

ASSEMBLY BILL 623 (LRB -2251)

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

2003

- 10-27. A. Introduced by Representatives **Johnsrud, Ott, Albers, Hines, LeMahieu, Ainsworth, Hahn and Schneider**; cosponsored by Senators **Schultz and M. Meyer**.
- 10-27. A. Read first time and referred to committee on Natural Resources 461
- 10-29. A. Fiscal estimate received.
- 10-29. A. Public hearing held.

2004

- 02-09. A. Assembly amendment 1 offered by Representative Pettis (**LRB a1946**) 690
- 02-12. A. Executive action taken.
- 03-02. A. Assembly amendment 2 offered by Representatives Gunderson, Petrowski and Pettis (**LRB a2320**) 758
- 03-02. A. Executive action taken.
- 03-02. A. Report Assembly Amendment 2 adoption recommended by committee on Natural Resources, Ayes 9, Noes 2 761
- 03-02. A. Report passage as amended recommended by committee on Natural Resources, Ayes 10, Noes 1 761
- 03-02. A. Referred to committee on Rules 761
- 03-02. A. Placed on calendar 3-4-2004 by committee on Rules.
- 03-04. A. Made a special order of business at 10:12 A.M. on 3-9-2004 pursuant to Assembly Resolution 37 799
- 03-09. A. Made a special order of business at 11:37 A.M. on 3-10-2004 pursuant to Assembly Resolution 38 817
- 03-10. A. Read a second time 836
- 03-10. A. Refused to table Assembly amendment 2, Ayes 31, Noes 68 836
- 03-10. A. Assembly amendment 2 **adopted** 836
- 03-10. A. Ordered to a third reading 836
- 03-10. A. Rules suspended 836
- 03-10. A. Read a third time and **passed** 836
- 03-10. A. Ordered immediately messaged 836
- 03-11. S. Received from Assembly 708
- 03-11. S. Read first time and referred to committee on Environment and Natural Resources 710
- 03-11. S. Representative M. Williams added as a coauthor.
- 03-24. S. Executive action taken.
- 03-24. S. Report concurrence recommended by committee on Environment and Natural Resources, Ayes 4, Noes 1.
- 03-24. S. Available for scheduling.
- 03-25. S. Placed on calendar 3-25-2004 by committee on Senate Organization.
- 03-25. S. Senator Welch added as a cosponsor.
- 03-25. S. Senator M. Meyer withdrawn as a cosponsor.
- 03-25. S. Read a second time.
- 03-25. S. Referred to joint committee on Finance.
- 03-25. S. Withdrawn from joint committee on Finance and taken up.
- 03-25. S. Ordered to a third reading.
- 03-25. S. Rules suspended.
- 03-25. S. Read a third time and **concurred in**.
- 03-25. S. Ordered immediately messaged.
- 03-25. A. Received from Senate concurred in.

2003
ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig Engr SubAmdt

03-225/1/1

Amendments to above (if none, write "NONE"): AA 2

Corrections - show date (if none, write "NONE"): none

Topic relay mins Rem A + penalty

3/25/04
Date

[Signature]
Enrolling Drafter

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2003 ASSEMBLY BILL 623

October 27, 2003 – Introduced by Representatives JOHNSRUD, OTT, ALBERS, HINES, LEMAHIEU, AINSWORTH, HAHN and SCHNEIDER, cosponsored by Senators SCHULTZ and M. MEYER. Referred to Committee on Natural Resources.

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

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 regulate fishing tournaments. Under the bill, DNR is authorized to require a person to obtain a permit to conduct a fishing tournament. The bill specifies certain rules that DNR may promulgate regulating fishing tournaments, including rules specifying the circumstances under which a waiver for a permit may be granted, rules establishing training requirements for persons who seek a permit, and rules specifying the location of the bodies of water on which fishing tournaments may be held. The bill provides that DNR may not allow a fishing tournament participant to engage in an activity if it would not allow an angler who is not a tournament participant to engage in that activity. The bill requires DNR to deny an application for a fishing tournament permit or suspend or revoke such a permit if the applicant engages in certain conduct, such as making a misrepresentation on a permit application or failing to adequately supervise a fishing tournament. The bill requires DNR to appoint an advisory committee to advise DNR in promulgating rules regulating fishing tournaments.

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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 (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.

8 (2) The department may require a permit under the program to conduct a
9 fishing tournament and may impose terms and conditions that apply to a specific
10 permit. The department may issue a specific permit under terms and conditions that
11 vary from the requirements of the rules promulgated by the department under sub.
12 (1).

13 (3) The rules promulgated by the department under sub. (1) may include any
14 of the following:

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

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

19 (c) Rules for controlling crowding, preventing unsafe conditions, or preventing
20 conflicts among the users of the body of water on which fishing tournaments are held

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1 or at facilities for public access to those bodies of water, including boat ramps and
2 parking lots.

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

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

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

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

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

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

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

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

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

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

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

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

23 (p) Rules specifying fees for fishing tournament permits and for training or
24 educational programs, including rules specifying reduced fees in appropriate
25 circumstances.

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1 (4) Notwithstanding subs. (2) and (3), the department may not, under the
2 program established under sub. (1), allow a participant in a fishing tournament to
3 engage in any activity in which the department would not allow an angler who is not
4 a participant to engage at the same time on the same body of water.

4-4 ✓

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

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

9 2. Violates this section, a rule promulgated under this section, or a term or
10 condition of a permit.

11 3. Violates this chapter as it relates to fishing in connection with a fishing
12 tournament.

13 4. Fails to adequately supervise a fishing tournament.

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

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

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

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

4-23 ✓

**ASSEMBLY AMENDMENT 2,
TO 2003 ASSEMBLY BILL 623**

March 2, 2004 - Offered by Representatives GUNDERSON, PETROWSKI and PETTIS.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 4, line 4: after "water." insert "This subsection does not apply to
3 participants in a bass fishing tournament for which a permit has been issued under
4 s. 29.4035." 9-4

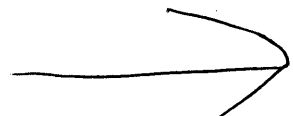
5 ✓ 2. Page 4, line 23: after that line insert:

6 "SECTION 2m. 29.4035 of the statutes is created to read:

7 **29.4035 Bass fishing tournament pilot program.** (1) In this section, "live
8 well" means a container that is used to hold live fish and that meets standards
9 established by the department by rule.

10 (2) The department shall establish a bass fishing tournament pilot program
11 under which the department shall issue 4 permits per year. The department shall
12 issue at least one permit per year under this section for a bass fishing tournament
13 that authorizes participants to fish for, and cull, both largemouth and smallmouth

4-23



C(1-2) conf

1 bass. The remaining permits issued under this section shall authorize participants
2 to fish for both largemouth bass and smallmouth bass, but to cull only largemouth
3 bass. The department shall confer with the advisory board appointed under 2003
4 Wisconsin Act (this act), section 6, to determine who shall be issued a permit under
5 this section.

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

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

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

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

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

16 (4) The department, in cooperation with the Wisconsin Bass Federation, shall
17 conduct research and collect data for the purpose of evaluating the pilot program
18 under this section. The department shall report its findings to the appropriate
19 standing committees of the legislature under s. 13.172 (3) on or before December 31,
20 2006.

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

22 ✓ 3. Page 5, line 14: delete "under section 227.13 of the statutes".

