

State of Wisconsin



2013 Assembly Bill 380

Date of enactment: **December 12, 2013**
Date of publication*: **December 13, 2013**

2013 WISCONSIN ACT 64

AN ACT to amend 29.179 (2), 29.192 (4) (a), 29.192 (4) (b) 1. and 29.237 (5) of the statutes; relating to: a cumulative preference system for sturgeon spearing permits and the transfer of a sturgeon spearing license to a minor.

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

SECTION 1. 29.179 (2) of the statutes is amended to read:

29.179 (2) APPLICATION. Upon application by a holder of an approval to transfer the approval to a minor, and upon the payment of any fee required under sub. (3), the department shall transfer the approval to the minor if the application is made no later than the 15 days immediately preceding the first day of the applicable open season and if the minor has not been previously transferred that type of approval under this section and if the minor is otherwise eligible to use the approval. The department may transfer a sturgeon spearing license under this subsection only during the period beginning on the ~~November~~ October 1st of each year and ending on the day that is the 15th day preceding the first day of the open season for the spearing of lake sturgeon that follows that ~~November~~ October 1st.

SECTION 2. 29.192 (4) (a) of the statutes is amended to read:

29.192 (4) (a) If the department decides to limit the number of persons taking Canada geese, ~~or sharp-tailed grouse, or sturgeon~~ by issuing permits and if the number of persons seeking the permits exceeds the number of available permits, the department shall issue the permits according to a cumulative preference system established

by the department. The department shall give a preference point to each applicant for each previous season for which the applicant applied but was not issued a permit. The system shall establish preference categories for these applicants, with higher priority given to those categories with more points than those with fewer points. Applicants who fail to apply at least once during any 3 consecutive years shall lose all previously accumulated preference points. If the number of applicants within a preference category or ~~a~~ subcategory exceeds the number of permits available in the category or subcategory, the department shall select at random within the category or subcategory the applicants to be issued the permits.

SECTION 3. 29.192 (4) (b) 1. of the statutes is amended to read:

29.192 (4) (b) 1. If the department decides to issue permits to limit the number of persons taking fishers, otters, or bobcats ~~by issuing permits, or sturgeon~~ and if the number of persons seeking the permits exceeds the number of available permits, the department shall issue the permits according to a cumulative preference system established by the department. The system shall establish preference categories for those applicants who applied for but were not issued the applicable permits, with higher priority given to those categories with more points than those with fewer preference points. For each season, the department shall allow each applicant under the system to apply for a preference point or for a permit. The

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

department shall give a preference point to each applicant who applies for a preference point and to each applicant who applies for a permit but who is not ~~selected~~ issued a permit. Applicants who fail to apply for either a preference point or a permit at least once during any 3 consecutive years shall lose all previously accumulated preference points. If the number of applicants within a preference category or ~~a~~ subcategory exceeds the number of permits available in the category or subcategory, the department shall select at random within the category or subcategory the applicants to be issued the permits.

SECTION 4. 29.237 (5) of the statutes is amended to read:

29.237 (5) The department shall deposit receipts from the sale of sturgeon spearing licenses under this subsection into the conservation fund and shall credit these receipts to the appropriation account under s. 20.370 (4) (kw) for assessing and managing the lake sturgeon stock and fishery in the Lake Winnebago system, for improving and maintaining lake sturgeon habitat in the Lake Winnebago and upper Fox and Wolf rivers system, and for administering this section.

SECTION 5. Effective date.

(1) This act takes effect on April 1, 2014, or on the day after publication, whichever is later.
