, or preventing  
13 conflicts among the users of the body of water on which fishing tournaments are held  
14 or at facilities for public access to those bodies of water, including boat ramps and  
15 parking lots.

16          (d) Rules relating to the prevention of the waste of a natural resource.

17          (e) Rules relating to the protection of the bodies of water of this state, fish, and  
18 other aquatic resources in those bodies of water.

19          (f) Rules specifying the number of fishing tournaments that may be held on a  
20 body of water.

21          (g) Rules governing the frequency with which fishing tournaments may be held  
22 and the dates on which they may be held.

23          (h) Rules specifying the number of days over which fishing tournaments, or  
24 practices for fishing tournaments, may be held.

25          (i) Rules governing the hours during which fishing tournaments may be held.

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1 (j) Rules specifying the location of the bodies of water on which fishing  
2 tournaments may be held.

3 (k) Rules specifying the species of fish that may be targeted by fishing  
4 tournaments.

5 (L) Rules specifying bag and size limits for fish that are caught at fishing  
6 tournaments.

7 (m) Rules governing the time of year when fishing tournaments may be held.

8 (n) Rules specifying the qualities that the bodies of water on which fishing  
9 tournaments may be held must have.

10 (o) Rules governing the reporting of the results of fishing tournaments.

11 (p) Rules specifying fees for fishing tournament permits and for training or  
12 educational programs, including rules specifying reduced fees in appropriate  
13 circumstances.

14 **(4)** Notwithstanding subs. (2) and (3), the department may not, under the  
15 program established under sub. (1), allow a participant in a fishing tournament to  
16 engage in any activity in which the department would not allow an angler who is not  
17 a participant to engage at the same time on the same body of water. This subsection  
18 does not apply to participants in a bass fishing tournament for which a permit has  
19 been issued under s. 29.4035.

20 **(5)** (a) The department shall deny an application for a fishing tournament  
21 permit or suspend or revoke a fishing tournament permit if the permit applicant or  
22 holder does any of the following:

23 1. Makes a material misrepresentation on a permit application.

24 2. Violates this section, a rule promulgated under this section, or a term or  
25 condition of a permit.

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1           3. Violates this chapter as it relates to fishing in connection with a fishing  
2 tournament.

3           4. Fails to adequately supervise a fishing tournament.

4           (b) If the department denies a person's application for a fishing tournament  
5 permit or if the permit is revoked under par. (a), the department may not issue a  
6 fishing tournament permit to that person for a period of 2 years after the denial or  
7 revocation.

8           **(6)** Any person who participates in a fishing tournament shall comply with the  
9 terms and conditions imposed by any permit issued for that fishing tournament  
10 under sub. (2).

11           **(7)** This section does not apply to any fishing tournament that is conducted on  
12 a body of water where persons who are normally required to have fishing approvals  
13 are exempt from having such approvals.

14           **SECTION 2m.** 29.4035 of the statutes is created to read:

15           **29.4035 Bass fishing tournament pilot program. (1)** In this section, "live  
16 well" means a container that is used to hold live fish and that meets standards  
17 established by the department by rule.

18           **(2)** The department shall establish a bass fishing tournament pilot program  
19 under which the department shall issue 4 permits per year. The department shall  
20 issue at least one permit per year under this section for a bass fishing tournament  
21 that authorizes participants to fish for, and cull, both largemouth and smallmouth  
22 bass. The remaining permits issued under this section shall authorize participants  
23 to fish for both largemouth bass and smallmouth bass, but to cull only largemouth  
24 bass. The department shall confer with the advisory board appointed under 2003

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1 Wisconsin Act .... (this act), section 6, to determine who shall be issued a permit under  
2 this section.

3 **(3)** Notwithstanding s. 29.055, a permit issued under this section authorizes  
4 a person to conduct a bass fishing tournament in which participants may take bass  
5 in excess of the daily bag limit if all of the following apply:

6 (a) Each boat in the tournament is equipped with a live well.

7 (b) A participant either immediately releases the bass into the water from  
8 which it was taken or holds the bass in a live well.

9 (c) The bass held in a live well by a participant at any one time does not exceed  
10 the daily bag limit.

11 (d) Each bass when released by a participant into the water from which it was  
12 taken is able to swim away in a healthy condition.

13 **(4)** The department, in cooperation with the Wisconsin Bass Federation, shall  
14 conduct research and collect data for the purpose of evaluating the pilot program  
15 under this section. The department shall report its findings to the appropriate  
16 standing committees of the legislature under s. 13.172 (3) on or before December 31,  
17 2006.

18 **(5)** This section does not apply after December 31, 2006.

19 **SECTION 3.** 29.971 (1) (a) of the statutes is amended to read:

20 29.971 **(1)** (a) For the violation of any requirement of this chapter relating to  
21 fishing or fish dealing, by a forfeiture of not more than \$1,000 except as provided  
22 under pars. (ag), (ar), (b), and (c) and sub. (5m).

23 **SECTION 4.** 29.971 (1) (ag) of the statutes is created to read:

