



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 337

**Assembly Substitute
Amendment 1**

Memo published: January 20, 2006

Contact: Mark C. Patronsky, Senior Staff Attorney (266-9280)

Current law creates an exemption from the prohibition on using a light at night while hunting or possessing weapons. This exemption allows a person to possess or use a light while using a bow and arrow for taking rough fish on lakes that are not outlying waters (i.e., not Great Lakes waters). [See s. 29.314 (4) (b) 3., Stats.] This exception was adopted in the 1997 Legislative Session, and the Department of Natural Resources (DNR) has promulgated administrative rules to open specifically listed waters for night bow fishing. [See s. NR 20.09 (2), Wis. Adm. Code.]

Assembly Bill 337 requires the DNR to allow fishing with a bow and arrow at night on any body of water for which the DNR establishes an open season for fishing with a bow and arrow.

Assembly Substitute Amendment 1 restricts the bill to rough fish and includes the same requirement as the bill: if DNR establishes an open season for taking rough fish with a bow and arrow on any body of water, the DNR is required to allow taking rough fish with a bow and arrow on the same body of water at night during the open season.

In addition, the substitute amendment adds the following provisions to the bill:

- A person who takes rough fish with a bow and arrow must use an arrow equipped with a metal barbed tip attached to a line that allows retrieval of the arrow and the fish.
- A person who takes a rough fish with a bow and arrow may not return it, whether dead or alive, to the waters of this state.
- Rough fish taken with a bow and arrow may not be left on ice or on banks of any waters of this state.
- A person who takes rough fish with a bow and arrow must remove the fish from the waters and use or dispose of the fish in an appropriate manner as determined by the department.

- The provision in current statutes on using a light at night while taking animals is modified so that the exception applies to all waters, not just Great Lakes waters.
- A new exception to the prohibition in current statutes on possessing a light to shine wild animals is created to allow a person to possess a light while using a bow and arrow to take rough fish.

Legislative History

The Assembly Natural Resources Committee, on December 14, 2005, adopted Assembly Substitute Amendment 1 by a vote of Ayes, 14; Noes, 0, and recommended passage of the bill as amended by a vote of Ayes, 14; Noes, 0.

MCP:jal