

2007 DRAFTING REQUEST

Bill

Received: 07/09/2007

Received By: mglass

Wanted: As time permits

Identical to LRB:

For: David Hansen (608) 266-5670

By/Representing: John Wagnitz

This file may be shown to any legislator: NO

Drafter: mglass

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Sen.Hansen@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit a minimum harvest requirement for having a commercial fishing license

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>
/?				_____			State
/1	mglass 07/10/2007	kfollett 07/11/2007	jfrantze 07/12/2007	_____	lparisi 07/12/2007	cduerst 07/25/2007	

FE Sent For:

at intro
12/18

<END>

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/?	mglass			_____			

FE Sent For:

<END>

Gibson-Glass, Mary

From: Wagnitz, John
Sent: Monday, July 09, 2007 9:47 AM
To: Gibson-Glass, Mary
Subject: FW: Hansen motion wrt commercial fishing license

Mary,

Sen. Hansen would like to introduce legislation to remove the minimum commercial harvest requirement to maintain a commercial fishing license.

Please let me know if you have any questions.

John Wagnitz
Office of State Senator Dave Hansen
18 South, State Capitol
phone: (608) 266-5670

NR 25.03(2)(b)3.

3. Except as provided in subd. 4. or 5., the applicant or, where the applicant obtained the license by transfer, the transferor and applicant **jointly shall have reported a minimum commercial harvest during the previous license year of either of the following:**

NR 25.03(2)(b)3.a.

a. Smelt of at least 147,870 or X1 total pounds, whichever is less, from zone 1, or 76,770 or X3 total pounds, whichever is less, from zone 3, where X1 and X3 = 30 times the average reported total daily harvest of smelt taken by trawls from zone 1 or 3, respectively, by all licensed commercial fishers during the 12 months preceding June 1 of the previous license year.

NR 25.03(2)(b)3.b.

b. Yellow perch, menominees, whitefish, chubs or any combination of these species of at least 3,570 or X1 total pounds, whichever is less, from zone 1, 13,656 or X2 total pounds, whichever is less, from zone 2, or 19,638 or X3 total pounds, whichever is less, from zone 3, where X1, X2 and X3 = 30 times the average reported total daily harvest of yellow perch, menominees, whitefish and chubs from zone 1, 2 or 3, respectively, by all licensed commercial fishers during the 12 months preceding June 1 of the previous license year.

NR 25.03(2)(b)4.

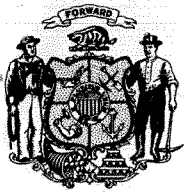
4. Notwithstanding subd. 3., for the license year immediately following a reduction in the harvest limit of yellow perch, whitefish, chubs or menominee, the minimum commercial harvest from each zone required for licensing shall, for each applicant, be reduced by an amount equal to that applicant's reported harvest or, where the applicant obtained the license by transfer, the transferor's and applicant's combined reported harvest, of that species from that zone for the year before the harvest limit was reduced.

NR 25.03(2)(b)5.

5. Neither subd. 3. or 4. applies if the department determines that unavoidable circumstances prevented the applicant or the transferor from complying with subd. 3. or 4.

NR 25.03(3)

(3) APPLICATION. Application for licenses authorizing commercial fishing in the outlying waters shall be made on forms available from the department and shall be returned to the department no later than April 30 preceding the license year for which application is being made. To be timely, applications, if mailed, must be postmarked no later than April 30 preceding the license year for which application is being made and if submitted to the department other than by mail must be



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-2943/3

MGG...

in edit 7/10

RMB
kjf

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Gen

1 AN ACT ...; relating to: minimum harvesting requirements for Great Lakes fish.

Analysis by the Legislative Reference Bureau

X Under current law, the Department of Natural Resources (DNR) may promulgate rules establishing qualifications for persons applying for commercial fishing licenses for fishing in the Great Lakes. These rules include a requirement that, in order to qualify for a license, an applicant must have harvested in the previous license year at least a certain amount of fish. This bill prohibits these minimum harvesting requirements.

X For further information see the *state* 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:

2 SECTION 1. 29.519 (1m) (c) of the statutes is amended to read:

3 29.519 (1m) (c) The department may promulgate rules defining the
4 qualifications of licensees in the reasonable exercise of this authority, giving due
5 consideration to residency, past record including compliance with the records
6 requirements of sub. (5), fishing and navigation ability and quantity and quality of

check spacing

any harvesting harvesting

1 equipment possessed. The rules may not impose a minimum harvest requirements
 2 on applicants for licenses requiring that applicants harvested, in any previous period
 3 of time, a specified minimum amount of ~~Great Lakes~~ fish. Rules relating to licensing
 4 commercial fishers shall be based on criteria provided by the commercial fishing
 5 boards under sub. (7).

History: 1975 c. 94 s. 91 (9); 1975 c. 199, 317; 1977 c. 29, 418; 1979 c. 32 s. 92 (1); 1979 c. 154, 221; 1983 a. 25; 1983 a. 27 s. 2202 (38); 1985 a. 29; 1985 a. 332 s. 251 (1), (3); 1991 a. 39; 1993 a. 112; 1997 a. 27, 189, 191, 237; 1997 a. 248 ss. 461 to 475; Stats. 1997 s. 29.519; 1999 a. 32; 2005 a. 288.

6 (END)

Duerst, Christina

From: Wagnitz, John
Sent: Wednesday, July 25, 2007 10:10 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-2943/1 Topic: Prohibit a minimum harvest requirement for having a commercial fishing license

Please Jacket LRB 07-2943/1 for the SENATE.