



2005 ASSEMBLY BILL 128

February 22, 2005 – Introduced by Representatives PETTIS, GRONEMUS, JESKEWITZ, ALBERS, FREESE, GUNDERSON and STONE, cosponsored by Senators GROTHMAN and KEDZIE. Referred to Committee on Natural Resources.

1 **AN ACT** *to create* 29.404 (1m) of the statutes; **relating to:** the removal of fishing
2 shanties or similar shelters.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) regulates the placement and removal of ice fishing shanties. This bill provides that DNR may not promulgate or enforce a rule that requires the owner of an ice fishing shanty placed on the ice of any inland water to remove the shanty before a certain date in March. The removal date established under the bill is determined by the location of the inland water within the state. The bill provides that this prohibition does not apply if DNR determines that the shanty must be removed for safety reasons.

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

3 **SECTION 1.** 29.404 (1m) of the statutes is created to read:
4 29.404 (1m) REMOVAL DEADLINE EXCEPTION. Notwithstanding sub. (1), the
5 department may not promulgate or enforce a rule that requires the owner of a fishing
6 shanty or similar shelter placed on the ice of any inland water of this state to remove

ASSEMBLY BILL 128

SECTION 1

1 the shelter before the following date unless the department determines that removal
2 is required for safety reasons:

3 (a) If the inland water lies north of STH 64, the first Sunday following March
4 12, or if March 12 falls on a Sunday, March 12.

5 (b) If the inland water lies south of STH 64, the first Sunday following March
6 1, or if March 1 falls on a Sunday, March 1.

7 (END)