



2013 ASSEMBLY BILL 633

January 21, 2014 - Introduced by Representatives KRUG, KULP, BERNIER, SPIROS, T. LARSON and WRIGHT, cosponsored by Senators SCHULTZ and LASSA. Referred to Committee on Natural Resources and Sporting Heritage.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to renumber and amend** 29.193 (3) (a); **to amend** 29.024 (6) (c) 2.,
2 29.193 (title), 29.193 (1m) (b), 29.193 (2) (b) 2., 29.193 (2) (c) 1. (intro.), 29.193
3 (2) (cr) 4., 29.193 (3) (intro.), 29.193 (3) (b), 29.193 (3m), 29.193 (5) (title), 29.559
4 (1) (b), 29.563 (3) (a) 7. and 29.563 (3) (a) 9.; and **to create** 29.193 (3) (a) 1. and
5 29.193 (3) (a) 2. of the statutes; **relating to:** eligibility of persons with
6 disabilities to receive annual fishing licenses at reduced fees.

Analysis by the Legislative Reference Bureau

Under current law, a resident of this state is eligible for an annual fishing license at a reduced fee if the person applying for the license produces a certificate from a licensed physician or optometrist stating that his or her sight is impaired to the degree that he or she cannot read ordinary newspaper print with or without corrective glasses, or produces evidence showing that he or she is receiving social security or other federal disability benefits or that he or she is a veteran receiving federal disability compensation for a non-service-related disability.

Under this bill, a certificate stating that an applicant's sight is impaired to the degree that he or she cannot read ordinary newspaper print with or without corrective glasses no longer qualifies a person to receive an annual fishing license at a reduced fee. Instead, the bill allows a resident holder of a Class C permit to be eligible for an annual fishing license at a reduced fee as long as the permit will not expire before the end of the effective period of the annual fishing license. DNR must issue a Class C permit to any applicant who is legally blind.

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The bill also makes a resident holder of a Class A permit eligible for an annual fishing license at a reduced fee as long as the permit will not expire before the end of the effective period of the annual fishing license. DNR must issue a Class A permit to an applicant who DNR determines has a permanent disability and is unable to walk or move about without a wheelchair, walker, or certain other mobility aids, or who is suffering significantly from lung disease or cardiovascular disease.

The bill also makes a resident holder of a Class B permit eligible for an annual fishing license at a reduced fee as long as the permit is issued for more than one year and will not expire before the end of the effective period of the annual fishing license. DNR must issue a Class B permit to an applicant with a temporary disability that restricts mobility or ambulation and who has either surgery or a cast on his or her leg, hip, or back. DNR may issue a Class B permit to an applicant with a temporary disability that restricts mobility or ambulation or to an applicant who is otherwise ineligible for a Class A or Class B permit if the issuance of a Class B permit complies with the intent of the statute that establishes these classes of permits for persons with disabilities.

Finally, the bill makes a resident holder of a Class D permit eligible for an annual fishing license at a reduced fee as long as the permit will not expire before the end of the effective period of the annual fishing license. DNR must issue a Class D permit to an applicant who has certain upper extremity impairments such as amputation, prosthesis, or loss of function of one or both arms, hands, or shoulders.

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 (6) (c) 2. of the statutes is amended to read:

2 29.024 (6) (c) 2. Persons appointed under par. (a) 2. and 3., as well as the
3 department, shall issue temporary disabled person fishing licenses under s. 29.193
4 (3m).

5 **SECTION 2.** 29.193 (title) of the statutes is amended to read:

6 **29.193 (title) Approvals for disabled persons with disabilities.**

7 **SECTION 3.** 29.193 (1m) (b) of the statutes is amended to read:

8 29.193 (1m) (b) A disabled person with a disability who holds a current fishing
9 license issued under this chapter or who is exempt from holding a fishing license
10 under this chapter and who holds either a trolling permit issued under par. (a) or a

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1 Class A permit issued under sub. (2) may fish or troll in the waters of this state using
2 an electric motor. A person who assists the disabled person with a disability in the
3 same boat may also fish or troll if he or she also holds a current fishing license or is
4 exempt from holding a license. A person may use an electric motor under this
5 subsection notwithstanding any ordinances enacted under s. 30.77 (3) that prohibit
6 the use of motor boats on navigable waters. The use of such motor is subject to any
7 rules promulgated by the department regarding the use of electric motors for fishing
8 or trolling by disabled persons with disabilities.

9 **SECTION 4.** 29.193 (2) (b) 2. of the statutes is amended to read:

10 29.193 (2) (b) 2. An applicant shall submit an application on a form prepared
11 and furnished by the department, which shall include a written statement or report
12 prepared and signed by a licensed physician, a licensed chiropractor, or a licensed
13 podiatrist prepared no more than 6 months preceding the application and verifying
14 that the applicant is ~~physically disabled~~ has a physical disability.

15 **SECTION 5.** 29.193 (2) (c) 1. (intro.) of the statutes is amended to read:

16 29.193 (2) (c) 1. (intro.) The department shall issue a Class A permit under this
17 subsection to an applicant who is ~~permanently disabled~~ has a permanent disability,
18 as determined by the department, in any of the following ways:

19 **SECTION 6.** 29.193 (2) (cr) 4. of the statutes is amended to read:

20 29.193 (2) (cr) 4. A person holding a current resident or nonresident deer
21 hunting license and a Class D permit may hunt deer of either sex with a firearm only
22 during a special season established by the department that is open for hunting deer
23 with firearms by disabled persons with disabilities who hold a permit under this
24 section.

25 **SECTION 7.** 29.193 (3) (intro.) of the statutes is amended to read:

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1 29.193 (3) (intro.) ANNUAL FISHING LICENSE FOR ~~DISABLED~~ PERSONS WITH
2 DISABILITIES. (intro.) The department or a county clerk appointed under s. 29.024 (6)
3 (a) 2. shall issue, subject to s. 29.024 (2g), an annual ~~disabled person~~ fishing license
4 to any resident who has a disability at the time the resident applies for this license
5 if the resident does one of the following:

6 **SECTION 8.** 29.193 (3) (a) of the statutes is renumbered 29.193 (3) (a) (intro.)
7 and amended to read:

8 29.193 (3) (a) (intro.) Produces ~~a certificate from a licensed physician or~~
9 ~~optometrist stating that his or her sight is impaired to the degree that he or she~~
10 ~~cannot read ordinary newspaper print with or without corrective glasses.~~ any of the
11 following permits that will not expire before the end of the effective period of the
12 fishing license:

13 **SECTION 9.** 29.193 (3) (a) 1. of the statutes is created to read:

14 29.193 (3) (a) 1. A Class A, Class C, or Class D permit issued under sub. (2).

15 **SECTION 10.** 29.193 (3) (a) 2. of the statutes is created to read:

16 29.193 (3) (a) 2. A Class B permit issued for more than one year under sub. (2).

17 **SECTION 11.** 29.193 (3) (b) of the statutes is amended to read:

18 29.193 (3) (b) Produces evidence that shows that he or she is receiving benefits
19 under 38 USC 1521 to 1523, 42 USC 401 to 433, 42 USC 1381 to 1381d, or 45 USC
20 231a (a) (1) (iv) or (v) because of a determination that he or she is ~~disabled~~ has a
21 disability.

22 **SECTION 12.** 29.193 (3m) of the statutes is amended to read:

23 29.193 (3m) TEMPORARY FISHING LICENSE FOR ~~DISABLED~~ PERSONS WITH
24 DISABILITIES. If a person submits an application to a nongovernmental issuing agent
25 for an annual ~~disabled person~~ fishing license that includes the evidence specified in

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1 sub. (3) (a), (b), or (c) and the applicable license fee and issuing fee, the
2 nongovernmental issuing agent shall issue, subject to s. 29.024 (2g), a temporary
3 ~~disabled person~~ fishing license to the applicant. The nongovernmental issuing agent
4 shall promptly forward all of the application materials for the annual fishing license
5 to the department for the department's review. A temporary fishing license issued
6 under this subsection is valid for 14 days after the date of issuance. If the department
7 denies the application for an annual fishing license, the department shall notify the
8 applicant within 30 days after the date the temporary fishing license is issued. If the
9 department approves the application, the department shall issue, subject to s. 29.024
10 (2g), the annual fishing license and mail it to the applicant within 30 days after the
11 date the temporary fishing license is issued. The department may not charge any
12 type of fee for issuing the annual fishing license, and the department may not refund
13 the applicable fees for the temporary fishing license if the department denies the
14 application for the temporary fishing license.

15 **SECTION 13.** 29.193 (5) (title) of the statutes is amended to read:

16 29.193 (5) (title) ~~GROUP FISHING LICENSE FOR THE DEVELOPMENTALLY DISABLED~~
17 PERSONS WITH DEVELOPMENTAL DISABILITIES.

18 **SECTION 14.** 29.559 (1) (b) of the statutes is amended to read:

19 29.559 (1) (b) A person appointed under s. 29.024 (6) (a) 3. may retain the entire
20 issuing fee for each temporary ~~disabled person~~ fishing license the person issues
21 under s. 29.193 (3m) in order to compensate for services in issuing the license.

22 **SECTION 15.** 29.563 (3) (a) 7. of the statutes is amended to read:

23 29.563 (3) (a) 7. Annual or temporary fishing issued to a ~~disabled person~~ with
24 a disability under s. 29.193 (3) (a) or (b) or (3m): \$6.25.

25 **SECTION 16.** 29.563 (3) (a) 9. of the statutes is amended to read:

