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State of Misconsin 2011 - 2012 LEGISLATURE



2011 ASSEMBLY BILL 661

March 6, 2012 – Introduced by Representatives JACQUE, AUGUST, BALLWEG, KNILANS, KOOYENGA, KRUG, PRIDEMORE, RIPP, SPANBAUER, STEINEKE, STROEBEL, TURNER, ENDSLEY and THIESFELDT, cosponsored by Senators LEIBHAM and LASEE. Referred to Committee on Natural Resources.

1 AN ACT to amend 29.2285 (3) (d); and to create 23.24 (4) (b) 4., 29.219 (1) (d) and

29.228 (1) (d) of the statutes; **relating to:** exceptions to fishing license requirements.

Analysis by the Legislative Reference Bureau

Current law, with certain exceptions, requires a person who fishes in the waters of this state to hold a fishing license issued by the Department of Natural Resources (DNR). Current law also requires a person, before stocking fish in the waters of this state, to obtain a permit from DNR and to have the fish certified by a qualified inspector as meeting certain fish health standards. Current law also prohibits the stocking of any fish that is a species of lake sturgeon, regardless of whether a permit has been issued.

This bill creates an exception to the general fishing license requirements under current law. Under the bill, no fishing license is required for a person to fish in a pond that is entirely confined on private property if the owner of the private property gives the person permission to fish in the pond.

Under current law, a person may not control aquatic plants in waters of this state by the use of chemicals without a permit issued by DNR. This bill allows a person to use an algaecide or herbicide in a pond that is entirely confined on the person's private property without obtaining a permit from DNR.

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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:

1	SECTION 1. 23.24 (4) (b) 4. of the statutes is created to read:
2	23.24 (4) (b) 4. A person who uses an algaecide or herbicide in a pond that is
3	entirely confined on the person's private property.
4	SECTION 2. 29.219 (1) (d) of the statutes is created to read:
5	29.219 (1) (d) <i>Exception; fishing in private ponds</i> . No fishing license is required
6	for a resident to fish in a pond that is entirely confined on private property owned by
7	a person who gives permission to the resident to fish in the pond.
8	SECTION 3. 29.228 (1) (d) of the statutes is created to read:
9	29.228 (1) (d) <i>Exception; fishing in private ponds</i> . No fishing license is required
10	for a nonresident to fish in a pond that is entirely confined on private property owned
11	by a person who gives permission to the nonresident to fish in the pond.
12	SECTION 4. 29.2285 (3) (d) of the statutes is amended to read:
13	29.2285 (3) (d) License requirement. Any person fishing for lake sturgeon shall
14	hold a license authorizing the fishing or shall be exempt from holding such a license
15	under s. 29.219 (1) (b) 1. or 2. or (d) or 29.228 (1) (b) or (d) .
16	(END)