

State of Wisconsin



1997 Senate Bill 263

Date of enactment: **April 27, 1998**
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1997 WISCONSIN ACT 197

AN ACT *to renumber and amend* 29.225 (1) and 29.226 (1); *to amend* 29.092 (2) (n), 29.092 (13) (f), 29.093 (2) (f), 29.225 (title), 29.225 (2), 29.225 (3), 29.225 (4) (a) 1., 29.225 (4) (a) 2., 29.225 (4) (am), 29.226 (2), 29.227 (1) (b), 29.227 (2) (b) 2., 29.227 (3) (a) 2., 29.227 (3) (b) 2., 29.227 (3) (b) 3. and 938.343 (7); and *to create* 29.225 (1) (c) and (d), 29.226 (1) (b) and 29.226 (2m) of the statutes; **relating to:** hunter education programs and hunting approvals issued to bow hunters.

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

SECTION 1. 29.092 (2) (n) of the statutes is amended to read:

29.092 (2) (n) (title) *Hunter education and firearm safety courses; instruction fee; certificate of accomplishment.* The instruction fee for the hunter education and firearm safety course or the bow hunter education course provided in s. 29.225 is \$3. There is no fee for the original issuance of a certificate of accomplishment if the instruction fee is paid.

SECTION 2. 29.092 (13) (f) of the statutes is amended to read:

29.092 (13) (f) (title) *Duplicate hunter certificate of accomplishment.* The fee for a duplicate hunter education and firearm safety course or bow hunter education course certificate of accomplishment issued under s. 29.225 (4) (b) is \$2.

SECTION 3. 29.093 (2) (f) of the statutes, as affected by 1997 Wisconsin Act 12, is amended to read:

29.093 (2) (f) 1. Except as provided under s. 29.227 (1) (d), a certificate of accomplishment issued under s. 29.225 that may be used in place of a small game hunting

license is valid for the hunting of small game in place of a resident small game hunting license from the date of issuance until March 31 of the following year.

SECTION 4. 29.225 (title) of the statutes is amended to read:

29.225 (title) **Hunter education program and firearm safety bow hunter education program; certificate of accomplishment.**

SECTION 5. 29.225 (1) of the statutes is renumbered 29.225 (1) (a) and amended to read:

29.225 (1) (a) The department shall establish by rule a statewide hunter education and firearm safety program. ~~The hunter education and firearm safety program shall provide for a course of instruction in each school district or county and bow hunter education program.~~ The department shall conduct ~~this course~~ these courses of instruction in cooperation with qualified individuals, organizations, groups, associations, public or private corporations and federal, state and local governmental entities. ~~This course~~ The hunter education program shall provide for a course of instruction in each school district or county. The bow hunter education program need not provide for a course of instruction in each school district or county.

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

(b) The courses of instruction under these programs shall provide instruction to students in the commonly accepted principles of safety in handling hunting firearms and equipment, the responsibilities of hunters to wildlife, environment, landowners and others, how to recognize threatened and endangered species which that cannot be hunted and the principles of wildlife management and conservation.

SECTION 6. 29.225 (1) (c) and (d) of the statutes are created to read:

29.225 (1) (c) In addition to the topics specified in par. (b), the course of instruction under the hunter education program shall provide instruction in the commonly accepted principles of safety in handling firearms and bows and arrows used in hunting and their associated equipment.

(d) In addition to the topics specified in par. (b), the course of instruction under the bow hunter education program shall provide instruction in hunting with bows and arrows and their associated equipment.

SECTION 7. 29.225 (2) of the statutes is amended to read:

29.225 (2) ADMINISTRATION. The law enforcement administrator shall be the department's authorized agent to administer, supervise and enforce this section. The department shall appoint a qualified person from the law enforcement function, under the classified service, as the hunter education program and bow hunter education program administrator and shall prescribe his or her duties and responsibilities. The department may appoint county, regional and statewide directors, ~~master hunter education instructors and regular~~ hunter education instructors necessary for the hunter education and firearm safety program and the bow hunter education program. These appointees are responsible to the department and shall serve on a voluntary basis without compensation.

SECTION 8. 29.225 (3) of the statutes is amended to read:

29.225 (3) INSTRUCTION FEE. The department shall collect the instruction fee specified under s. 29.092 (2) (n) from each person who receives instruction under the hunter education and firearm safety program and the bow hunter education program. The department may authorize an instructor conducting a course of instruction under either program meeting standards established by the department to retain 50% of this fee to defray expenses incurred locally to operate the program. The remaining portion of the fee or, if nothing is retained, the entire fee shall be deposited in the conservation fund.

SECTION 9. 29.225 (4) (a) 1. of the statutes, as affected by 1997 Wisconsin Act 12, is amended to read:

29.225 (4) (a) 1. The department shall issue a certificate of accomplishment to a person who successfully completes the course of instruction under the hunter education and firearm safety program or the bow hunter

education program and who pays the instruction fee. The department shall prescribe the form and content of the certificate of accomplishment.

SECTION 10. 29.225 (4) (a) 2. of the statutes, as created by 1997 Wisconsin Act 12, is amended to read:

29.225 (4) (a) 2. A resident may use the certificate of accomplishment issued to him or her for successfully completing the course of instruction under the hunter education and firearm safety program for the first time in place of a small game hunting license as required in s. 29.09.

SECTION 11. 29.225 (4) (am) of the statutes, as created by 1997 Wisconsin Act 12, is amended to read:

29.225 (4) (am) *Authorization for antlerless deer.* The department may authorize a person to whom it issues a certificate of accomplishment for successfully completing the course of instruction under the hunter education and firearm safety program for the first time to use the certificate in place of a permit issued under s. 29.107 to take one antlerless deer in specific areas identified by the department. The authorization for group deer hunting under s. 29.405 shall not apply to a person hunting an antlerless deer as authorized under this paragraph.

SECTION 12. 29.226 (1) of the statutes is renumbered 29.226 (1) (a) and amended to read:

29.226 (1) (a) Except as provided under subs. (2), (2m) and (3), no person born on or after January 1, 1973, may obtain any approval authorizing hunting unless the person is issued a certificate of accomplishment under s. 29.225.

SECTION 13. 29.226 (1) (b) of the statutes is created to read:

29.226 (1) (b) A certificate of accomplishment issued to a person for successfully completing the course under the bow hunter education program only authorizes the person to obtain a resident or nonresident archer hunting license.

SECTION 14. 29.226 (2) of the statutes is amended to read:

29.226 (2) A person who has a certificate, license or other evidence indicating that he or she has completed in another state a hunter safety course ~~in another state~~ and if the course is recognized by the department under a reciprocity agreement, the person may obtain an approval authorizing hunting regardless of whether the person is issued a certificate of accomplishment for successfully completing the course of instruction under s. 29.225 the hunter education program in this state.

SECTION 15. 29.226 (2m) of the statutes is created to read:

29.226 (2m) A person who has a certificate, license or other evidence indicating that he or she has completed in another state a bow hunter education course and if the course is recognized by the department under a reciprocity agreement, the person may obtain a resident or nonresident archer hunting license regardless of whether the

person is issued a certificate of accomplishment for successfully completing the course of instruction under the bow hunter education program in this state.

SECTION 16. 29.227 (1) (b) of the statutes is amended to read:

29.227 (1) (b) *Restrictions on possession or control of a firearm.* No person under 12 years of age may have in his or her possession or control any firearm unless he or she is enrolled in a the course of instruction under the hunter education ~~and firearm safety~~ program and he or she is carrying the firearm in a case and unloaded to or from that class under the supervision of a parent or guardian or is handling or operating the firearm during that class under the supervision of an instructor.

SECTION 17. 29.227 (2) (b) 2. of the statutes is amended to read:

29.227 (2) (b) 2. Is enrolled in a the course of instruction under the hunter education ~~and firearm safety~~ program and is carrying the firearm in a case and unloaded to or from that class or is handling or operating the firearm during that class under the supervision of an instructor.

SECTION 18. 29.227 (3) (a) 2. of the statutes is amended to read:

29.227 (3) (a) 2. Is issued a certificate of accomplishment that states that he or she successfully completed the

course of instruction under the hunter education ~~and firearm safety~~ program or has a similar certificate issued by another state or province.

SECTION 19. 29.227 (3) (b) 2. of the statutes is amended to read:

29.227 (3) (b) 2. Is enrolled in a the course of instruction under the hunter education ~~and firearm safety~~ program and is carrying the firearm in a case and unloaded to or from that class or is handling or operating the firearm during that class under the supervision of an instructor; or

SECTION 20. 29.227 (3) (b) 3. of the statutes is amended to read:

29.227 (3) (b) 3. Is issued a certificate of accomplishment that states that he or she completed the course of instruction under the hunter education ~~and firearm safety~~ program or has a similar certificate issued by another state or province.

SECTION 21. 938.343 (7) of the statutes is amended to read:

938.343 (7) If the violation is related to the unsafe use of firearms, order the juvenile to attend a the course under the hunter education ~~and firearm safety~~ program under s. 29.225.

SECTION 22. Effective date.

(1) This act takes effect on July 1, 1998.