



2019 ASSEMBLY BILL 555

October 18, 2019 - Introduced by Representatives TUSLER, VRUWINK, OTT, EDMING, KURTZ, QUINN, SHANKLAND, SORTWELL, SPIROS, STEFFEN, WICHGERS and SUBECK, cosponsored by Senators TESTIN, RINGHAND, MARKLEIN and OLSEN. Referred to Committee on Sporting Heritage.

1 **AN ACT** *to amend* 25.29 (1) (a), 29.219 (4), 29.229 (2) (i), 29.2295 (2) (i), 29.231
2 (2), 29.236 (2), 29.563 (3) (a) 3. and 29.624 (1); and *to create* 25.17 (1) (jf), 25.29
3 (1) (g), 25.299, 29.219 (2g), 29.229 (2) (gm), 29.2295 (2) (gm) and 29.563 (3) (a)
4 4g. of the statutes; **relating to:** a resident lifetime fishing license, a lifetime
5 fishing trust fund, and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill creates a resident lifetime fishing license and provides for the establishment of a lifetime fishing trust fund.

Under current law, with certain exceptions including an exception for residents under the age of 16, no person may fish in this state unless the person has a valid approval that authorizes fishing. The Department of Natural Resources issues various fishing licenses, such as resident annual fishing licenses, one-day fishing licenses, and two-day sports fishing licenses. This bill requires DNR also to issue lifetime fishing licenses to residents.

Under the bill, a resident lifetime fishing license confers the privilege of an annual fishing license. The holder of a resident lifetime fishing license must still purchase a fishing stamp if the type of fishing in which he or she will be engaged requires such a stamp. The bill establishes the fee for a resident lifetime fishing license at 30 times the fee for a resident annual fishing license, which under current law is \$19.25 plus a 75-cent issuing fee. Thus, at the current rate, a resident lifetime fishing license fee under the bill is \$577.50, plus a 75-cent issuing fee.

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Under current law, all proceeds from hunting and fishing license fees are deposited in the conservation fund and appropriated to DNR for various purposes relating to fish and wildlife management. This bill creates a lifetime fishing trust fund and provides that all fees from the sale of resident lifetime fishing licenses are deposited in that trust fund. The bill provides that, each fiscal year, all interest that has accrued in the lifetime fishing trust fund and a prorated amount of the money from each resident lifetime fishing license fee must be transferred from the lifetime fishing trust fund to the conservation fund. The bill allows DNR to adopt rules establishing a system for prorating resident lifetime fishing license fees for the purposes of this transfer. The bill requires that the system for prorating these fees must comply with the federal rules governing how lifetime licenses may be counted for purposes of this state qualifying for funding under the federal Dingell-Johnson Act.

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.** 25.17 (1) (jf) of the statutes is created to read:

2 25.17 (1) (jf) Lifetime fishing trust fund (s. 25.299);

3 **SECTION 2.** 25.29 (1) (a) of the statutes is amended to read:

4 25.29 (1) (a) Except as provided in ss. 25.293 ~~and~~, 25.295, and 25.299, all
5 moneys accruing to the state for or in behalf of the department under chs. 26, 27, 28,
6 29, 169, and 350, subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325, 23.33,
7 23.335, except as provided in s. 25.40 (1) (bt), 23.35 to 23.42, 23.50 to 23.99, 30.50 to
8 30.55, 71.10 (5), 71.30 (10), and 90.21, including grants received from the federal
9 government or any of its agencies except as otherwise provided by law.

10 **SECTION 3.** 25.29 (1) (g) of the statutes is created to read:

11 25.29 (1) (g) Moneys transferred from the lifetime fishing trust fund under s.
12 25.299 (2) (a).

13 **SECTION 4.** 25.299 of the statutes is created to read:

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1 **25.299 Lifetime fishing trust fund.** (1) There is established a separate
2 nonlapsible trust fund designated as the lifetime fishing trust fund, to consist of all
3 resident lifetime fishing license fees paid under s. 29.563 (3) (a) 4g. and the income
4 received and accruing from investments of the fund.

5 (2) (a) Each fiscal year, all interest that has accrued in the lifetime fishing trust
6 fund and a prorated amount of the money from each resident lifetime fishing license
7 fee shall be transferred from the lifetime fishing trust fund to the conservation fund.

8 (b) The department of natural resources may adopt rules establishing a system
9 for prorating resident lifetime fishing license fees for purposes of the transfer under
10 par. (a). The system for prorating these fees shall comply with the federal rules
11 governing how lifetime licenses may be counted for purposes of this state qualifying
12 for federal funding under 50 CFR 80.

13 **SECTION 5.** 29.219 (2g) of the statutes is created to read:

14 29.219 (2g) LIFETIME FISHING LICENSE. The department shall issue a resident
15 lifetime fishing license, subject to s. 29.024, to any resident who applies for this
16 license. A resident lifetime fishing license is not transferable, exchangeable, or
17 refundable and cannot be combined with any other discount on approvals. A resident
18 lifetime fishing license issued under this subsection remains valid even if the holder
19 is no longer a resident.

20 **SECTION 6.** 29.219 (4) of the statutes is amended to read:

21 29.219 (4) ~~HUSBAND AND WIFE~~ SPOUSAL RESIDENT LICENSES. A combined husband
22 and wife annual resident fishing license shall be issued to spouses subject to s. 29.024
23 by the department to residents applying for this license. This license confers upon
24 both husband and wife spouses the privileges of resident fishing licenses.

25 **SECTION 7.** 29.229 (2) (gm) of the statutes is created to read:

ASSEMBLY BILL 555**SECTION 7**

1 29.229 (2) (gm) Resident lifetime fishing licenses.

2 **SECTION 8.** 29.229 (2) (i) of the statutes is amended to read:

3 29.229 (2) (i) ~~Husband and wife~~ Spousal fishing licenses.

4 **SECTION 9.** 29.2295 (2) (gm) of the statutes is created to read:

5 29.2295 (2) (gm) Resident lifetime fishing licenses.

6 **SECTION 10.** 29.2295 (2) (i) of the statutes is amended to read:

7 29.2295 (2) (i) ~~Husband and wife~~ Spousal fishing licenses.

8 **SECTION 11.** 29.231 (2) of the statutes is amended to read:

9 29.231 (2) A resident sports license confers upon the licensee all of the
10 combined privileges conferred by a resident small game hunting license, resident
11 annual fishing license and resident deer hunting license subject to all of the duties,
12 conditions, limitations, and restrictions of those licenses.

13 **SECTION 12.** 29.236 (2) of the statutes is amended to read:

14 29.236 (2) An annual disabled veteran recreation card entitles the holder to
15 exercise all of the combined rights and privileges conferred by a resident small game
16 hunting license and a resident annual fishing license, subject to all duties,
17 conditions, limitations, and restrictions of the licenses. A person may operate any
18 motor vehicle, except a motor bus, as defined in s. 340.01 (31), subject to the
19 admission requirements under s. 27.01 (7) in any vehicle admission area under s.
20 27.01 (7) without having an admission receipt affixed to the vehicle or otherwise
21 displayed and without paying a fee if the vehicle has as an occupant a card holder
22 who can exhibit the card upon demand in the vehicle admission area. The card
23 permits a card holder to enter Heritage Hill state park or a state trail without paying
24 an admission fee.

25 **SECTION 13.** 29.563 (3) (a) 3. of the statutes is amended to read:

ASSEMBLY BILL 555**SECTION 13**

1 29.563 (3) (a) 3. ~~Husband and wife~~ Annual fishing license issued to spouses:
2 \$30.25.

3 **SECTION 14.** 29.563 (3) (a) 4g. of the statutes is created to read:

4 29.563 (3) (a) 4g. Lifetime fishing: 30 times the fee for an annual fishing license
5 under subd. 1.

6 **SECTION 15.** 29.624 (1) of the statutes is amended to read:

7 29.624 (1) A senior citizen recreation card entitles the holder to exercise all of
8 the combined rights and privileges conferred by a resident small game hunting
9 license, a wild turkey hunting license, a wild turkey hunting stamp, and a resident
10 annual fishing license, subject to all duties, conditions, limitations, and restrictions
11 of the licenses and stamp. A person may operate any motor vehicle, except a motor
12 bus, as defined in s. 340.01 (31), subject to the admission requirements under s. 27.01
13 (7) in any vehicle admission area under s. 27.01 (7) without having an admission
14 receipt affixed to the vehicle or otherwise displayed and without paying a fee if the
15 vehicle has as an occupant a card holder who can exhibit the card upon demand in
16 the vehicle admission area. The card permits a card holder to enter Heritage Hill
17 state park or a state trail without paying an admission fee.

18 **SECTION 16. Nonstatutory provisions.**

19 (1) The department of natural resources may promulgate emergency rules
20 under s. 227.24 to implement the requirement to issue resident lifetime fishing
21 licenses under s. 29.219 (2g). Notwithstanding s. 227.24 (1) (a) and (3), the
22 department is not required to provide evidence that promulgating a rule under this
23 subsection as an emergency rule is necessary for the preservation of the public peace,
24 health, safety, or welfare and is not required to provide a finding of emergency for a
25 rule promulgated under this subsection.

